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CANADA
HOUSE OF COMMONS

18th Parliament, 2nd Session
1937

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Second Session, Eighteenth Parliament, 1 George VI, 1937

THE HOUSE OF COMMONS OF CANADA.

BILL 1.

An Act respecting alteration in the law touching the Succession to the Throne.

First reading, January 14, 1937.

THE PRIME MINISTER.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937.

31013

2nd Session, 18th Parliament, 1 George VI, 1937

THE HOUSE OF COMMONS OF CANADA.

BILL 1.

An Act respecting alteration in the law touching the Succession to the Throne.

Preamble.

WHEREAS his former Majesty, King Edward VIII, by His Royal Message of the tenth day of December, in the year of Our Lord one thousand nine hundred and thirty-six, was pleased to declare that He was irrevocably determined to renounce the Throne for Himself and his descendants, and that He had for that purpose executed the Instrument of Abdication, which is set out in Schedule One to this Act, and signified his desire that effect thereto should be given immediately:

AND WHEREAS, following upon communication to His Majesty's Government in Canada of his former Majesty's said declaration and desire, the request and consent of Canada, pursuant to the provisions of section four of the Statute of Westminster, 1931, to the enactment of His Majesty's Declaration of Abdication Act 1936, which is set out in Schedule Two to this Act, was communicated to His Majesty's Government in the United Kingdom:

AND WHEREAS the following recital is set forth in the preamble to the Statute of Westminster, 1931:

Statute of Westminster. U.K. 22 Geo. V, ch. 4.

"AND WHEREAS it is meet and proper to set out by way of preamble to this Act that, inasmuch as the Crown is the symbol of the free association of the members of the British Commonwealth of Nations, and as they are united by a common allegiance to the Crown, it would be in accord with the established constitutional position of all the members of the Commonwealth in relation to one another that any alteration in the law touching the Succession to the Throne or the Royal Style and Titles shall hereafter require the assent as well of the Parliaments of all the Dominions as of the Parliament of the United Kingdom";

and accordingly it becomes necessary to declare the Assent of the Parliament of Canada to the alteration in the law touching the Succession to the Throne set forth in His Majesty's Declaration of Abdication Act, 1936.

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

Assent to Alteration in the law touching the Succession to the Throne.

1. The alteration in the law touching the Succession to the Throne set forth in the Act of the Parliament of the United Kingdom intituled "His Majesty's Declaration of Abdication Act 1936" is hereby assented to.

SCHEDULE ONE

Instrument of Abdication.

I, Edward the Eighth, of Great Britain, Ireland, and the British Dominions beyond the Seas, King, Emperor of India, do hereby declare My irrevocable determination to renounce the Throne for Myself and for My descendants, and My desire that effect should be given to this Instrument of Abdication immediately.

In token whereof I have hereunto set My hand this tenth day of December, nineteen hundred and thirty-six, in the presence of the witnesses whose signatures are subscribed.

Edward R.I.

Signed at Fort Belvedere
in the presence of
Albert
Henry
George

SCHEDULE TWO

An Act of the Parliament of the United Kingdom Intituled:

A.D. 1936.

An Act to give effect to His Majesty's declaration of abdication; and for the purposes connected therewith.

WHEREAS His Majesty by His Royal Message of the tenth day of December in this present year has been pleased to declare that He is irrevocably determined to renounce the Throne for Himself and His descendants, and has for that purpose executed the Instrument of

Abdication set out in the Schedule to this Act, and has signified His desire that effect thereto should be given immediately:

AND WHEREAS, following upon the communication to His Dominions of His Majesty's said declaration and desire, the Dominion of Canada pursuant to the provisions of section four of the Statute of Westminster, 1931, has requested and consented to the enactment of this Act, and the Commonwealth of Australia, the Dominion of New Zealand, and the Union of South Africa have assented thereto:

BE IT THEREFORE enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Effect of His Majesty's declaration of abdication.

1. (1) Immediately upon the Royal Assent being signified to this Act the Instrument of Abdication executed by His present Majesty on the tenth day of December, nineteen hundred and thirty-six, set out in the Schedule to this Act, shall have effect, and thereupon His Majesty shall cease to be King and there shall be a demise of the Crown, and accordingly the member of the Royal Family then next in succession to the Throne shall succeed thereto and to all the rights, privileges, and dignities thereunto belonging.

(2) His Majesty, His issue, if any, and the descendants of that issue, shall not after His Majesty's abdication have any right, title or interest in or to the succession to the Throne, and section one of the Act of Settlement shall be construed accordingly.

(3) The Royal Marriages Act, 1772, shall not apply to His Majesty after His abdication nor to the issue, if any, of His Majesty or the descendants of that issue.

Short title.

2. This Act may be cited as *His Majesty's Declaration of Abdication Act, 1936.*

SCHEDULE

I, Edward the Eighth of Great Britain, Ireland, and the British Dominions beyond the seas, King, Emperor of India, do hereby declare My irrevocable determination to renounce the Throne for Myself and for My descendants, and My desire that effect should be given to this Instrument of Abdication immediately.

In token whereof I have hereunto set My hand this tenth day of December, nineteen hundred and thirty-six, in the presence of the witnesses whose signatures are subscribed.

EDWARD R. I.

Signed at Fort Belvedere
in the presence of
ALBERT.
HENRY.
GEORGE.

Second Session, Eighteenth Parliament, 1 George VI, 1937

THE HOUSE OF COMMONS OF CANADA.

BILL 2.

An Act to amend the Precious Metals Marking Act, 1928.

First reading, January 18, 1937.

THE MINISTER OF TRADE AND COMMERCE.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
30345 1937

2nd Session, 18th Parliament, 1 George VI, 1937

THE HOUSE OF COMMONS OF CANADA.

BILL 2.

An Act to amend the Precious Metals Marking Act, 1928.

R.S., c. 84; 1928, c. 40; 1929, c. 53; 1934, c. 14; 1935, c. 9.

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

1. Section one of *The Precious Metals Marking Act, 1928*, chapter eighty-four of the Revised Statutes of Canada, 1927, as enacted by section two of chapter forty of the statutes of 1928, is repealed and the following substituted therefor:—

Short title to R.S., cap. 84.

"**1.** This Act may be cited as the *Precious Metals Marking Act.*"

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

Gold plate, gold plated, silver plate, silver plated.

"**10.** (1) This section applies only to plated articles wholly or partly composed of the materials known to the trade as 'rolled gold plate', 'gold filled', 'gold electro-plate', 'gold plate', 'gold plated', 'rolled silver plate', 'silver filled', 'silver electro-plate', 'silver plate', 'silver plated' or of such materials of like nature as are from time to time defined and designated by regulations made by the Governor in Council."

Date letter.

3. Section thirteen of the said Act, as amended by section twelve of chapter fourteen of the statutes of 1934, is further amended by inserting immediately after paragraph *(d)* thereof the following paragraph:—

"*(d1)* without licence in accordance with the regulations under this Act first had and obtained, applies to any article mentioned in subsection one of section seven wholly manufactured in Canada, any device similar to or a colourable imitation of any date letter theretofore used by the Worshipful Company of Goldsmiths, London, England, or intended to indicate the year during which such article was manufactured."

Explanatory Notes.

1. This amendment is required to correct the improper title given the Act by the amending statute of 1928. The figures "1928" are deleted.

2. In a recent investigation it was found that articles were stamped "Gold Plate", which made it difficult to deal with these articles as the phrase "Gold Plate" was not included in this section. The inclusion of the phrases proposed would make this section more comprehensive and complete.

The subsection proposed to be repealed reads as follows:—

"**10.** (1) This section applies only to plated articles wholly or partly composed of the materials known to the trade as 'rolled gold plate', 'gold filled', 'gold electro-plate', 'rolled silver plate', 'silver filled', 'silver electro-plate', or of such materials of like nature as are defined and designated by regulations made by the Governor in Council."

The phrases proposed to be added are "gold plate", "gold plated" and "silver plate", "silver plated."

3. In proposing this amendment, it must be borne in mind that a date letter is not a mark of quality, nor is it a compulsory mark, but is a mark changed each year to designate the year in which an article is manufactured, designed to enhance in future years the value of an article to which it has been applied. This date letter will be applied under licence, and only to articles of gold and silver wholly of Canadian manufacture. A date letter has been used in the British Hall mark for over three hundred years.

Some Canadian manufacturers have been using a date letter for some time, but if there is no uniformity of the letter, or if it is not controlled the purpose of a date letter would be defeated.

4. Section fourteen of the said Act is amended by inserting immediately after paragraph *(d)* thereof the following paragraph:—

Advertisements.

"*(d1)* in any printed or written matter of the nature of an advertisement of an article to which this Act applies uses any mark or description which if applied to the article would contravene any provision of this Act.".

4. In the administration of the Act it has been found that an illustration of articles was used in advertisements with descriptions that would be a contravention of the Act if applied to the article itself. The weakness of the present Act is that the Act covers descriptions if applied to the article, but that an illustration of the article is not the article itself.

Second Session, Eighteenth Parliament, 1 George VI, 1937

THE HOUSE OF COMMONS OF CANADA.

BILL 3.

An Act to amend The Canadian and British Insurance Companies Act, 1932.

First reading, January 18, 1937.

The MINISTER OF FINANCE.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

30520

2nd Session, 18th Parliament, 1 George VI, 1937

THE HOUSE OF COMMONS OF CANADA.

BILL 3.

An Act to amend The Canadian and British Insurance Companies Act, 1932.

1932, c. 46; 1932-33, c. 32; 1934, cc. 27, 45; 1936, c. 18.

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

1932, c. 46.

1. *The Canadian and British Insurance Companies Act, 1932*, is amended by repealing section one hundred and forty-eight thereof (so renumbered by section fifty-nine of chapter twenty-seven of the statutes of 1934), and substituting therefor the following:—

Registration of provincial companies.

"**148.** The Minister may, on the application of any provincial company and as soon as it has filed in the Department the documents hereinbefore provided for and has made the deposit which would be required of a company applying to be registered in respect of the same class or classes of insurance, register such provincial company under the provisions of this Part and grant it a certificate of registry: Provided however that if the certificate of registry of a provincial company is limited to one or more of the provinces of Canada, and if the laws of the province by which it is incorporated provide that a provincial company may transact its business within that province only if it holds a licence or certificate of registry under this Act, the deposit required to be made by such provincial company may be of such an amount, less than the amount which would otherwise be required under this Act, as the Treasury Board on the report of the Superintendent may specify, but at no time less than the amount of the reserve on the business in force in such provincial company on the thirty-first day of December next preceding computed as hereinbefore in this Act provided."

Proviso.

Explanatory Note.

Clause 1. The amendment consists in the addition of the proviso to section 148. This proviso will permit the Treasury Board to authorize a deposit less than the usual deposit in the case of a provincial company incorporated by a province, the insurance laws of which require such a company to hold a certificate of registry under the Dominion Act as a condition of its operation in the province. The minimum deposit to be so authorized is the reserve on the business of the provincial company in force at the end of the preceding year.

The proviso is similar in effect to subsection (2) of section 14 of the Insurance Act, R.S., 1927, Cap. 101, which subsection was omitted in the revision of the Act in 1932.

Second Session, Eighteenth Parliament, 1 George VI, 1937

THE HOUSE OF COMMONS OF CANADA.

BILL 4.

An Act to amend the Weights and Measures Act.

First reading, January 18, 1937.

THE MINISTER OF TRADE AND COMMERCE.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937.

30623

2nd Session, 18th Parliament, 1 George VI, 1937

THE HOUSE OF COMMONS OF CANADA.

BILL 4.

An Act to amend the Weights and Measures Act.

R.S. c. 212; 1935, c. 48.

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

1. Paragraph *(b)* of subsection one of section eighty-two of the *Weights and Measures Act*, chapter two hundred and twelve of the Revised Statutes of Canada, 1927, is repealed and the following substituted therefor:—

"*(b)* if the penalty does not exceed fifty dollars by summary conviction before any justice of the peace for the district, county or place in which the offence is committed, and, if the penalty exceeds fifty dollars, by summary conviction before any two justices of the peace, a police magistrate, a stipendiary magistrate, or any person having the power or authority of two or more justices of the peace, having jurisdiction in such district, county or place."

Explanatory Note.

1. The added words are for the purpose of clarifying the amended paragraph.

The paragraph of the Act proposed to be amended reads as follows:—

"*(b)* if the penalty does not exceed fifty dollars by summary conviction before any justice of the peace for the district, county or place in which the offence is committed, and, if the penalty exceeds fifty dollars, by summary conviction before any two such justices."

Second Session, Eighteenth Parliament, 1 George VI, 1937

THE HOUSE OF COMMONS OF CANADA.

BILL 5.

An Act to amend the Militia Pension Act.

First reading, January 18, 1937.

The MINISTER OF NATIONAL DEFENCE.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
30553 1937

2nd Session, 18th Parliament, 1 George VI, 1937

THE HOUSE OF COMMONS OF CANADA.

BILL 5.

An Act to amend the Militia Pension Act.

R.S., c. 133; 1928, c. 35; 1929, c. 6; 1930, c. 32.

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

Repeal.

1. Section thirty-two of the *Militia Pension Act*, chapter one hundred and thirty-three of the Revised Statutes of Canada, is repealed.

2. The said Act is further amended by adding thereto the following as PART IV:—

"PART IV.

GENERAL.

Time of payment of pensions and compassionate allowances.

41. Pensions and compassionate allowances granted under this Act shall, unless otherwise ordered by the Governor in Council, be payable in equal monthly instalments in arrear, and unless otherwise specified by this Act shall continue during the lifetime of the recipient."

Explanatory Notes.

1. The purpose of this Bill is to authorize Pensions granted under the Militia Pension Act to the widows of officers, and the compassionate allowances to the children of the deceased officer, being paid in equal monthly instalments in arrear instead of yearly in advance at the commencement of each fiscal year as the Act now requires.

Section 32 of the Militia Pension Act proposed to be repealed, reads as follows: —

"**32.** Pensions and compassionate allowances to officers' wives and children shall be paid from the day following that of the officer's death to the end of the current fiscal year; and subsequent payments shall be made yearly in advance from the beginning of the next fiscal year."

Under this section if an officer's widow dies or remarries during the fiscal year in respect of which payment of Pension has already been made, no recovery can be effected of the portion of the pension covering the period of the fiscal year subsequent to such death or remarriage, and it is considered desirable that provision ought to be made whereby all pensions and compassionate allowances shall be paid in equal monthly instalments, which is in fact the practice with respect to the pensions granted to officers and other ranks, and which would conform to the procedure followed with respect to the payment of superannuation allowance under the Civil Service Superannuation Act.

Second Session, Eighteenth Parliament, 1 George VI, 1937

THE HOUSE OF COMMONS OF CANADA.

BILL 6.

An Act to amend the Criminal Code (Death Penalty).

First reading, January 18, 1937.

MR. BLAIR.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937.

31094

2nd Session, 18th Parliament, 1 George VI, 1937

THE HOUSE OF COMMONS OF CANADA.

BILL 6.

R.S., c. 36; 1930, c. 11; 1931, c. 28; 1932, cc. 7, 8, 9, 28; 1932-33, cc. 25, 53; 1934, cc. 11, 47; 1935, cc. 36, 56; 1936, c. 29.

An Act to amend the Criminal Code (Death Penalty).

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

1. Section one thousand and sixty-two of the *Criminal Code*, chapter thirty-six of the Revised Statutes of Canada, 1927, is repealed, and the following is substituted therefor:

Form of sentence of death.

"**1062.** In all cases where an offender is sentenced to death, the sentence or judgment to be pronounced against him shall be that he shall be put to death by lethal gas: and such method shall be used in all executions following the coming into force of this section."

Rules.

2. Provision may be made by rules under section five hundred and seventy-six of the *Criminal Code* for carrying out the intention of the previous section, and for establishing the conditions and circumstances under which executions by lethal gas may be carried out.

Coming into force.

3. This Act shall come into force three months after the date on which it is assented to.

Explanatory Note.

The purpose of this Bill is to abolish hanging by the neck, and to replace it by a more humane way of putting the condemned person to death.

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

"**1062.** In all cases where an offender is sentenced to death, the sentence or judgment to be pronounced against him shall be that he *be hanged by the neck until he is dead.*"

2. Section 576 of the *Criminal Code* provides for the making of Rules of Court and is as follows:—

"576. Every superior court of criminal jurisdiction may at any time, with the concurrence of a majority of the judges thereof present at any meeting held for the purpose, make rules of court, not inconsistent with any statute of Canada, which shall apply to all proceedings relating to any prosecution, proceeding or action instituted in relation to any matter of a criminal nature, or resulting from or incidental to any such matter, and in particular,

"*(a)* for regulating the sittings of the court or of any division thereof, or of any judge of the court sitting in chambers, except in so far as the same are already regulated by law;

"*(b)* for regulating in criminal matters the pleading, practice and procedure in the court, including the subjects of *mandamus*, *certiorari*, *habeas corpus*, prohibition, *quo warranto*, bail and costs, and the proceedings on application to a justice to state and sign a case for the opinion of the courts as to a conviction, order, determination or other proceeding before him; and

"*(c)* generally for regulating the duties of the officers of the court and every other matter deemed expedient for better attaining the ends of justice and carrying the provisions of the law into effect.

"2. Copies of all rules made under the authority of this section shall be laid before both Houses of Parliament at the session next after the making thereof, and shall also be published in the *Canada Gazette*.

"3. In the province of Ontario the authority for the making of rules of court applicable to superior courts of criminal jurisdiction in the province is vested in the supreme court of judicature, and such rules may be made by the said court at any time with the concurrence of a majority of the judges thereof present at a meeting held for the purpose."

7.

Second Session, Eighteenth Parliament, 1 George VI, 1937

THE HOUSE OF COMMONS OF CANADA.

BILL 7.

An Act to amend The Dominion Franchise Act.

First reading, January 19, 1937.

THE SECRETARY OF STATE.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

28107

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 7.

An Act to amend The Dominion Franchise Act.

1934, c. 51; 1935, c. 37; 1936, cc. 4, 36.

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

1. Section twenty of *The Dominion Franchise Act*, chapter fifty-one of the statutes of 1934, as enacted by section one of chapter four of the statutes of 1936, is repealed, and the following substituted therefor:—

Annual revision of lists.

"**20.** Annually, beginning with the year one thousand nine hundred and thirty-five, except in the year one thousand nine hundred and thirty-six and in the year one thousand nine hundred and thirty-seven, and not later than the first day of April in any year, the Commissioner shall issue and publish in the *Canada Gazette* a Proclamation in Form No. 24 calling on a revision of the then existing lists of electors in all polling divisions, to commence on the fifteenth day of May next ensuing."

2. Section twenty-two of the said Act, as enacted by section two of chapter four of the statutes of 1936, is repealed, and the following substituted therefor:—

Revisal period.

"**22.** The days between the fifteenth day of May and the first day of July in each year, except in the year one thousand nine hundred and thirty-six and in the year one thousand nine hundred and thirty-seven, shall be a revisal period during which all Registrars of Electors shall, pursuant to this Act and in the manner indicated in this Part, make and certify revised lists of electors for all polling divisions."

Explanatory Note.

The effect of the amendment is to postpone the revision of the existing lists for one year. The only change is in inserting the words "and in the year one thousand nine hundred and thirty-seven," thus excepting the year 1937 as well as the year 1936.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 8.

An Act to amend the Dairy Industry Act.

First reading, January 22, 1937.

The MINISTER OF AGRICULTURE.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937.

31195

Second Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 8.

An Act to amend the Dairy Industry Act.

R.S., c. 45; 1928, c. 19; 1931, c. 31; 1934, c. 12; 1936, c. 32.

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

Milk, quality of for manufacturers. No foreign matter to be added to milk or cream.

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

"*(a)* milk diluted with water, or in any way adulterated, or milk from which any cream has been taken, or milk commonly known as skim-milk, or any milk to which cream has been added, or any milk or cream to which any foreign fat, colouring matter, preservative or other chemical substance of any kind has been added;"

Weight of cheese.

2. Subsection two of section seven of the said Act, as enacted by section two of chapter thirty-two of the statutes of 1936, is repealed.

3. Section eight of the said Act, as amended by section five of chapter twelve of the statutes of 1934, is further amended by adding thereto the following subsection:—

Cheese.

"(2) On and after the first day of January, 1937, no person shall manufacture, import into Canada, sell, offer or have in possession for sale, any package cheese unless such package contains cheese of the full net weight of one-quarter pound, one-half pound, one pound or multiples thereof, but nothing in this subsection shall be held to apply to portions of Cheddar cheese of indiscriminate weight or to cheese of indiscriminate weight manufactured by individual farmers."

Explanatory Notes.

1. This paragraph presently reads:

"(*a*) Milk diluted with water, or in any way adulterated, or milk from which any cream has been taken, or milk commonly known as skim-milk, or any milk to which has been added any cream or foreign fat or any colouring matter, preservative or other chemical substance of any kind;"

The paragraph which now prohibits the addition of foreign fat, colouring matter, preservative or other chemical substance of any kind to milk is being amended so as to prohibit such additions to cream as well as to milk.

2. This section repeals subsection (2) of section 7 of the Act. This subsection to be repealed was incorporated in the Act last year, but being a subsection of section 7 of the Act, it brought the offence under the higher penalty clause. As the Act now reads, a violation of this subsection is punishable by a fine in the case of a first offence of not less than $500.00 and not more than $1,000.00, which is excessive. The subsection proposed to be repealed reads:

"(2) On and after the first of January, 1937, no person shall manufacture, import into Canada, sell, offer or have in possession for sale, any package cheese unless such package contains cheese of the full net weight of one-quarter pound, one half-pound, one pound or multiples thereof, but nothing in this subsection shall be held to apply to cheese of indiscriminate weight manufactured by individual farmers and sold by them."

3. This section re-enacts with amendments as underlined, the subsection repealed by section 2, and by placing the subsection in section 8 of the Act instead of section 7, the penalty provided is a fine not exceeding $50.00 and not less than $10.00. The proposed amendment excludes from its provisions "portions of Cheddar cheese of indiscriminate weight;" such portions cannot be cut so as to be exactly even in weight. The amendment also drops the concluding words of the subsection, "and sold by them", because farm made cheese vary in weight and are sometimes sold by grocers and others and cannot be cut in exact weights.

Regulations.

4. Subsection one of section twenty-two of the said Act, as enacted by section six of chapter twelve of the statutes of 1934, is amended by adding thereto the following paragraph:—

"*(j)* the maturing, storing, packaging, handling and transporting of dairy produce."

4. More efficient control of maturing, packaging, storing, handling, and transporting of dairy produce is desired and this section will provide effective control by Regulation.

Second Session, Eighteenth Parliament, 1 George VI, 1937

THE HOUSE OF COMMONS OF CANADA.

BILL 9.

An Act to amend the Government Harbours and Piers Act.

First reading, January 22, 1937.

THE MINISTER OF TRANSPORT.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
30401 1937

2nd Session, 18th Parliament, 1 George VI, 1937

THE HOUSE OF COMMONS OF CANADA.

BILL 9.

An Act to amend the Government Harbours and Piers Act.

R.S. c. 89.

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

1. Section two of the *Government Harbours and Piers Act*, chapter eighty-nine of the Revised Statutes of Canada, 1927, is repealed and the following substituted therefor:—

"Minister".

"**2.** In this Act, unless the context otherwise requires, 'Minister' means the Minister of Transport."

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

Application of Act.

"**3.** Nothing in this Act shall apply to any harbour under the administration, management and control of the National Harbours Board or of any commissioners appointed under any Act of the Parliament of Canada."

Appointment of officers and employees.

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

"**6.** (1) The Minister may appoint such officers, clerks, employees or labourers as he may think proper for the operation, administration and management of the works p aced by this Act under his administration, management and control or may designate such existing officers, clerks, employees or labourers of the Department of Transport as he may think fit for that purpose, and such officers, clerks, employees and labourers so appointed or designated shall perform such duties or functions in connection with the management and control of such works, and the collection of tolls and dues to be paid in respect thereof as the Minister may direct.

Remuneration.

(2) The Governor in Council may determine the remuneration to be allowed respectively to such officers, clerks, employees and labourers, and the amounts of such remuner-

EXPLANATORY NOTES

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

"**2.** In this Act, unless the context otherwise requires, 'Minister' means the Minister of Marine and Fisheries."

The words "Marine and Fisheries" are deleted and replaced by the word "Transport."

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

"**3.** Nothing in this Act shall apply to the harbour of Toronto, Quebec, Montreal, Halifax, Pictou, or Saint John, New Brunswick, or any harbour under the management of commissioners appointed under any Act of the Parliament of Canada."

Since the passage of the Act, the Pictou Harbour Commission was abolished, also other harbour commissions have been established, and also the National Harbours Board. It seems convenient that the section should be of general application.

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

"**6.** The Governor in Council may appoint or direct such officers or persons as he thinks proper, who shall have, under the direction of the Minister, the charge of the works by this Act placed under the managment and control of the Minister, and who shall collect the tolls and dues to be paid in respect thereof.

2. The Governor in Council may determine the remuneration to be allowed them respectively for such services, and such remuneration shall be retained from the tolls and dues collected."

ation and such expenses as may be authorized by the Minister for lighting, heating or otherwise making serviceable such works may, notwithstanding anything in *The Consolidated Revenue and Audit Act, 1931*, be retained from the tolls and dues collected."

1931, c. 27.

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

Detention of vessel at subsequent port of call.

"(2) If any vessel leaves any port without paying any such tolls or dues, she may be detained at any other port at which she calls until such tolls or dues are paid."

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

Application of tolls.

"**13.** After deducting the remuneration to officers, clerks, employees and labourers hereinbefore mentioned and the expenses of lighting, heating, or otherwise making serviceable such works, the remainder, if any, of all tolls and dues received under this Act shall be paid over to the Minister of Finance at such times and in such manner as the Governor in Council directs; and an account thereof shall be rendered to the Minister at such times and in such manner as the Minister directs."

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

Yearly rental in lieu of tolls.

"**17.** The Minister may enter into an agreement, for a term not exceeding three years, with any person, for the payment of a fixed amount yearly for the use of any wharf, pier or breakwater under his control, in lieu of the tolls and dues leviable for such use in accordance with the rules and regulations made under the authority of this Act, on the vessels and merchandise belonging to or carried by such person."

Since the passage of the Act, appointment of wharfingers was an affair of the Civil Service Commission, and subsequently such officers were excluded from the control of the Commission, and appointments under amendments to the Civil Service Act and Orders in Council are made by the Department. The category of employees is enlarged to include all sorts required. Subsection 2 of section 6 leaves determination of remuneration, as heretofore, with the Governor in Council, but provides that "such remuneration and such expenses as may be authorized by the Minister for lighting, heating or otherwise making serviceable such works shall, notwithstanding anything in the Consolidated Revenue and Audit Act, 1931, be retained from the tolls and dues collected."

4. The section to be amended reads as follows:—

"**10.** No vessel leaving any port at which any such tolls or dues are payable shall receive a clearance at the custom-house thereat unless the master produces to the collector or proper officer of the customs a certificate that the tolls or dues on such vessel have been paid, or that none are payable thereon."

The need for amendment arises out of the circumstance that a vessel may depart from a wharf without paying wharfage. The amending legislation is intended to provide for collecting at any subsequent port of call.

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

"**13.** After deducting the remuneration to officers and persons hereinbefore mentioned, the remainder, if any, of all tolls and dues received under this Act shall be paid over by the person receiving them to the Minister of Finance at such times and in such manner as the Governor in Council directs; and an account thereof shall be rendered to the Minister at such times and in such manner as the Minister directs."

The amendment is intended to provide for payment from revenue of expenses mentioned in subsection (2) of section 6.

6. The section to be repealed reads as follows:—

"**17.** The Minister may enter into an agreement, for a term not exceeding three years, with any shipping company or railway company, for the payment of a fixed amount yearly for the use of any wharf, pier or breakwater under his control, in lieu of the tolls and dues leviable for such use in accordance with the rules and regulations made under the authority of this Act, on the vessels and merchandise belonging to or carried by such company."

Cases arise where it would be in the public interest to apply the provisions of this section to persons and companies other than any shipping company or railway company.

Second Session, Eighteenth Parliament, 1 George VI, 1937

THE HOUSE OF COMMONS OF CANADA.

BILL 10.

An Act to amend the Railway Act. (Telephone Tolls)

First reading, January 25, 1937.

MR. LACROIX
(Quebec-Montmorency).

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

31564

2nd Session, 18th Parliament, 1 George VI, 1937

THE HOUSE OF COMMONS OF CANADA

BILL 10.

An Act to amend the Railway Act. (Telephone Tolls)

R.S., c. 170; 1928, c. 43; 1929, c. 54; 1930, c. 36; 1932-33, c. 47.

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

Telegraph and Telephone companies.

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 therein, immediately after subsection five thereof, the following subsection:—

Tolls, rates and services.

"(5A) The Board may, from time to time, upon application or of its own motion, determine, define and vary the area of the zone or group territory to which telegraph and telephone tariffs of tolls, rates and services shall apply."

Explanatory Note.

The purpose of this Bill is to extend or clarify the jurisdiction of the Board of Railway Commissioners in connection with telegraph and telephone tolls and services and to empower the Board to fix and determine the boundary limits within which the said tolls shall be applicable.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 11.

An Act to increase Employment by encouraging the Repair of rural and urban Homes.

First reading, January 29, 1937.

THE MINISTER OF FINANCE.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

31181

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 11.

An Act to increase Employment by encouraging the Repair of rural and urban Homes.

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 Home Improvement Loans Guarantee Act, 1937.*

Definitions.

"Approved lending institution."

"Home improvement loan."

"Lending institution."

"Minister."

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

(a) "approved lending institution" means any lending institution approved by the Governor in Council for the purpose of making home improvement loans under this Act;

(b) "home improvement loan" means a loan or a purchase of obligations representing loans and advances of money made for the purpose of financing repairs, alterations and additions to rural and urban homes;

(c) "lending institution" means any chartered bank and any other company authorized to lend money or to purchase obligations representing loans and advances of money;

(d) "Minister" means the Minister of Finance.

Institutions guaranteed against losses.

3. The Governor in Council may, subject to the provisions of this Act, guarantee approved lending institutions against losses which they may sustain as a result of home improvement loans made by them.

Liability not to exceed fifteen per centum of aggregate amount.

4. In no case shall the liability of the Government of Canada in respect of guarantees given under this Act to any approved lending institution exceed fifteen per centum of the aggregate amount of home improvement loans made by any such approved lending institution.

Loans not to exceed fifty million dollars.

5. The aggregate amount of home improvement loans which may be guaranteed under this Act shall not exceed fifty million dollars and the total liability of the Government of Canada in respect of guarantees given under this Act shall not exceed seven million five hundred thousand dollars, provided that the Governor in Council may fix and determine a date after which no home improvement loan made by any approved lending institution shall be guaranteed.

Conditions of loans.

6. No home improvement loan shall be guaranteed under this Act unless it complies with the following conditions:—

(a) No home improvement loan shall exceed two thousand dollars on any single property except that in the case of a multiple family dwelling or a property to be converted into a multiple family dwelling, the amount of the home improvement loan shall not exceed one thousand dollars for each family unit in the property as improved plus one thousand dollars;

(b) A home improvement loan shall be made only to the owner of the property to which the repairs, alterations and additions are to be made, provided that, subject to regulations to be made under this Act, a person holding property under an agreement for sale or under a long-term lease may be considered as an owner;

(c) Home improvement loans shall be for a term not exceeding three years if the amount of the loan is one thousand dollars or less, and for a term not exceeding five years if the amount of the loan is more than one thousand dollars, and shall be repayable in convenient periodic instalments;

(d) The maximum charge which may be made by an approved lending institution for a home improvement loan shall not exceed a rate of discount of three and one-quarter per centum for a one year loan repayable in equal monthly instalments and proportionate rates for other periods;

(e) No service or insurance charges shall be made by an approved lending institution and as long as the borrower is not in default no other additional charges of any kind shall be made;

(f) No security by way of endorsement or otherwise shall be required.

To be paid out of Consolidated Revenue Fund.

7. The Minister may pay out of any unappropriated moneys in the Consolidated Revenue Fund the amounts necessary to fulfil any guarantee given under this Act.

Regulations.

8. Subject to the provisions of this Act, the Minister may, with the approval of the Governor in Council, make regulations in regard to the following matters:—

(*a*) the forms of applications for home improvement loans, notes, agreements, certificates and any other documents necessary or desirable for the effective operation of this Act;

(*b*) in the event of default by a borrower, the measures to be taken and the procedure to be followed for the collection of the amount outstanding of the home improvement loan and the method of determining the amount of loss, if any;

(*c*) tables showing maximum charges for loans of varying terms and varying methods of repayment;

(*d*) reports to be made periodically to the Minister by approved lending institutions;

(*e*) the definition of the following expressions:—

(i) "owner," with power to include as owners persons holding property under agreements for sale or under long-term leases;

(ii) "rural and urban homes," with power to include in such expression all such property as may reasonably be considered as part of a rural or urban home;

(iii) "repairs, alterations and additions;"

(*f*) any other matters concerning which regulations are deemed necessary or desirable to carry out the purposes and intention of this Act.

Report to be laid before Parliament.

9. The Minister shall annually prepare a report with regard to home improvement loans made under this Act during the preceding fiscal year and the report shall be laid before Parliament within fifteen days, or if Parliament is not then sitting, fifteen days after the beginning of the next Session.

False statement or improper use of loan.

10. Any person making a statement in an application for a home improvement loan which is false in any material respect or who uses the proceeds of a home improvement loan otherwise than in payment for repairs, alterations and additions to the rural or urban home of which he is the owner specified in his application for a home improvement loan shall be liable on summary conviction to a penalty of not less than one hundred dollars and of not more than five hundred dollars.

Application of Act.

11. This Act shall be applicable to home improvement loans made after October 15, 1936 by any approved lending institution or by a lending institution which after this Act comes into force is approved by the Governor in Council for the purpose of making home improvement loans under this Act.

Second Session, Eighteenth Parliament, 1 George VI, 1937

THE HOUSE OF COMMONS OF CANADA.

BILL 12.

An Act to provide for revision of the accounting set-up of the Canadian National Railway System.

First reading, January 29, 1937.

THE MINISTER OF TRANSPORT.

OTTAWA
J. O PATENAUDE. I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

30992

2nd Session, 18th Parliament, 1 George VI, 1937

THE HOUSE OF COMMONS OF CANADA.

BILL 12.

An Act to provide for revision of the accounting set-up of the Canadian National Railway System.

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 Canadian National Railways Capital Revision Act, 1937.*

INTERPRETATION.

Definitions.

"Government Railways."

R.S., c. 172.

"Minister."

"Indebtedness to His Majesty."

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

(a) "Government Railways" means the Canadian Government Railways as defined in the *Canadian National Railways Act,* chapter one hundred and seventy-two of the Revised Statutes of Canada, 1927;

(b) "Minister" means the Minister of Finance.

(c) "Indebtedness to His Majesty" means all obligations including notes, bonds, claims for advances, claims

Explanatory Notes.

The figures used in the several schedules to this Bill and in the explanatory data are those of December 31st, 1935, and will be revised as of December 31st, 1936, when the final figures as of that date are available.

The principal changes affecting the proposed adjustments will be those relative to the accrual of interest liability to the Dominion, and to the non-cash deficit items during 1936.

The Appendices are not part of the bill proper but for information only.

1. The main purposes of this Act are:

(a) to eliminate duplication of liabilities and losses of some One Billion, Five Hundred Million Dollars between the published accounts of the National Railway System and those of the Dominion as shown by Public Accounts occasioned by the assumption in the net debt of Canada, of loans, interest thereon and capital cost of the Government Railways with a duplication of the same liability in the accounts of the National System.

(b) to centralize the corporate stock control by the Dominion of all companies now comprising the National Railway System through one company, i.e., the Canadian National Railway Company. This preliminary step is co-related to

(i) the legal amalgamation of certain constituent companies of the system with a view to effecting savings in accounting and other costs, and

(ii) the unification of certain funded debt issues of the National Railways through refunding issues in the name of the parent corporation, Canadian National Railway Company, for the purpose of bringing about savings in interest and other costs.

(c) the elimination from the corporate books of those capital stocks determined by arbitration tribunals to be without value;

(d) the preservation through the Securities Trust of the priority rights of the Dominion against any contingencies that might affect the securing of potential savings in connection with certain unguaranteed securities and subsidiary company capital stocks held by the public and that might also affect certain collateral securities now in the possession of the Dominion.

for interest accrued and unpaid held by the Minister in respect of National Railways, as set out in Schedule A of this Act;

"National Railways."

(d) "National Railways" means the National Railways as defined in *The Canadian National-Canadian Pacific Act, 1933*, except the Canadian Government Railways;

R.S., 1932-33, c. 33.

"National Railway System."

(e) "National Railway System" means the National Railways as defined in *The Canadian National-Canadian Pacific Act, 1933;*

R.S., 1932-33, c. 33.

"Proprietor's equity."

(f) "proprietor's equity" means

(i) the initial stated value of the capital stocks of the Canadian National Railway Company and the Securities Trust as determined pursuant to sections five and fifteen of this Act as of January first, nineteen hundred and thirty-seven, plus any subsequent surplus earnings of the National Railway System not paid over to His Majesty, less subsequent capital losses and other charges of the National Railway System in respect of which His Majesty has not made any contribution, and

(ii) the capital investment of His Majesty in the Government Railways.

ADJUSTMENT OF CORPORATE BOOKS.

Minister to surrender to C.N.R. Coy. its capital stock.

3. The Minister is hereby authorized to surrender to the Canadian National Railway Company, for cancellation, the outstanding capital stock of that company, having the par value of one hundred and eighty million four hundred and twenty-four thousand three hundred and twenty-seven dollars and seventy cents.

Minister to surrender to Can. Northern certain of its capital shares.

4. The Minister is hereby authorized to surrender to The Canadian Northern Railway Company, for cancellation, eight hundred and twenty thousand and six shares of the outstanding capital stock of that company, having the par value of eighty-two million six hundred dollars.

C.N.R. and Can. Northern exchange of stock.

5. The Minister is hereby authorized to transfer to the Canadian National Railway Company one hundred and eighty thousand shares of the outstanding capital stock of The Canadian Northern Railway Company having the par value of eighteen million dollars, being the residue of the stock of the said company outstanding after the cancellation provided for in the next preceding section, in exchange for one million no par value shares of capital stock of the Canadian National Railway Company with the initial stated value of eighteen million dollars, the issue of which shares is hereby authorized to be made with the approval of the Governor in Council.

2. These definitions are self-explanatory.

3. This adjustment is based upon the award of the Grand Trunk Board of Arbitration 1921. See Appendix No. 1.

4. This adjustment is based upon the award of the Canadian Northern Board of Arbitration 1918. See Appendix No. 2.

5. This section is to establish stock control of The Canadian Northern Railway Company by the Canadian National Railway Company.

C.N.R. not to dispose of Can. Northern stock without approval of Parliament.

6. The Canadian National Railway Company shall not sell, pledge, release or otherwise dispose of any of the capital stock of The Canadian Northern Railway Company without the approval of Parliament.

Minister to abandon certain claims against C.N.R.

7. The Minister is hereby authorized to abandon certain claims against the Canadian National Railway Company in respect of the Grand Trunk Railway Debenture Account amounting to fifteen million one hundred and forty-two thousand six hundred and thirty-three dollars and thirty-three cents, together with any claim for interest thereon, representing aid granted to The Grand Trunk Railway Company of Canada by the Province of Canada prior to Confederation.

ADJUSTMENT OF CERTAIN ACCOUNTS AFFECTING GOVERNMENT RAILWAYS.

1931, c. 27. Adjustment of differences between Public Accounts and National Railway System accounts.

8. Notwithstanding any provision of *The Consolidated Revenue and Audit Act, 1931*, or any other Act, the Minister may adjust the certain current differences between the Public Accounts of Canada and the accounts of the National Railway System relative to the Government Railways and the Hudson Bay Railway, in accordance with the terms of Schedule B of this Act.

SURPLUSES AND DEFICITS.

R.S., c. 172. Surpluses and deficits.

9. Notwithstanding the provision of section fifteen of the *Canadian National Railways Act*, the surpluses or deficits of the Government Railways subsequent to December thirty-first, nineteen hundred and twenty-two, shall be included in, and deemed to be part of, the surpluses or deficits, as the case may be, of the National Railways.

Surplus earnings to go into C.R. Fund.

10. Whenever the accounts of the National Railway System as certified by the auditors appointed by Parliament show surplus earnings after the payment of all charges including interest on securities held by the public, the directors of the Canadian National Railway Company may cause to be paid over to the Minister for the Consolidated Revenue Fund all or any part of any such surplus earnings.

PROPRIETOR'S EQUITY.

Accounts of N.R. System how to be shown.

11. The accounts of the National Railway System shall be stated as of January first, nineteen hundred and thirty-seven, and thereafter, so as to show the proprietor's equity as defined by this Act.

7. This Debenture Account ranks junior to the capital stocks of The Grand Trunk Railway Company of Canada which were declared in the award of the Board of Arbitration to be without value. See Appendix No. 3.

8. This adjustment is to clear the accounts of the National Railways of charges by the Dominion on account of certain Crown properties withdrawn from the control of the National Railways also to take to account in the books of the Dominion certain necessary adjustments made in the accounts of the Government Railways by the National Railways during the period of entrustment. See Schedule B.

9. The requirements of section 16 of the Canadian National Railways Act, 1919, (R.S.C., c. 172, s. 15) have in effect been nullified by the consolidation of the operations of the Government Railways with those of the National Railways since 1922 together with the provisions of the various Appropriation Acts since 1922. The aforesaid section is therefore in effect futile so long as the Government Railways are operated as part of the National Railway System and the purpose of this section is to eliminate the necessity to submit separate annual income statements relative to the Government Railways.

11. "Proprietor's Equity" is defined in section 2 *(f)* of this Act and the application is evidenced in Appendices 4, 5 and 6.

Corporation. Securities Trust. Constitution.

12. There shall be a corporation to be known as "The Canadian National Railways Securities Trust," hereinafter referred to as the "Securities Trust," consisting of five trustees being the Deputy Minister of Finance, the Deputy Minister of Transport, the Deputy Minister of Justice, the Chairman of the Board of Directors of the National Railways and the Vice-President of Finance of the National Railways. The trustees shall serve without remuneration.

No trustee remuneration.

Objects of corporation.

13. The object of the corporation shall be to take over and hold as authorized by this Act the indebtedness to His Majesty, together with the collateral securities held by the Minister in respect thereof as set out in Schedule A of this Act.

Securities Trust capital stock. To be held by Minister.

14. The capital stock of the Securities Trust shall consist of five million shares of no par value, which capital stock shall be issued to the Minister to be held on behalf of His Majesty as consideration for the transfer to the Securities Trust of the indebtedness to His Majesty and of the collateral securities held by the Minister in respect thereof.

Initial stated value of Securities Trust capital stock.

15. The capital stock shall be shown on the books of the Securities Trust as having an initial stated value equal to the total of the loans made by His Majesty to, and expended by, the National Railway System for capital purposes prior to January first, nineteen hundred and thirty-seven, which loans are set out in Schedule A of this Act, being loans which have not been and are not to be funded by the National Railways.

Trustees' powers.

By-laws.

16. The trustees shall be charged with the management of the Securities Trust and, with the approval of the Governor in Council, may make all necessary by-laws for carrying out the objects of the Securities Trust.

(2) Such by-laws shall provide for meetings of the trustees to take place at least once in every year.

(3) The by-laws shall also provide for the custody of the corporate seal and for the execution of instruments by two or more of the trustees.

(4) The by-laws shall make provision for a presiding officer to be appointed at each meeting of the trustees and for the giving of notices of meetings.

(5) The by-laws shall provide what number of trustees shall constitute a quorum for the purposes of meetings.

Explanatory Note

The Securities Trust (Sections 12 to 22 inclusive)

The Securities Trust is established for the sole purpose of preserving the priority rights of the Dominion and for its protection against any contingencies of the future having to do with potential interest and other savings in respect of

(a) unguaranteed securities held by the public and ranking junior to or *pari passu* with present Dominion loan claims;

(b) capital stock held by the public in subsidiary companies;

(c) collateral securities now in possession of the Dominion ranking senior to or *pari passu* with securities held by the public.

Head office.

17. The head office of the Securities Trust shall be at Ottawa.

First meeting.

18. The first meeting of the trustees shall be held at such time and place as is determined by the Deputy Minister of Finance.

Secretary.

19. The Securities Trust shall have a Secretary to be appointed by the trustees, to hold office during pleasure, who shall perform such duties as are assigned to him by the trustees without remuneration.

Exchange of indebtedness for stock.

20. The Minister may transfer to the Securities Trust the Indebtedness to His Majesty together with the collateral securities held by the Minister in respect thereof, in exchange for the capital stock of the Securities Trust, as a result of which transfer every company included in the National Railways shall become obligated to the Securities Trust in respect of the Indebtedness to His Majesty transferred and of the collateral securities held by the Minister in respect thereof, subject to the provisions of the next succeeding section, in the same way and to the same extent as such company was obligated to His Majesty at the time of the passing of this Act.

Securities Trust not to dispose of indebtedness except with approval of Governor in Council.

21. The Securities Trust shall not sell, pledge, release or otherwise dispose of any of the Indebtedness to His Majesty transferred to the Securities Trust or the collateral securities held in respect thereof, except with the approval of the Governor in Council.

Securities Trust declared a company in National Rys.

22. The Securities Trust is hereby declared for the purposes of this Act to be a company comprised in the National Railways.

Act to come into force by proclamation.

23. This Act shall come into force on a date to be fixed by proclamation of the Governor in Council.

SCHEDULE A.

SUMMARY OF INDEBTEDNESS TRANSFERRED TO SECURITIES TRUST

(As at December 31st, 1935)

Schedule			
A. 1	Loans, for Capital Purposes	$ 284,283,105 92	
	for Deficits	361,244,349 91	$ 645,527,455 83
A. 2	Accrued Interest, (See note)		495,030,137 29
	TOTAL		$1,140,557,593 12

NOTE—In addition to the Interest shown there is an amount $41,554,978.81 in suspense, which will be included with the indebtedness transferred to the Securities Trust.

SCHEDULE A. 1—LOANS

SUMMARY OF INDEBTEDNESS TO BE TRANSFERRED TO SECURITIES TRUST

Cash Loan Outstanding		Notes and Collateral Held		Held by: Minister of Finance	Held by: Elsewhere
CANADIAN NORTHERN RAILWAY					
3½% Loan, Chapter 6, 1911	$ 2,396,099 68	None. Charge is on premises mortgaged October 4, 1911.		Minister of Finance.	
4% Loan, Chapter 20, 1914	5,294,000 02	None. Charge is on premises mortgaged July 15, 1914.		"	"
5% Loan, Chapter 4, 1915	10,000,000 00	4% Can. Northern Stock and Bonds, amount	$ 12,500,000 00	Minister of Finance.	
6% Loan, Chapter 29, 1916	15,000,000 00	Mortgages dated June 23, 1916		(Duplicates held)	Secretary of State.
Temporary Loan, 1918, repaid		6% Demand Notes, amount	497,566 80	Minister of Finance.	
*6% Loan, Chapter 24, 1917	25,000,000 00	6% " "	33,012,414 32	" "	
*6% Loan, Vote 110, 1918	25,000,000 00	6% " "	27,203,003 65	" "	
*6% Loan, Vote 108, 1919	35,000,000 00	6% " "	40,031,122 27	" "	
*6% Loan, Vote 127, 1920	48,611,077 00	6% " "	53,008,779 65	" "	
*6% Loan, Vote 126, 1921	44,419,806 42	6% " "	50,259,312 37	" "	
*6% Loan, Vote 136, 1922	42,800,000 00	6% " "	46,691,634 60	" "	
6% Loan, War Measures Act 1918	1,887,821 16	6% " "	5,700,000 00	" "	
		4% Debenture Stock, amount	1,975,866 69	" "	
		3½% and 4½% Debenture Stocks, amount	7,139,399 99	" "	
*6% Equipment Loan, Chapter 38, 1918	56,926,000 82	6% Demand Notes, amount	56,858,498 44	" "	
Indebtedness refunded by Government under Chapter 24, 1917, and Chapter 11, 1918		Miscellaneous Bonds and Debentures, amount	24,573,539 90		Railway Treasury, Montreal.
			668,000 00		Continental Illinois National Bank & Trust Co., Chicago.
			20,721,191 12		Royal Trust Co. vaults, Montreal.
*Mortgage covering loans above		Mortgage dated Nov. 16, 1917		Minister of Finance.	
Total Canadian Northern	$312,334,805 10				

Grand Trunk Railway				
6% Loan, Vote 478, 1920	$ 25,000,000 00	6% Demand Notes, amount	$ 25,479,226 97	Minister of Finance.
6% Loan, Vote 126, 1921	55,293,435 18	6% Demand Notes, amount	56,646,816 12	" "
		4% G.T. Pacific Mort. Bonds, amount	10,000,000 00	" "
6% Loan, Vote 137, 1922	23,288,747 15	6% Demand Notes, amount	23,288,747 15	" "
4% Loan, to G.T. Pacific, Chapter 23, 1913 Guaranteed by Grand Trunk	15,000,000 00	4% Demand Notes, amount	15,000,000 00	" "
		4% G.T.P. Debentures, amount	15,000,000 00	" "
Temporary Loans, repaid through subsequent issues of Guaranteed Securities and loans		4% Deb. Stock, amount	60,801,700 00	" "
		6% 2nd Mort. Equipment Bonds, amount	1,693,113 33	" "
Total Grand Trunk	$118,582,182 33			
Grand Trunk Pacific Railway				
3% Bonds, Chapter 24, 1913	$ 33,048,000 00	3% 1st Mort. Bonds, amount	$ 33,048,000 00	Minister of Finance.
6% Loan, Chapter 4, 1915	6,000,000 00	4% Sterling Bonds, amount	7,499,952 00	" "
6% Loan, Vote 441, 1916	7,081,783 45	Mortgage, June 28, 1916		Secretary of State.
6% Loan, Vote 444, 1917	5,038,053 72	" October 18, 1917		" "
6% Loan, Vote 110, 1918	7,471,399 93	" October 18, 1917		" "
Receiver's Advances, P.C. 635, March 26, 1919	45,764,162 35	Receiver's Certificates		Minister of Finance.
Interest Guaranteed by Dominion	8,704,662 65	Cremation Certificate, coupons destroyed		" "
Interest Guaranteed by Provinces of Alberta and Saskatchewan	2,898,536 98	Cremation Certificates, coupons destroyed		" "
Agreement with Government under Chapter 71, 1903		Grand Trunk Pacific Development Co. Capital Stock	$ 2,999,000 00	Minister of Interior.
Total Grand Trunk Pacific	$116,006,599 08			

SCHEDULE A. 1—LOANS—*Concluded*

SUMMARY OF INDEBTEDNESS TO BE TRANSFERRED TO SECURITIES TRUST—*Concluded*

Cash Loan Outstanding		Notes and Collateral Held		Held by	
				Minister of Finance	Elsewhere
CANADIAN NATIONAL RAILWAYS					
6% Loan, Vote 139, 1923	$ 24,550,000 00	6% Canadian Northern Demand Notes, amount	$ 12,655,019 57	Minister of Finance.	
		G.T.P. Receiver's Certificates	3,313,530 01	" "	
		G.T.P. Interest coupons	1,925,706 96		Railway Treasury, Montreal.
5% Loan, Vote 137, 1924	10,000,000 00	5% Canadian Northern Demand Note	1,318,315 86	Minister of Finance.	
		G.T.P. Receiver's Certificates	4,691,173 58	" "	
		G.T.P. Interest coupons	1,925,706 96		Railway Treasury, Montreal.
5% Loan, Vote 377, 1925	10,000,000 00	5% Canadian Northern Demand Note	9,496,718 21	Minister of Finance.	
		G.T.P. Receiver's Certificates (Cr.)	1,422,425 17	" "	
		G.T.P. Interest coupons	1,925,706 96		Railway Treasury, Montreal.
5% Loan, Vote 372, 1926	10,000,000 00	5% Canadian Northern Demand Note	9,062,624 30	Minister of Finance.	
		G.T.P. Receiver's Certificates (Cr.)	364,898 78	" "	
		G.T.P. Interest coupons	1,925,706 96		Railway Treasury, Montreal.
5% Loan, Vote 336, 1929	2,932,652 91	5% Canadian National Railway Co. Demand Notes	2,932,652 91	Minister of Finance.	
5% and 5½% Loans, Chapter 22, 1931	29,910,400 85	5% and 5½% Canadian National Railway Co. Demand Notes	29,510,400 85	" "	
5½% Loans, Chapter 6, 1932	11,210,815 56	5½% Canadian National Railway Co. Demand Notes	11,210,815 56	" "	
Temporary Loan 1930, repaid		166,877·6376 shares of Capital Stock of Grand Trunk Western Railroad		" "	
Temporary Loan 1930, repaid		5% 1st and General Mortgage Temporary Gold Bonds of Central Vermont Railway Inc.	8,609,000 00	" "	
Total Canadian National Railways	$ 98,603,869 32				
GRAND TOTAL LOANS	$645,527,455 83				

SCHEDULE A. 2

ACCRUED INTEREST OUTSTANDING ON LOANS TO CANADIAN NATIONAL RAILWAYS

—	Principal Outstanding	Interest Accrued
	$ c.	$ c.
As at December 31, 1935.		
1. Loans (Principal) included in Net Debt of Canada:		
CANADIAN NORTHERN RAILWAY—		
Ontario Interest Account (Sec. 10, Chap. 6, Acts of 1911)..	2,396,099 68	1,211,769 85
Interest Account (Chap. 20, Acts of 1914)	5,294,000 02	3,247,180 05
Loan Account, 1914 (Chap. 4, Acts of 1915)	10,000,000 00	8,585,616 44
Loan Account, 1916 (Chap. 29, Acts of 1916)	15,000,000 00	17,567,753 41
Loan Account, 1917 (7-8 Geo. V, Chap. 24)	25,000,000 00	27,071,122 58
Loan on account of Interest and equipment (Acts No. 1 and 52, Legislation of 1918)	25,000,000 00	25,972,644 02
Loan under authority of Vote 108, Appropriation Act No. 4, 1919	35,000,000 00	34,274,271 70
Loan under authority of Vote 127, Appropriation Act No. 4, 1920	48,611,077 00	44,754,426 32
Loan under authority of Vote 126, Appropriation Act No. 2, 1921	44,419,806 42	37,760,503 88
Loan under authority of Vote 136, Appropriation Act No. 1, 1922	42,800,000 00	33,703,156 77
Loan under War Measures Act	1,887,821 16	2,713,375 64
Purchase of Railway Equipment (Chap. 38. 1918)	56,926,000 82	54,327,880 81
Temporary Loan	.....	42,940 66
	312,334,805 10	291,232,642 13
GRAND TRUNK RAILWAY—		
Loan under authority of Vote 478, Appropriation Act No. 4, 1920	25,000,000 00	22,808,679 03
Loan under authority of Vote 126, Appropriation Act No. 2, 1921	55,293,435 18	47,481,585 26
Loan under authority of Vote 137, Appropriation Act No. 1, 1922	23,288,747 15	17,989,718 79
Grand Trunk Pacific Loan of 1913 (Chap. 23, of Acts of 1913)—Guaranteed by the Grand Trunk Railway Company	15,000,000 00	7,200,000 00
Temporary Loans	.....	955,888 90
	118,582,182 33	96,435,872 03
GRAND TRUNK PACIFIC RAILWAY—		
Loan transferred against Grand Trunk	.....	8,364,657 53
Loan account of 1914 (Chap. 4, Acts of 1915)	6,000,000 00	7,260,000 00
Three per cent Mortgage Bonds (Chap. 24, 3-4, Geo. V, 1913)	33,048,000 00	14,097,839 43
Interest Account, Appropriation Act No. 2, 1916	7,081,783 45	8,074,015 85
Loan Account, Appropriation Act No. 4, 1917	5,038,053 72	5,441,158 76
Loan Account, Appropriation Act, 1918	7,471,399 93	7,699,133 85
Receiver Account, O.C. March 26, 1919, P.C. 635	45,764,162 35	40,227,393 24
Guaranteed Interest Account (Guaranteed by the Dominion of Canada)	8,704,662 65	7,735,862 07
Branch Lines Coupons (Guaranteed by the Provinces of Alberta and Saskatchewan)	2,898,536 98	2,457,606 17
	116,006,599 08	101,357,666 90
CANADIAN NATIONAL RAILWAYS—		
Loan under authority of Appropriation Act, 1923	24,550,000 00	18,211,795 70
Loan under authority of Appropriation Act, 1924	10,000,000 00	5,794,060 71
Loan under authority of Appropriation Act, 1925	10,000,000 00	4,917,397 27
Loan under authority of Appropriation Act, 1926	10,000,000 00	4,713,219 18
Loan under authority of Appropriation Act, 1929	2,932,652 91	843,037 25
Loan under authority of the Finance and Guarantee Acts, 1931	29,910,400 85	6,090,486 09
Loan under authority of the Finance and Guarantee Acts, No. 2, 1931	11,210,815 56	2,237,261 00
	98,603,869 32	42,807,257 20
	645,527,455 83	531,833,438 26

SCHEDULE A. 2—*Concluded*

ACCRUED INTEREST OUTSTANDING ON LOANS TO CANADIAN NATIONAL RAILWAYS

—	Principal Outstanding	Interest Accrued
	$ c.	$ c.
Interest brought forward	.....	531,833,438 26
2. Loans (Principal) carried as Active Assets:*		
CANADIAN NATIONAL RAILWAYS—		
Loan—Authority Chap. 25, 1932	8,077,338 33	2,835,692 58
" " " 34, 1933	8,228,101 10	1,038,891 89
" " " 28, 1934	10,747,973 98	723,619 23
" " " 17, 1935	7,293,065 84	153,474 14
	34,346,479 25	4,751,677 84
TOTAL ACCRUED INTEREST, DECEMBER 31ST, 1935	.....	536,585,116 10
AMOUNT TAKEN TO ACCOUNT BY C.N.R.	.....	495,030,137 29
AMOUNT NOT TAKEN TO ACCOUNT BY C.N.R.	.....	41,554,978 81

*Excluding temporary refunding advances on which interest is paid currently.

SCHEDULE B

ADJUSTMENT OF CERTAIN ACCOUNTS AFFECTING CANADIAN GOVERNMENT RAILWAYS AND HUDSON BAY RAILWAY

1. Capital Expenditures by Canadian National Railways from funds provided through loans by the Dominion on wharves now transferred to Public Works			$ 1,006,527 61
ADJUSTMENT IN PUBLIC ACCOUNTS:—			
Credit. Loans (non-active) to Canadian National Railways	$	1,006,527 61	
Charge. Investment in Canadian Government Railways		1,006,527 61	
2. Expenditures by Canadian National Railways from funds provided through loans by the Dominion on account of Hudson Bay Railway, now transferred to Department of Transport			660,369 96
ADJUSTMENT IN PUBLIC ACCOUNTS:—			
Credit. Loans (non-active) to Canadian National Railways	$	660,369 96	
Charge. Investment in Hudson Bay Railway		457,526 76	
Consolidated Fund of Canada		202,843 20	
3. Adjustment to Investment Account of Canadian Government Railways by the Canadian National Railways during period of entrustment			
Net Reduction			1,596,235 99
ADJUSTMENT IN PUBLIC ACCOUNTS:—			
Credit. Investment in Canadian Government Railways	$	1,596,235 99	
Charge. C.G.R. Stores and Open Accounts (active assets)		1,169,636 76	
Consolidated Fund of Canada		426,599 23	
4. Adjustment to Canadian Government Railways' Stores and open Accounts by the Canadian National Railways during period of entrustment—			
Net Reduction			146,577 82
ADJUSTMENT IN PUBLIC ACCOUNTS:—			
Credit. C.G.R. Stores and Open Accounts (active assets)	$	146,577 82	
Charge. Consolidated Fund of Canada		146,577 82	
5. Adjustment to Schedule of Miscellaneous Current Assets of Public Accounts as follows:—			
PRESENT SCHEDULE INCLUDES:—			
Canadian Government Railways, Open Accounts	$	6,042,932 52	
Canadian Government Railways, Stores Accounts		9,757,420 40	
St. John and Quebec Railway—Stores Accounts		2,590 94	
	$	15,802,943 86	
Less—St. John and Quebec Railway, Open Accounts		54,022 26	
	$	15,748,921 60	
TO BE REVISED AS FOLLOWS:—			
Canadian Government Railways Working Capital	$	15,748,921 60	

RECAPITULATION

Credit.	Loans (non-active) to Canadian National Railways	$	1,666,897 57
	Investment in Canadian Government Railways (non-active assets)		589,708 38
		$	2,256,605 95
Charge.	Investment in Hudson Bay Railway (non-active assets)	$	457,526 76
	C.G.R. Stores and Open Accounts (active assets)		1,023,058 94
	Consolidated Fund of Canada		776,020 25
		$	2,256,605 95

30992—2½

APPENDIX No. I.

Cancellation of Canadian National Railway Company Capital Stock.

This is presently represented by one stock certificate issued in the name of His Majesty for $180,424,327.70, which includes $14,796,589.00 Treasury Stock of the old Grand Trunk. Only the net amount of $165,627,738.70 is carried on the Balance Sheet of the National System, representing the old Grand Trunk 1st, 2nd and 3rd Preference and Common stocks held by the Public.

The proposal to eliminate these old Grand Trunk stocks from the Balance Sheet of the National System is based upon the 1921 findings of the Grand Trunk Board of Arbitration constituted under the 1919 Act. This tribunal ruled that the capital stocks in question had no value. The award of the arbitrators was made in accordance with and by virtue of:

(a) An agreement dated 8th March 1920 between His Majesty the King, represented by the Minister of Railways and Canals of Canada, acting under the authority of an Order in Council dated 31st December 1919, and the Grand Trunk Railway Company of Canada, represented by Sir Alfred Waldron Smithers, M.P., Chairman of the Board of Directors, and Henry Hilton Norman, Secretary of the Company, acting by virtue of a resolution duly passed at a meeting of the shareholders and debenture stock holders duly called and held at London, England, on the 19th February 1920.

(b) The Grand Trunk Acquisition Act assented to 11th May 1920.

In connection with the dismissal of the original appeal by the shareholders from the arbitration award, P.C. Order 114 dated 19th January 1923 contains the following reference:

> "That subsequently an appeal was taken by special leave to the Judicial Committee of the Privy Council, based largely upon the question whether the arbitrators in excluding evidence as to the physical assets of the Company were wrong in law. The arbitrators had arrived at the conclusion above mentioned upon the principle that the value of the preferred and common stock was to be ascertained on the basis of the net earning capacity of the Company, both actual and potential, which net earning capacity, had any been found, would then be capitalized. The Judicial Committee after hearing and considering the arguments dismissed the appeal, stating in their reasons for judgment, which were delivered on the 10th day of November, 1922, that any attempt to estimate future profits by reference to selling value or replacement cost was doomed to failure, and accordingly that the Arbitrators to whom the Agreement gave a wide discretion as to the admission of evidence were justified in refusing to embark upon such an enquiry."

The Lovibond appeal was cited in the 1936 Spring Session of the House as a reason for the continuance of a negative attitude towards capital adjustment. Since that time the decision of the Privy Council has been announced. It wholly stays the action as against the Attorney General of Canada, and as against the Grand Trunk and Canadian National in so far as it seeks to have the stock register of the Grand Trunk rectified or to have Grand Trunk stock registered in the name of the Plaintiff. The Privy Council states that the Plaintiff has failed in regard to the main object of his action which can now only proceed for the purpose, for whatever it may be worth, of seeking to recover damages against the Grand Trunk and the Canadian National.

APPENDIX No. 2

Cancellation of Canadian Northern Railway Company Capital Stock.

The total capital stock of the Canadian Northern, now $100,000,600, was acquired by the Dominion as under—

$ 7,000,000 (70,000 shares) as consideration for subsidies granted to the Canadian Northern Ontario Railway Company and the Canadian Northern Alberta Railway Company as authorized in Act, Chapter 10, of the Statutes of 1913. The total subsidies received under that Act were $15,364,803.20.

$33,000,000 (330,000 shares) in consideration of the guarantee by the Dominion of the principal and interest of the bonds, debentures, etc., amounting to $45,000,000 as authorized by Act, Chapter 20, 1914.

$60,000,000 (600,000 shares) under award of the Board of Arbitration, hereinafter referred to, as authorized by Act, Chapter 24, of the Statutes of 1917.

$ 600 (6 shares) covering conversion of debenture stock.

The arbitrators in their award of May 1918 gave the value of the 600,000 shares of stock as being $10,800,000. The award was made as of the date of taking over by the Dominion of complete control of the Canadian Northern Railway System which was the 30th September 1917. This gave a value of $18,000,000 to the total issued stock.

The Board of arbitrators, therefore, found $82,000,600 of Canadian Northern stock to be without value.

APPENDIX No. 3

Abandonment of Claims in Respect of Grand Trunk Railway Debenture Account.

This amount is representative of a liability to the Dominion for aid granted to the old Grand Trunk Railway Company of Canada by the Province of Canada prior to Confederation. It is recommended that all liability therefor by Canadian National Railway Company be deemed to have lapsed and that the item be written out of the accounts.

The Act of 1849, 12 Victoria, Chapter 29, provides for the guarantee by the Province of Canada of the bonds of railway companies under certain conditions. The Act of 1851, 14 and 15 Victoria, Chapter 73, refers to the St. Lawrence and Atlantic Railway—later merged with the Grand Trunk—as having received guarantees under the former Act.

Amount received £400,000		$ 1,946,666 66

The Act of 1854, 18 Victoria, Chapter 33, provides for issues to Grand Trunk Railway in fulfilment of guarantees in aid of construction to companies then forming part of the Grand Trunk of Provincial Debentures not in excess of £1,811,500.

Amount received—		
Toronto to Trois Pistoles, 498 miles at £3,000 per mile	£ 1,494,000	
Longueuil to Boundary Line	67,500	
Richmond to Levis	250,000	
	£ 1,811,500	$ 8,815,966 67

The Act of 1855, 18 Victoria, Chapter 174, provides for a loan to the Grand Trunk as aid for the construction of its line between St. Thomas below Quebec and Stratford above Toronto.

Amount received £900,000	$ 4,380,000 00
	$ 15,142,633 33

The Act of 1862, 25 Victoria, Chapter 56, an Act for the reorganization of the Grand Trunk Railway Company of Canada and for other purposes, reorganized the Company's finances and placed the payment of interest on the aforementioned sum of $15,142,633.33 after or junior to the payment of rentals under leases, all working expenses, interest on bonds, and dividends on the preference and common stocks of the company.

As the Grand Trunk Arbitration Board of 1921 declared that the Grand Trunk preference and common stocks had no value and this item ranks junior to such stocks, it follows that this asset account is worthless to the Dominion.

APPENDIX No. 4.

CANADIAN NATIONAL RAILWAY SYSTEM.

Consolidated Balance Sheet at December 31, 1935.

Assets		As Published.	Eliminations	As Revised
		$ cts.	$ cts.	$ cts.
INVESTMENTS—				
Investment in Road and Equipment	$2,094,178,080 98	.....	(A) *165,627,738 70*	
Improvements on Leased Railway Property	3,879,078 18		(B) *82,000,600 00*	.....
Miscellaneous Physical Property	60,227,654 28		(C) *15,142,633 33*	
Total Road, Equipment and Physical Property		2,158,284,813 44	*262,770,972 03*	1,895,513,841 41
Sinking Funds		11,921,666 97	.....	11,921,666 97
Deposits in lieu of Mortgaged Property Sold		5,224,995 66	.....	5,224,995 66
Investments in Affiliated Companies		31,584,107 59	.....	31,584,107 59
Other Investments		778,157 52	.....	778,157 52
		2,207,793,741 18	*262,770,972 03*	1,945,022,769 15
CURRENT ASSETS		74,787,953 24	.....	74,787,953 24
DEFERRED ASSETS		18,837,219 76	.....	18,837,219 76
UNADJUSTED DEBITS		23,730,922 06	.....	23,730,922 06
TOTAL ASSETS		2,325,149,836 24	*262,770,972 03*	2,062,378,864 21

PARTICULARS OF PROPOSED ELIMINATIONS SHOWN ABOVE—

NOTE.—"A" Cancellation of former Grand Trunk Railway Capital Stock eliminated from Investment Account and Capital Stock Accounts.

"B" Transfer from Government to National of $18,000,000 Canadian Northern Capital Stock, involving reduction of $82,000,600 from Investment Account.

"C" Cancellation of Governmental Grants prior to Confederation eliminated from Investment Account and Governmental Grants.

"D" Dominion Government Loans utilized for Capital purposes transferred to Temporary Loans Account and to Dominion Government Account through holding Company.

"E" Dominion Government Loans utilized for deficits eliminated from profit and loss debit balance and transferred to holding Company.

"F" Interest on Government Loans eliminated from profit and loss debit balance and transferred to holding Company.

"G" Dominion Government Capital Expenditures for Canadian Government Railways transferred to Dominion Government Account.

"H" Appropriations for specific purposes to be considered as "Reserves".

APPENDIX No. 4.—*Concluded.*

CANADIAN NATIONAL RAILWAY SYSTEM.

Consolidated Balance Sheet at December 31, 1935.

Liabilities		As Published		Eliminations		Present C.N.R. Consolidated Balance Sheet and application of adjustments. As Revised
STOCKS:—						
Capital stock owned by Dominion Government	$ 265,628,338 70		(A)	*165,627,738 70*		
			(B)	*100,000,600 00*		
Capital Stock of Subsidiary Companies owned by Public	4,584,225 00	270,212,563 70				4,584,225 00
GOVERNMENTAL GRANTS:—						
By Province of Canada prior to Confederation	15,142,633 33		(C)	*15,142,633 33*		
Other	2,570,904 78	17,713,538 11				2,570,904 78
LONG TERM DEBT—PUBLIC		1,154,779,000 78				1,154,779,000 78
LOANS FROM DOMINION OF CANADA:—						
Temporary Loans	$ 74,726,975 00		(D)	34,346,479 25		109,073,454 25
Loans from Dominion of Canada	679,873,935 08		(D)	*318,629,585 17*		
			(E)	*361,244,349 91*		
Interest on Government Loans	495,030,137 29	1,249,631,047 37	(F)	*495,030,137 29*		
DOMINION OF CANADA EXPENDITURES FOR CANADIAN GOVERNMENT RAILWAYS:—						
Road and Equipment included in System Investment A/C	388,290,294 40					
Working Capital	16,771,980 54	405,062,274 94	(G)	*388,290,294 40*		16,771,980 54
CURRENT LIABILITIES		45,330,201 96				45,330,201 96
DEFERRED LIABILITIES		3,423,088 12				3,423,088 12
UNADJUSTED CREDITS AND RESERVES		32,926,484 95	(H)	2,346,123 51		35,272,608 46
TOTAL LIABILITIES						$1,371,805,463 89
*DOMINION GOVERNMENT-PROPRIETOR'S EQUITY (See note):—						
Investment represented by 1,000,000 shares of no par value stock of the Canadian National Railway Company			(B)	18,000,000 00		
Investment represented by 5,000,000 shares of no par value stock of the Securities Trust			(D)	284,283,105 92		302,283,105 92
Dominion Capital Expenditures for Canadian Government Railways			(G)	388,290,294 40		388,290,294 40
Appropriated Surplus		2,346,123 51	(H)	*2,346,123,51*		
Profit and Loss, Balance	*856,274,487 20*	*856,274,487 20*	(E)	361,244,349 91		
			(F)	495,030,137 29		
		$2,325,149,836 24		*$262,770,972 03*		$2,062,378,864 21

NOTE:—(a)* These amounts are included in the Net Debt of Canada.
(b) The transfer of $1,666,897.57 to Hudson Bay Railway and Harbour Board is not included.

APPENDIX No. 5.

Canadian National Railway System

Consolidated Balance Sheet at December 31st, 1935—Proposed Revision

ASSETS

Investments:		
Investment in Road and Equipment	$ 1,831,407,108 95	
Improvements on Leased Railway Property	3,879,078 18	
Miscellaneous Physical Property	60,227,654 28	
	$ 1,895,513,841 41	
Sinking Funds	11,921,666 97	
Deposits in lieu of Mortgaged Property Sold	5,224,995 66	
Investment in Affiliated Companies	31,584,107 59	
Other Investments	778,157 52	
		$ 1,945,022,769 15
Current Assets		74,787,953 24
Deferred Assets		18,837,219 76
Unadjusted Debits		23,730,922 06
Total Assets		$ 2,062,378,864 21

APPENDIX No. 5.—*Concluded.*

CANADIAN NATIONAL RAILWAY SYSTEM

Consolidated Balance Sheet at December 31st, 1935—Proposed Revision

		C.N.R. Consolidated Balance Sheet After Adjustment
LIABILITIES		
STOCKS:		
Capital Stock of Subsidiary Companies owned by Public		$ 4,584,225 00
GOVERNMENTAL GRANTS		2,570,904 78
LONG TERM DEBT—PUBLIC		1,154,779,000 78
DOMINION OF CANADA—TEMPORARY LOANS (TO BE FUNDED)		109,073,454 25
—C.G.R. STORES AND OPEN ACCOUNTS (not interest bearing)		16,771,980 54
CURRENT LIABILITIES		45,330,201 96
DEFERRED LIABILITIES		3,423,088 12
UNADJUSTED CREDITS AND RESERVES		35,272,608 46
TOTAL LIABILITIES		$ 1,371,805,463 89
*DOMINION GOVERNMENT—PROPRIETOR'S EQUITY (Represented by)—		
1,000,000 shares of no par value stock of the Canadian National Railway Company issued in exchange for the residual value of Canadian Northern Stock	18,000,000 00	
5,000,000 shares of no par value capital stock issued by Securities Trust to the Government in consideration for the securities, advances, claims for unpaid interest and collateral security now held by Government	284,283,105 92	
Dominion Government Capital Expenditures for Canadian Government Railways	388,290,294 40	
		690,573,400 32
		$ 2,062,378,864 21

*NOTE: (a) These amounts are included in the Net Debt of Canada.

(b) The transfer of $1,666,897.57 to Hudson Bay Railway and Harbour Board is not included.

APPENDIX No. 6.

Securities Trust Balance Sheet as at December 31, 1935

ASSETS

1. Claims for Principal of Loans:		
Canadian Northern Railway	$ 312,334,805 10	
Grand Trunk Railway	118,582,182 33	
Grand Trunk Pacific Railway	116,006,599 08	
Canadian National Railway Co.	98,603,869 32	
		645,527,455 83
2. Claims for Interest on Loans:		
Canadian Northern Railway	286,299,558 25	
Grand Trunk Pacific Ry	73,844,670 06	
Canadian National Railway Co. (Inc. Grand Trunk)	134,885,908 98	
(2A)		495,030,137 29
3. Collateral Securities As per Schedule A. 1		
		$ 1,140,557,593 12

Notes:

(1) and (2) Offset on Consolidation of National System Accounts by loan and interest liabilities remaining on the corporate books of the constituent Companies.

(2A) In addition to the interest shown there is an amount of $41,554,978.81 in suspense, which will be included with the indebtedness transferred to the Securities Trust.

(3) Held as perpetuated collateral against the original debtor corporations in respect of claims for loans, and of guarantees.

APPENDIX No. 6.—*Concluded.*

SECURITIES TRUST BALANCE SHEET AS AT DECEMBER 31, 1935

LIABILITIES

4. CAPITAL STOCK OWNED BY HIS MAJESTY:		
5,000,000 shares of no par value capital stock.		
The initial value is stated at the total amount of loans to the Railways by the Government and transferred from the Government to the Securities Trust	$ 645,527,455 83	
Less: The amount lost by the Railways in operation	361,244,349 91	
		$ 284,283,105 92
5. ACQUISITION SURPLUS:		
Canadian National System deficit contra account—		
Representing the amount of loans excluded from the initial stated value as above	361,244,349 91	
Representing the amount of accrued interest on loans excluded from the initial stated value as above	495,030,137 29	
		856,274,487 20
		$ 1,140,557,593 12

NOTES:

(4) On National System Consolidated balance sheet the capital stock of the Securities Trust will be reflected as "Dominion Government-Proprietor's Equity."
Whilst the Proprietor's Equity is initially stated at $284,283,105.92 the final equity will include the remaining value (if any) in the total loan and accrued interest thereon through the 100% stock ownership of the Securities Trust.

(5) Offset on consolidation of National System accounts by deficits remaining on the corporate books of the constituent Companies.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 13.

An Act to amend The Copyright Amendment Act, 1931.

First reading, February 1, 1937.

MR. ESLING.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

31718

2nd Session, 18th Parliament, 1 George VI, 1937

THE HOUSE OF COMMONS OF CANADA.

BILL 13.

An Act to amend The Copyright Amendment Act, 1931.

R.S., c. 32. 1931, c. 8; 1935, c. 18; 1936, 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 one of section ten of *The Copyright Amendment Act, 1931*, chapter eight of the statutes of 1931, as enacted by section two of chapter twenty-eight of the statutes of 1936, is repealed and the following substituted therefor:—

Performing rights.

"**10.** (1) Each society, association or company which carries on in Canada the business of acquiring copyrights or dramatico-musical or musical works or of performing rights therein, and which deals with or in the issue or grant of licences for the performance in Canada of dramatico-musical or musical works in which copyright subsists, shall, from time to time, file with the Minister at the Copyright Office lists of all dramatico-musical and musical works, in current use in respect of which such society, association or company claims authority to issue or grant performing licences or to collect fees, charges or royalties for or in respect of the performance of its works in Canada, and when application for a licence is made, the society, association or company shall furnish to each applicant a complete list of all works so filed, certified by the Secretary of State."

2. Subsection eight of section ten B of the said Act, as enacted by section two of chapter twenty-eight of the statutes of 1936, is repealed and the following substituted therefor:—

Fees, charges and royalties which may be collected.

"(8) The statements of fees, charges or royalties so certified as approved by the Copyright Appeal Board shall be the fees, charges or royalties which the society, association or company concerned may respectively lawfully sue

Explanatory Notes.

1. A person applying for a licence for the performance of dramatico-musical or musical works in which copyright subsists should be entitled to be furnished with a list of all titles of the works for which the association claims authority to issue licences, otherwise an applicant might be paying fees for the performances of works in respect of which such association has no authority to issue licences or collect fees.

The only change in subsection one of section ten consists in the addition at the end thereof of the words underlined on the opposite page.

for or collect in respect of the issue or grant by it of licences for the performance of all or any of its works in Canada during the ensuing calendar year in respect of which the statements were filed as aforesaid. Provided no licences shall be issued and no fees shall be collected by any society, association or company in compensation for the use of dramatico-musical or musical works through the means of radio or gramophone in any store, hotel, restaurant, skating rink, lodge hall, community hall, entertainment hall or other public place.

Proviso.

2. The only change in subsection eight consists in the proviso added at the end thereof, and underlined on the opposite page, to provide that no licences shall be issued or fees collected for radio reception or gramophone reproduction in public places.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 14.

An Act to amend The Canadian Red Cross Society Act.

First reading, February 3, 1937.

THE MINISTER OF NATIONAL DEFENCE.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

32031

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 14.

An Act to amend The Canadian Red Cross Society Act.

1909, c. 68; 1922, c. 13; 1926, c. 5; 1931, c. 24.

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

1. Section six of *The Canadian Red Cross Society Act*, chapter sixty-eight of the statutes of 1919, as enacted by section two of chapter thirteen of the statutes of 1922, and amended by chapter twenty-four of the statutes of 1931, is repealed and the following substituted therefor:—

Central Council.

"**6.** (1) The governing body of the society shall be a Central Council, consisting of not more than forty members appointed or elected in such manner as may be determined from time to time by the Central Council.

Provincial divisions and branches.

(2) The Central Council shall have power to organize provincial divisions and branches in the various provinces of Canada under such rules as the Council may prescribe. Existing organized provincial divisions and branches are hereby continued.

Executive Committee.

(3) There shall be an Executive Committee consisting of not less than seven and not more than eighteen persons appointed or elected by the Central Council from its members. Five members of the Executive shall be a quorum.

Powers.

(4) The Executive Committee shall have and exercise all the powers given by this Act when the Central Council is not in session, subject, however, to such regulations or restrictions as the Central Council may from time to time determine."

Explanatory Notes.

It is the unanimous desire of the Central Council of the Society that the size of that body should be decreased from approximately sixty to forty members, in order that the expenses in connection with the meetings of the Council may be reduced.

Subsection (1) of section 6, as it now stands, is amended by striking out the words "the past presidents of the Society, the president, the honorary secretary, the honorary treasurer and" in the second, third and fourth lines thereof, and by striking out the words "fifty other" in the fourth line thereof and inserting the word "forty" in lieu thereof; and also by striking out the words "of whom not more than thirty shall be" and by inserting after the word "appointed" in the fifth line thereof the words "or elected"; and by striking out the words "by the provincial divisions of the Society" in the fifth and sixth lines thereof and the words "and not more than twelve members elected by the Central Council" in the seventh and eighth lines thereof.

In anticipation of this amendment to the Act, a By-law was unanimously adopted at the last meeting of the Central Council which specifies the number of members to be elected by the Provincial Divisions of the Society and of those to be elected by the Central Council itself.

As the effect of the amendment to subsection (1) of section 6 is to remove the statutory inclusion of the past presidents, the president, the honorary secretary and the honorary treasurer in the Central Council of the Society, subsection 3 of section 6 should be brought into line with the change so made.

Subsection (3) of section 6, as it now stands, is, therefore, amended by striking out the words, "the past presidents, the officers of the Society and of" in the second line thereof, and by inserting the words "or elected" after the word "appointed" in the fourth line thereof.

Subsections (2) and (4) are re-enacted without change.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 15.

An Act to provide for Appeal to the Court of Appeal of the Province of British Columbia in Divorce and Matrimonial Causes.

First reading, February 5, 1937.

Mr. GREEN.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

32134

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 15.

An Act to provide for Appeal to the Court of Appeal of the Province of British Columbia in Divorce and Matrimonial Causes.

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

Short title.

1. This Act may be cited as *The British Columbia Divorce Appeals Act.*

Appellate jurisdiction in divorce and matrimonial causes.

2. The Court of Appeal of the province of British Columbia shall have jurisdiction to hear and determine appeals from an order, judgment or decree of a court of the province or a judge thereof having jurisdiction in divorce and matrimonial causes.

Explanatory Note.

In all the provinces in which the courts have jurisdiction in Divorce and Matrimonial Causes there is an appeal from the trial judge to the Provincial Appellate Court except in the Province of British Columbia. There the only appeal is to the Privy Council, as decided in the case of Claman vs. Claman (1926) 35 B.C. Reports 137, affirmed by the Supreme Court of Canada (1926) 68 S.C. Reports 4. This Bill will provide for an appeal to the Court of Appeal for the Province of British Columbia.

Second Session, Eighteenth Parliament, 1 George VI, 1937

THE HOUSE OF COMMONS OF CANADA.

BILL 16.

An Act to amend the Railway Act (Rates on grain).

First reading, February 9, 1937.

Mr. REID.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

31060

2nd Session, 18th Parliament, 1 George VI, 1937

THE HOUSE OF COMMONS OF CANADA

BILL 16.

An Act to amend the Railway Act (Rates on grain).

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:—

Rates on grain and flour moving west.

1. Subsection five of section three hundred and twenty-five of the *Railway Act*, chapter one hundred and seventy of the Revised Statutes of Canada, 1927, is amended by striking out the proviso thereto and substituting the following therefor:—

"Provided that, notwithstanding anything in this subsection contained, rates on grain and flour shall be governed by the provisions of the agreement made pursuant to chapter five of the Statutes of Canada, 1897, but such rates shall apply to all such traffic moving from all points on all lines of railway west of Fort William to Fort William or Port Arthur, and to all such traffic moving westwardly from Fort William, and from all points on all lines of railway west of Fort William, to Vancouver, British Columbia and to ports on the Pacific Coast, over all lines now or hereafter constructed by any company subject to the jurisdiction of Parliament."

Explanatory Notes.

1. Subsection 5 of section 325, to be amended, reads as follows:—

"5. Notwithstanding the provisions of section three of this Act the powers given to the Board under this Act to fix, determine and enforce just and reasonable rates, and to change and alter rates as changing conditions or cost of transportation may from time to time require, shall not be limited or in any manner affected by the provisions of any Act of the Parliament of Canada, or by any agreement made or entered into pursuant thereto, whether general in application or special and relating only to any specific railway or railways, and the Board shall not excuse any charge of unjust discrimination, whether practised against shippers, consignees, or localities, or of undue or unreasonable preference, on the ground that such discrimination or preference is justified or required by any agreement made or entered into by the company: Provided that, notwithstanding anything in this subsection contained, rates on grain and flour shall, on and from the twenty-seventh day of June, one thousand nine hundred and twenty-five, be governed by the provisions of the agreement made pursuant to chapter five of the Statutes of Canada, 1897, but such rates shall apply to all such traffic moving from all points on all lines of railway west of Fort William to Fort William or Port Arthur over all lines now or hereafter constructed by any company subject to the jurisdiction of Parliament."

The amendment is to be made by the insertion in the proviso of the underlined words in the text of the Bill.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 17.

An Act to amend the Criminal Code. (Noises).

First reading, February 9, 1937.

Mr. CHURCH.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937.

32406

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 17.

R.S., c. 36; 1930, c. 11; 1931, c. 28; 1932, cc. 7, 8, 9, 28; 1932-33, cc. 25, 59; 1934, cc. 11, 47; 1935, cc. 36, 56; 1936, c. 29.

An Act to amend the Criminal Code. (Noises).

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

1. The *Criminal Code*, chapter thirty-six of the Revised Statutes of Canada, 1927, is amended by inserting therein, immediately after section two hundred and twenty-four, the following section:—

Noises dangerous to the public health.

"**224A.** Every one is guilty of an offence and liable to a fine not exceeding fifty dollars or to one month's imprisonment who at night makes or causes to be made any unnecessary and disturbing noise which endangers the health of the public, or which occasions injury to the person of any individual."

Explanatory Note.

The purpose of this Bill is to prevent unnecessary noises which are dangerous or injurious to the public health, such as unnecessary ringing of bells, blowing of horns, shouting and other unusual noises calculated to disturb the citizens. A great number of the mental cases in the different institutions can be traced back to such nuisances.

Most of the provinces in their legislation have provided for the regulating or prohibiting of such noises by the councils of the municipalities, for instance, paragraph (42) of section 396 of the Ontario Municipal Act, chapter 233 of the Revised Statutes of Ontario, confers this power on municipalities.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 18.

An Act to amend The Prairie Farm Rehabilitation Act.

First reading, February 9, 1937.

The MINISTER OF AGRICULTURE.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

31226

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 18.

An Act to amend The Prairie Farm Rehabilitation Act.

1935, c. 23.

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 Prairie Farm Rehabilitation Act*, chapter twenty-three of the statutes of 1935, is repealed and the following substituted therefor:—

Committees.

"**3.** (1) The Governor in Council may establish one or more Committees to be known as Prairie Farm Rehabilitation Committees, the members of which shall hold office during pleasure.

Chairman.

(2) One of the members of each Committee shall be appointed Chairman thereof by the Minister."

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

Duties of committees.

"**4.** The Committees shall consider and advise the Minister as to the best methods to be adopted to secure the rehabilitation of the drought and soil drifting areas in the provinces of Manitoba, Saskatchewan and Alberta, and to develop and promote within these areas systems of farm practice, tree culture, water supply, land utilisation and land settlement that will afford greater economic security and to make such representations thereon to the Minister as the Committees may deem expedient."

Explanatory Notes.

1. To provide for the establishment of more than one Committee.

To provide for the appointment of Chairman of the Committees by the Minister, rather than by the Governor in Council.

Subsection (3) is eliminated, as it is not considered necessary to name the members of the Committees in the Act.

Section 3 of the Act reads as follows:—

"**3.** (1) The Governor in Council may establish a committee to be known as the Prairie Farm Rehabilitation Advisory Committee, hereinafter called "the Committee," the members of which shall hold office during pleasure.

(2) One of the members of the Committee shall be appointed Chairman by the Governor in Council.

(3) The Committee shall consist of the following:—

(a) one representative of the Manitoba Grain Growing Farmers from the drought and soil drifting areas;

(b) one representative of the Saskatchewan Grain Growing Farmers from the drought and soil drifting areas;

(c) one representative of the Alberta Grain Growing Farmers from the drought and soil drifting areas;

(d) one representative of Saskatchewan Live Stock Farmers from the drought areas;

(e) one representative of Alberta Range Farmers from the drought areas;

(f) one representative of Mortgage Companies of Canada;

(g) one representative of the Canadian Bankers' Association;

(h) one representative each from the Canadian Pacific Railway Company and the Canadian National Railways;

(i) two representatives from the Dominion Department of Agriculture; and

(j) one representative of the Government in each of the Provinces of Manitoba, Saskatchewan and Alberta."

2. The addition of "land utilization" and "land settlement" is desirable to allow the necessary extension of the work.

Section 4 of the Act reads as follows:—

"**4.** The Committee shall consider and advise the Minister as to the best methods to be adopted to secure the rehabilitation of the drought and soil drifting areas in the Provinces of Manitoba, Saskatchewan and Alberta and to develop and promote within those areas systems of farm practice, tree culture and water supply that will afford greater economic security and to make such representations thereon to the Minister as the Committee may deem expedient."

Committees.

3. Section five of the said Act is amended by substituting the word "Committees" for "Committee" wherever the word appears in the said section.

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

Appropriations.

"**8.** The Governor in Council may authorize the expenditure in each of the fiscal years from and including 1937-38, up to and including the fiscal year 1939-40 for the purposes of this Act, such sum or sums as may be appropriated by Parliament in each of the said fiscal years respectively, for said purposes."

3. A consequential amendment.

4. To provide the necessary funds that may be required for the work during the fiscal years 1937-38 to 1939-40 inclusive.

Section 8 of the Act reads:—

"**8.** For the purposes of this Act the sum of seven hundred and fifty thousand dollars shall be appropriated and paid out of the Consolidated Revenue fund of Canada during the fiscal year 1935-36 and for each fiscal year for a further period of four years a sum not exceeding one million dollars per annum as may be necessary to continue and extend the work undertaken under this Act."

Second Session, Eighteenth Parliament, 1 George VI, 1937

THE HOUSE OF COMMONS OF CANADA.

BILL 19.

An Act for the protection of the Dionne Quintuplets.

First reading, February 12, 1937.

(PRIVATE BILL.)

Mr. GRAY.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
32832 1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 19.

An Act for the protection of the Dionne Quintuplets.

Preamble.

WHEREAS Yvonne Dionne, Annette Dionne, Marie Dionne, Cecile Dionne and Emelie Dionne, the quintuplet infant daughters of Oliva Dionne and Elzire Dionne, his wife, residing at or near Callander, in the province of Ontario, and who were born on or about the twenty-ninth day of May, 1934, are the only known living quintuplets in the world and as such are therefore of special interest to the people of Canada and to people of other countries; and

WHEREAS the Legislature of Ontario has passed an Act for the better protection of the persons and estates of the said quintuplets and for their advancement, education and welfare, being chapter nineteen of the statutes of Ontario, 1935, and known as *"The Dionne Quintuplets' Guardianship Act, 1935"*; and

WHEREAS under the said Act the Minister of Public Welfare for Ontario is constituted the special guardian of and for the said children and each of them and of the person and estate of each of them respectively together with such other person or persons as the Lieutenant-Governor in Council for Ontario may appoint in addition to Oliva Dionne, father and natural guardian of the said infants and the guardians so appointed are entitled by law to possess, have, hold, demand and recover the estates of the said quintuplets and their properties, moneys, funds, assets, rights, claims, choses in action, and other rights, matters and things and the benefit and advantage of all contracts, arrangements, engagements and obligations in respect thereto; and

WHEREAS it has been, by petition, represented that it is in the interests of the above named quintuplets and of the people of Canada that a special Act be passed to protect the said quintuplets against exploitation and it is expedient to grant the prayer of the said petition:

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

Short title.

1. This Act may be cited as *The Dionne Quintuplets Act.*

Definitions.

"Dionne Quintuplets."

"Guardians."

2. In this Act:—

(a) "Dionne Quintuplets" shall mean Yvonne Dionne, Annette Dionne, Marie Dionne, Cecile Dionne and Emelie Dionne, the quintuplet infant daughters of Oliva Dionne and Elzire Dionne, his wife;

(b) "Guardians" shall mean any person or persons entitled by the laws of the province of Ontario, from time to time, to possess, have, hold, demand and recover the estates of the said quintuplets and their properties, moneys, funds, assets, rights, claims, choses in action, and other rights, matters and things and the benefit and advantage of all contracts, arrangements, engagements and obligations in respect thereto.

"Quins," "Quints," "Quintuplets," trade marks vested in guardians.

3. Notwithstanding anything contained in *The Unfair Competition Act, 1932*, chapter thirty-eight of the statutes of 1932, or any other statute or law, and subject to the provisions of section six of this Act, the words "Quins", "Quints" and "Quintuplets" shall be trade marks, and the exclusive property in and the right to the use of such trade marks is hereby declared to be vested in the Guardians.

Use of the words, "Quins," "Quints," "Quintuplets" as word mark, trade mark, standardization mark or other distinguishing mark, vested in guardians.

4. Notwithstanding the provisions of *The Unfair Competition Act, 1932*, upon application setting out the wares in connection with which the words are to be used, the said words "Quins", "Quints" and "Quintuplets" shall be registered by the Commissioner of Patents for Canada in the name of the Guardians of the Dionne Quintuplets as trade marks under the said Act, or such Act or Acts as may from time to time amend or be substituted therefor, and thereafter no person shall adopt for use in Canada the said words "Quins", "Quints" or "Quintuplets" or any word or design indicating or likely to indicate that the product is manufactured, sold or sponsored by or for the benefit of the Dionne Quintuplets in connection with any wares or as a distinguishing mark or otherwise in any way, manner or form whatsoever, but the exclusive right to use the said words "Quins," "Quints" or "Quintuplets" either as a word mark, trade mark, standardization or other distinguishing mark shall be vested in the said person or persons registered as the owner or owners of said trade marks under the provisions of this Act.

Guardians may license use of words "Quins," "Quints" or "Quintuplets."

5. The Guardians may license the use or concurrent use of the words "Quins", "Quints" or "Quintuplets" as applied to any number of articles and may also limit such use by the terms of their licence to any defined area and such licencees or the Guardians may bring action in any court of competent jurisdiction to enforce their rights under such licences.

Words may not be registered by other than guardians.

Pending applications.

Prior rights preserved.

6. The said words "Quins", "Quints" or "Quintuplets" shall not be registered as a trade mark, word mark, standardization mark or otherwise by any person other than the Guardians except with the written consent of the Guardians and all applications pending on the sixth of February, 1937, and subsequent thereto, shall be refused: Provided that nothing in this Act shall affect registrations already made on applications already granted prior to the sixth day of February, 1937.

Unfair Competition Act to apply.

7. Except as herein modified the provisions of *The Unfair Competition Act, 1932*, shall apply to the said trade marks "Quins", "Quints" or "Quintuplets".

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 20.

An Act to amend the Railway Act.

First reading, February 15, 1937.

Mr. BOULANGER.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

32410

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 20.

An Act to amend the Railway Act.

R.S., c. 170; 1928, c. 43; 1929, c. 54; 1930, c. 36; 1932-33, c. 47.

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 two hundred and three of the *Railway Act*, chapter one hundred and seventy of the Revised Statutes of Canada, 1927, is repealed and the following substituted therefor:—

Snow fences.

"**203.** (1) Every railway company may, on and after the first day of November, in each year, enter into and upon any lands of His Majesty or of any person lying along the route or line of the railway, and erect and maintain snow fences thereon, subject to the payment of such land damages, if any actually suffered, as are thereafter established by mutual agreement, and failing such agreement, by the Board of Railway Commissioners for Canada, who shall determine and fix the compensation to be paid the owner by way of damages. Such compensation shall be determined and fixed by the Board, where possible, in respect to future as well as present or past damages suffered by the said owner."

Compensation.

Explanatory Notes.

New methods used by the railways to prevent the accumulation of snow on their lines with the help of snow fences are causing more serious damages to the owners of land along the line of railway. The purpose of this Bill is to provide a more expeditious and less costly method of determining the damages actually suffered and would prevent the railway companies from taking the claimants from one court to another. The intention is to substitute for the jurisdiction of the ordinary courts that of the Board of Railway Commissioners.

Section two hundred and three reads as follows:—

"**203.** Every railway company may, on and after the first day of November, in each year, enter into and upon any lands of His Majesty or of any person lying along the route or line of the railway, and erect and maintain snow fences thereon, subject to the payment of such land damages, if any actually suffered, as are thereafter established, in the manner provided by law with respect to such railway.

2. Every snow fence so erected shall be removed on or before the first day of April then next following."

The words underlined on the opposite page are substituted for those underlined above.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 21.

An Act to amend the Government Railways Act.

First reading, February 15, 1937.

Mr. BOULANGER.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

32414

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 21.

An Act to amend the Government Railways Act.

R.S., c. 173.

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

1. Paragraph *(l)* of section five of the *Government Railways Act*, chapter one hundred and seventy-three of the Revised Statutes of Canada, 1927, is repealed and the following substituted therefor:—

Snow fences on adjoining lands.

"*(l)* enter into and upon any lands of His Majesty, or into and upon the lands of any person whomsoever, lying along the route or line of railway between the first day of November in any year and the fifteenth day of April next following, and erect and maintain temporary snow fences thereon, subject to the payment of such land damages, if any, as are thereafter established by mutual agreement to have been actually suffered, and failing such agreement, by the Board of Railway Commissioners for Canada who, where possible, shall determine and fix the amount of compensation to be paid the owner in respect to future as well as present or past damages suffered by the said owner: Provided that all such snow fences so erected shall be removed on or before the fifteenth day of April next following the erection thereof;"

Compensation.

Removal.

Explanatory Note.

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

"*(l)* enter into and upon any lands of His Majesty, or into and upon the lands of any person whomsoever, lying along the route or line of railway between the first day of November in any year and the fifteenth day of April next following, and erect and maintain temporary snow fences thereon, subject to the payment of such land damages, if any, as are thereafter established, in the manner by law provided, to have been actually suffered: Provided that all such snow fences so erected shall be removed on or before the fifteenth day of April next following the erection thereof;"

The only change consists in substituting the words underlined on the opposite page for those underlined above.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 22.

An Act to amend the Criminal Code.

First reading, February 17, 1937.

Mr. CHURCH.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

32688

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 22.

An Act to amend the Criminal Code.

R.S., c. 36; 1930, c. 11; 1931, c. 28; 1932, cc. 7, 8, 9, 28; 1932-33, cc. 25, 59; 1934, cc. 11, 47; 1935, cc. 36, 56; 1936, c. 29.

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

1. Subsection four of section two hundred and eighty-five of the *Criminal Code*, chapter thirty-six of the Revised Statutes of Canada, 1927, as enacted by section six of chapter eleven of the statutes of 1930, and as amended by section four of chapter fifty-six of the statutes of 1935, is repealed and the following substituted therefor:—

Driving while under influence of alcohol or narcotic.

"(4) Everyone who, while under the influence of alcohol or of any narcotic, drives any motor vehicle or automobile is guilty of an offence, and liable,

(a) upon indictment, for a first offence to imprisonment for a term not exceeding six months and not less than two months, and for each subsequent offence to any term not exceeding two years and not less than six months; or

(b) upon summary conviction, for a first offence to a term of imprisonment not exceeding three months and not less than thirty days, for a second offence to a term of imprisonment not exceeding six months and not less than two months, and for each subsequent offence to a term of imprisonment not exceeding two years and not less than six months,

and the provisions of section ten hundred and thirty-five, in so far as it authorizes the imposition of a fine in lieu of any punishment otherwise authorized, and of section ten hundred and eighty-one of this Act shall not apply in the case of a conviction for an offence under this subsection."

EXPLANATORY NOTES.

1. Subsection four at present reads as follows:—

"(4) Every one who, while intoxicated or under the influence of any narcotic, drives any motor vehicle or automobile, or has the care or control of a motor vehicle or automobile, whether it is in motion or not, shall be guilty of an offence, and shall be liable,

(a) upon indictment, for a first offence to imprisonment for a term not exceeding three months and not less than thirty days, and for each subsequent offence to any term not exceeding one year and not less than three months; or

(b) upon summary conviction, for a first offence to a term of imprisonment not exceeding thirty days and not less than seven days, for a second offence to a term of imprisonment not exceeding three months and not less than one month, and for each subsequent offence to a term of imprisonment not exceeding one year and not less than three months.

and the provisions of section ten hundred and thirty-five, in so far as it authorizes the imposition of a fine in lieu of any punishment otherwise authorized, and of section ten hundred and eighty-one of this Act shall not apply in the case of a conviction for an offence under this subsection."

2. Section two hundred and eighty-five of the said Act, as amended by section six of chapter eleven of the statutes of 1930, by section eight of chapter forty-seven of the statutes of 1934, by section four of chapter fifty-six of the statutes of 1935, and by section two of this Act, is further amended by adding thereto the following subsections:—

Racing and cutting in.

"(6) Everyone is guilty of an indictable offence and liable to one year's imprisonment or a fine of two hundred dollars, or to both fine and imprisonment, who drives any automobile or motor vehicle upon a street, road, highway or any other public place in a race, whether prearranged or not, or for a bet or wager, or incites another to a dangerous or furious speed by striving to pass him, or by endeavouring to cut in ahead of another automobile or motor vehicle causes an accident or injury to any other automobile or motor vehicle or person, or engages in racing one automobile or motor vehicle against another on the spur of the moment, or drives or races wantonly or furiously or with reckless disregard of human life and safety, having regard to all the circumstances of the case.

Causing death in a culpably negligent manner.

"(7) Any person who, by the operation or use of any vehicle in a culpably negligent manner, but not wilfully or wantonly, occasions the death of another person, shall, upon conviction, be liable to imprisonment for a term not exceeding three months or to a fine of not more than one hundred dollars, or to both. The term "vehicle" shall be held to include every conveyance in, on or about which persons or property may be transported upon land, or upon, under or through water or in or through the air.

In any prosecution under this subsection, whether or not the accused was driving in a culpably negligent manner shall be a question of fact for the jury, and shall not depend upon the rate of speed fixed by law for operating such vehicle.

Person having caused death not to drive for two years.

"(8) Everyone is guilty of an indictable offence and liable to six months' imprisonment and a fine not exceeding one hundred dollars who, having caused the death of any person while driving an automobile or motor vehicle, thereafter drives an automobile or motor vehicle at any time during the next ensuing two years, notwithstanding that such death was not caused entirely or partially by fault of such driver."

3. The said Act is further amended by inserting immediately after section nine hundred and twenty-two the following as section 922A:—

Trial of female person.

"**922A.** On the trial of any female person by a jury under any provision of this Act, one-third of the jurors chosen to try the issue shall be female persons duly qualified on the same basis as male jurors."

2. (6) Subsection six provides a penalty for racing or inciting another to a dangerous speed, whether an accident happens or not, for driving recklessly or furiously, and for causing an accident by cutting in.

(7) The purpose of subsection seven is to provide that if a person is responsible for the death of another on account of the operation of a vehicle in a culpably negligent manner such person, although not guilty of wilfully or wantonly driving, should be punished for this minor offence.

(8) This subsection is for the purpose of preventing a person who has caused the death of another while driving an automobile from driving during the next ensuing two years.

3. It seems only fair that in the trial of any female person by a jury a certain proportion of the jurors should be female persons.

4. Subsection three of section nine hundred and fifty-one of the said Act, as enacted by section twenty-five of chapter eleven of the statutes of 1930, is repealed, and the following substituted therefor:—

Charge of manslaughter arising out of operation of motor vehicle, criminal or culpable negligence proved.

"(3) Upon a charge of manslaughter arising out of the operation of a motor vehicle the jury may find the accused not guilty of manslaughter but guilty of criminal negligence under section two hundred and eighty-four, or guilty of culpable negligence under subsection seven of section two hundred and eighty-five, and such conviction shall be a bar to further prosecution for any offence arising out of the same facts"

5. The said Act is further amended by inserting, immediately after section nine hundred and fifty-one, the following as section 951A:—

Jury to decide whether guilty or not guilty.

"**951A.** Notwithstanding any law, statute, usage, custom or doctrine of law as to the function of the judge or of the jury, on the trial by jury of any person charged with causing death or injury to another the judge shall, in every such case, leave the jury to decide the question of fact as to whether the accused is guilty or not guilty on the evidence adduced."

6. Section ten hundred and sixty-seven of the said Act is repealed and the following substituted therefor:—

Persons who may be present at execution.

"**1067.** Any justice for the district, county or place to which the prison belongs, and such relatives of the prisoner or other persons as it seems to the sheriff proper to admit within the prison for the purpose, one duly accredited representative of each daily newspaper published in the said district, county or place and a representative of the Canadian Press may also be present at the execution."

4. The purpose of this amendment is to define the powers of the jury in cases of manslaughter arising out of the operation of motor vehicles. The only change consists of the words underlined on the opposite page, and is necessitated by the insertion of subsection seven in section 285. (See section two of this Bill.).

5. On the trial with a jury of persons who cause death or serious injury, it is desirable that the functions of the jury should not be curtailed or abolished. There has been much criticism of many cases of gross negligence having been taken from the jury. The jury are required to take the law to be what the judge says it is, and, owing to the many cases withdrawn by order of the judge, trial by jury in those cases are negatived, and there are so many loopholes that many persons guilty of gross negligence get off. The increased accidents require that the law should be brought up to date to meet the changing conditions, while preserving also the liberty of the subject.

6. Section 1067 is amended by inserting therein the words underlined on the opposite page so that representatives of the press may be allowed to be present at executions.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 23.

An Act respecting Foreign Enlistment.

First reading, February 18, 1937.

THE MINISTER OF JUSTICE.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

32505

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 23.

An Act respecting Foreign Enlistment.

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 Foreign Enlistment Act, 1937.*

Definitions.

2. In this Act, and in any regulation or order made hereunder, unless the context otherwise requires:—

"Permit".

(a) "Permit" means a permit issued under the authority of this Act;

"Within Canada". R.S. c. 42.

(b) "Within Canada" includes Canadian waters as defined for the purposes of the *Customs Act;*

"Armed forces".

(c) "Armed forces" includes military, naval and air forces or services, combatant or non-combatant;

"Conveyance".

(d) "Conveyance" includes ships, vessels, aircraft, trains, and motor and other vehicles;

"Illegally enlisted person".

(e) "Illegally enlisted person" means a person who has accepted or agreed to accept any commission or engagement, or who is about to quit Canada with intent to accept any commission or engagement, or who has been induced to go on board a conveyance under a misapprehension or false representation of the service in which such person is to be engaged with the intention or in order that such person may accept or agree to accept any commission or engagement contrary to the provisions of this Act;

"Equips".

(f) "Equips" in relation to a ship, includes the furnishing of anything which is used for the purpose of fitting or adapting the ship for the sea, or for naval service, and all words relating to equipment shall be construed accordingly;

Explanatory Notes.

General.

This Bill is largely based upon The Foreign Enlistment Act, 1870 (33 & 34 Vic. c. 90), an Act of the Parliament of the United Kingdom which in terms extends to Canada. There are four principal points of difference:—

(1) The Foreign Enlistment Act, 1870, controls foreign enlistment at the seaports, by making it unlawful for ships knowingly to take on board illegally enlisted persons. The present Bill is extended to cover land and air transport.

(2) The present Bill omits a number of administrative and procedural provisions and substitutes a power vested in the Governor-in-Council to make regulations in respect of these matters.

(3) The Bill clarifies the position arising from civil conflict.

(4) The Bill makes provision for recruiting in times of peace.

"Foreign State".

(g) "Foreign State" includes any foreign prince, colony, province or part of any province or people, or any person or persons exercising or assuming to exercise the powers of government in or over any foreign country, colony, province, or part of any province or people.

Offence to enlist with a foreign state at war with a friendly state.

3. If any person, without a permit, being a Canadian National, within or without Canada, accepts or agrees to accept any commission or engagement in the armed forces of any foreign state at war with any friendly foreign state, or, whether a Canadian National or not, within Canada, induces any other person to accept or agree to accept any commission or engagement in any such armed forces, such persons shall be guilty of an offence under this Act.

Offers inducement.

Offence to quit or intend to quit Canada to enlist.

4. If any person, without a permit, being a Canadian National, quits or goes on board any conveyance with a view of quitting Canada with intent to accept any commission or engagement in the armed forces of any foreign state at war with any friendly foreign state, or, whether a Canadian National or not, within Canada, induces any other person to quit or to go on board any conveyance with a view of quitting Canada, with a like intent, such person shall be guilty of an offence under this Act.

Offers inducement.

Offence to induce a person to enlist and quit Canada by misrepresentation.

5. If any person induces any other person to quit Canada, or to go on board any conveyance within Canada under a misrepresentation or false representation of the service in which such person is to be engaged, with the intent or in order that such person may accept or agree to accept any commission or engagement in the armed forces of any foreign state at war with a friendly state, such person shall be guilty of an offence under this Act.

Owner of conveyance may be guilty of an offence.

6. (1) If the person having the control or direction of, or being the owner of any conveyance, without a permit, knowingly either takes on board or engages to take on board or has on board such conveyance, within Canada, any illegally enlisted person, the person having such control or direction of, or being the owner of any such conveyance, shall be guilty of an offence under this Act.

Detaining conveyance.

(2) Such conveyance shall be detained until the trial or conviction of such person or owner and until all fines or penalties imposed on such person or owner have been paid or security approved by the Court having jurisdiction in the matter has been given for the payment thereof.

Offences.

7. If any person, within Canada, without a permit, does any of the following acts; that is to say,

3. This section makes it unlawful for a Canadian National to enlist anywhere, or for any person within Canada to induce any other person to enlist, in the case of a foreign war, for service against a friendly state. (It corresponds closely to section 4 of the Foreign Enlistment Act 1870).

4. This section makes it unlawful for a Canadian National to quit Canada in order to enlist, or for any person in Canada to induce any other person to quit Canada for such a purpose. (It corresponds closely to section 5 of The Foreign Enlistment Act 1870).

5. This section makes it unlawful for any person to induce any other person to leave Canada for enlistment by misrepresentation. (This corresponds to section 6 of The Foreign Enlistment Act 1870).

6. This section makes it unlawful to take an illegally enlisted person on board any conveyance, and provides for the detention of the conveyance by way of security. (It corresponds to section 7 of The Foreign Enlistment Act 1870).

7. This section embodies the provisions of section 8 of The Foreign Enlistment Act 1870. The provisions for forfeiture are transferred to section 14 of the Bill, and the proviso is unnecessary, because the position of the innocent shipbuilder can be adequately safeguarded by the issue of a permit with appropriate conditions under section 18.

Builds ship.

(a) builds or agrees to build or causes to be built, any ship with intent or knowledge, or having reasonable cause to believe that the same shall or will be employed in or by the armed forces of any foreign state at war with any friendly state; or

Commissions ship.

(b) issues or delivers any commission for any ship with intent or knowledge or having reasonable cause to believe that the same shall or will be employed in or by the armed forces of any foreign state at war with any friendly state; or

Equips ship.

(c) equips any ship with intent or knowledge or having reasonable cause to believe that the same shall or will be employed in or by the armed forces of any foreign state at war with any friendly state; or

Despatches ships.

(d) despatches or causes or allows to be despatched, any ship, with intent or knowledge or having reasonable cause to believe that the same shall or will be employed in or by the armed forces of any foreign state at war with any friendly state;

such person shall be guilty of an offence under this Act.

Ships employed by armed forces of foreign state deemed to have been built for such purpose.

8. When any ship is built by order of or on behalf of any foreign state, when at war with a friendly state, or is delivered to or to the order of such foreign state, or to any person who to the knowledge of the person building is an agent of such foreign state, or is paid for by such foreign state or such agent, and is employed in or by the armed forces of such foreign state, such ship shall, until the contrary is proved, be deemed to have been built with a view to being so employed, and the burden shall lie on the builder of such ship of proving that he did not know that the ship was intended to be so employed in or by the armed forces of such foreign state.

Arming or equiping ships for foreign state at war.

9. If any person within Canada, without a permit, by any addition to or substitution in the armament or equipment, increases or augments, or procures to be increased or augmented, or is knowingly concerned in increasing or augmenting the warlike force of any ship, which at the time of its being within Canada was a ship in or of the armed forces of any foreign state at war with any friendly state, such person shall be guilty of an offence under this Act.

Offence.

Outfitting expedition against friendly state. Offence.

10. If any person, within Canada, without a permit, prepares or fits out any military, naval, or air expedition, to proceed against the dominions of any friendly state, such person shall be guilty of an offence against this Act.

8. This section deals with the question of burden of proof, and corresponds with section 9 of The Foreign Enlistment Act 1870.

9. This section makes it unlawful to increase the warlike equipment of a ship and corresponds to section 10 of The Foreign Enlistment Act 1870.

10. Makes it unlawful to prepare or fit out an expedition. It corresponds generally to section 11 of The Foreign Enlistment Act 1870, but is extended to air expeditions, as well as naval and military. This, together with the three preceding sections, is required to make it possible to perform the obligations incidental to neutrality. These sections are in accordance with International Law and practice. The extension to air expeditions in section 10 is essential to meet modern conditions. No similar extension has been included in the preceding sections by reason of the fact that problems arising from aircraft are adequately dealt with by other legislative provisions.

Recruiting.

11. If any person, within Canada, recruits or otherwise induces any person or body of persons to enlist or to accept any commission or engagement in the armed forces of any

Offence.

foreign state, such person shall be guilty of an offence under this Act:—Provided, however, that the provisions of this section shall not apply to the action of foreign consular or diplomatic officers or agents in enlisting persons who are nationals of the countries which they represent, and who are not Canadian Nationals, in conformity with the regulations of the Governor-in-Council.

Proviso. Not applicable to consular or diplomatic officers.

Prize of war.

12. If any ship, goods, or merchandise, captured as prize of war within Canada in violation of Canadian neutrality, or captured by any ship which may have been built, equipped, commissioned or despatched, or the force of which may have been augmented, contrary to the provisions of this Act, are brought within Canada by the captor, or by any agent of the captor, or by any person having come into possession thereof with a knowledge that the same was prize of war so captured as aforesaid, it shall be lawful for the original owner of such prize or his agent, or for any person authorized in that behalf by the government of the Foreign State to which such owner belongs, or in which the ship captured as aforesaid may have been duly registered, to make application to the Exchequer Court of Canada for seizure and detention of such prize, and the Court shall, on due proof of the facts, order such prize to be restored.

Application to Court for restoration of prize.

Execution of Court Order.

13. Every order referred to in the preceding section shall be executed and carried into effect in the same manner,

Appeal.

and subject to the same right of appeal, as in case of any order made in the exercise of the ordinary jurisdiction of such court; and in the meantime, and until a final order has been made, on such application the court shall have power to make all such provisional and other orders as to the care or custody of such captured ship, goods, or merchandise, and (if the same be of perishable nature, or incurring risk of deterioration) for the sale thereof, and with respect to the deposit or investment of the proceeds of any such sale, as may be made by such court in the exercise of its ordinary jurisdiction.

Penalties.

14. Any person, who is guilty of an offence against this

Indictable offence.

Act shall be deemed to be guilty of an indictable offence, and shall be punishable by fine not exceeding two thousand dollars, or by imprisonment for a term not exceeding two years, with or without hard labour, or by both fine and imprisonment; but such offence may, instead of being prosecuted as an indictable offence, be prosecuted summarily

11. This section is new. It is designed to make it possible to exercise some measure of control over recruiting in Canada in times of peace.

12 and **13.** These sections are practically identical with section 14 of the Foreign Enlistment Act 1870.

14. This section is designed to enable the prosecuting authority to proceed summarily in the manner provided by Part XV of the *Criminal Code*, in cases of minor importance.

R.S. c. 36. Summary conviction.

in manner provided by Part XV of the *Criminal Code*, and if so prosecuted, such offence shall be punishable by fine not exceeding five hundred dollars, or by imprisonment not exceeding twelve months, with or without hard labour, or by both fine and imprisonment.

Offending ship forfeited to His Majesty.

15. (1) Any ship in respect of which an offence under section seven of this Act has been committed and the equipment thereof, shall be forfeited to His Majesty.

Conveyance, arms, etc., part of expedition forfeited.

(2) Any conveyance and the equipment thereof and all arms, ammunition and implements of war used in or forming part of an expedition in respect of which an offence has been committed under the provisions of section ten of this Act, shall be forfeited to His Majesty.

Locus of jurisdiction.

16. For the purpose of giving jurisdiction in criminal proceedings under this Act, every offence shall be deemed to have been committed, every cause or complaint to have arisen either in the place in which the same was committed or arose, or in any place in which the offender or person complained against may be.

Proceedings governed by Code. R.S. c. 36.

17. Subject to the provisions of this Act, criminal proceedings arising hereunder shall be subject to and governed by the *Criminal Code*.

Process for forfeiture.

Courts with jurisdiction.

18. All proceedings for forfeiture of conveyances, goods or merchandise, under the provisions of this Act, may be taken in the Exchequer Court of Canada, or in any court of competent jurisdiction.

Orders in Council. Regulations.

19. (1) The Governor in Council may, from time to time, make orders and regulations relating to any or all of the following matters:—

(a) the extension and application of the provisions of this Act, with necessary modifications, to any case in which there is a state of armed conflict, civil or otherwise, either within a foreign country or between foreign countries.

(b) the issue of permits, the prescribing of conditions upon which permits may be issued, and the designation of the authority or authorities who may issue permits.

15. This section provides for forfeiture in cases arising under sections 7 and 10.

16. This enables proceedings to be undertaken against offenders, either in the place where the offence has been committed or in the place in which the offender may be found. It corresponds to section 16 of The Foreign Enlistment Act 1870.

17. This section subjects criminal proceedings generally to the *Criminal Code*.

18. This section enables proceedings for forfeiture to be taken in the Exchequer Court of Canada, or in any Court of competent jurisdiction.

19. *(a)* This enables the Governor-in-Council to invoke the provisions of the Act with necessary modifications in cases of civil conflict, and to cases in which there is a state of armed conflict in existence, although there might be some doubt as to whether such armed conflict constituted war in the technical sense.

(c) the seizure, detention and disposition of conveyances, goods and merchandise.

(d) the requirement of the consent of an authority or authorities to prosecutions, seizures, detentions and forfeiture proceedings.

(e) the designation of officers or authorities who may execute any of the provisions of this Act.

(f) the issue, restriction, cancellation and impounding of passports, whether within Canada or elsewhere, to the extent to which such action is deemed by him to be necessary or expedient for carrying out the general purposes of this Act.

Orders and regulations to be published in Gazette.

(2) Such orders and regulations shall be published in the *Canada Gazette*, and shall take effect from the date of such publication or from the date specified for such purpose in such order or regulation, and shall have the same force and effect as if enacted herein.

Repeal.

20. The Act of the Parliament of the United Kingdom, chapter ninety of the Statutes of 1870 (33 & 34 Victoria) the short title of which is The Foreign Enlistment Act 1870, is hereby repealed in so far as it is part of the law of Canada.

(d) The Foreign Enlistment Act 1870, requires the sanction of the Secretary of State to the institution of forfeiture proceedings. The present position enables the Governor-in-Council to require consent of an authority or authorities to prosecutions, seizure, detentions, and forfeiture proceedings. It will also be observed that subparagraph *(e)* enables the Governor-in-Council to designate the officers or authorities who may execute any of the provisions of the Act.

(f) This provision is entirely new. It enables the control of passports in cases of illegal enlistment.

20. This section repeals The Foreign Enlistment Act 1870, in so far as it is part of the law of Canada. The power to do so is conferred by section two of the Statute of Westminster.

Second Session, Eighteenth Parliament, 1 George VI, 1937

THE HOUSE OF COMMONS OF CANADA.

BILL 30.

An Act to repeal The Employment and Social Insurance Act.

First reading, February 23, 1937.

Mr. POULIOT.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

33588

Second Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 30.

An Act to repeal The Employment and Social Insurance Act.

1935, c. 38.

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

Act repealed.

1. *The Employment and Social Insurance Act,* chapter thirty-eight of the statutes of 1935, is repealed.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 31.

An Act to repeal The Weekly Rest in Industrial Undertakings Act.

First reading, February 23, 1937

Mr. POULIOT.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
33589 1937.

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 31.

An Act to repeal The Weekly Rest in Industrial Undertakings Act.

1935, c. 38.

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

Act repealed.

1. *The Weekly Rest in Industrial Undertakings Act*, chapter fourteen of the statutes of 1935, is repealed.

32.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 32.

An Act to Repeal The Minimum Wages Act.

First reading, February 23, 1937.

Mr. POULIOT.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937.

33590

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 32.

An Act to repeal The Minimum Wages Act.

1935, c. 14.

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

Act repealed.

1. *The Minimum Wages Act*, chapter forty-four of the statutes of 1935, is repealed.

Second Session, Eighteenth Parliament, 1 George VI, 1937

THE HOUSE OF COMMONS OF CANADA.

BILL 33.

An Act to repeal The Limitation of Hours of Work Act.

First reading, February 23, 1937.

MR. POULIOT.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
33591 1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 33.

An Act to repeal The Limitation of Hours of Work Act.

1935, c. 63.

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

Act repealed.

1. *The Limitation of Hours of Work Act,* chapter sixty-three of the statutes of 1935, is repealed.

Second Session, Eighteenth Parliament, 1 George VI, 1937

THE HOUSE OF COMMONS OF CANADA.

BILL 34.

An Act to repeal The Natural Products Marketing Act, 1934, and the Natural Products Marketing Act Amendment Act, 1935.

First reading, February 23, 1937.

Mr. POULIOT.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
33592 1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 34.

An Act to repeal The Natural Products Marketing Act, 1934, and The Natural Products Marketing Act Amendment Act, 1935.

1934 c. 57.
1935, c. 64.

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

Acts repealed.

1. *The Natural Products Marketing Act, 1934*, chapter fifty-seven of the statutes of 1934, and *The Natural Products Marketing Act Amendment Act, 1935*, chapter sixty-four of the statutes of 1935, are repealed.

Second Session, Eighteenth Parliament, 1 George VI, 1937

THE HOUSE OF COMMONS OF CANADA.

BILL 35.

An Act to amend The Dominion Trade and Industry Commission Act, 1935.

First reading, February 23, 1937.

Mr. POULIOT.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
33593 1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 35.

An Act to amend The Dominion Trade and Industry Comsion Act, 1935.

1935, c. 59.

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

Price and production agreements.

1. Section fourteen of *The Dominion Trade and Industry Commission Act, 1935*, chapter fifty-nine of the statutes of 1935, is repealed.

Second Session, Eighteenth Parliament, 1 George VI, 1937

THE HOUSE OF COMMONS OF CANADA.

BILL 41.

An Act to amend and consolidate the Combines Investigation Act and amending Act.

First reading, February 26, 1937.

THE MINISTER OF LABOUR.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

30442

COMBINES ACT.

Arrangement of Sections.

Section

1. Short title.
2. Definitions.
3. Defects of form not to invalidate proceedings.
4. Trade unions not affected.
5. Commissioner.
   Duties and powers.
   Oath.
   Salary.
6. Assistant Commissioner.
7. Special commissioners.
8. Legal counsel.
9. Temporary assistants.
10. Duties of assistants.
11. Remuneration and expenses.
12. Civil Service Acts.
13. Offices and equipment.
14. Application for investigation.
    Statement.
15. Preliminary inquiry.
16. Decision regarding further investigation.
    Final decision of the Minister.
17. Investigations.
18. Requirement of written returns.
19. Investigation after requiring written returns.
20. Investigation into business of alleged parties to combine.
21. Powers of Commissioner as to witnesses.
    Persons competent to give evidence.
    Fees and expenses of witnesses.
    Taking evidence in another country.
    Signature of orders.
22. Evidence upon affidavit.
    Administering oaths.
23. No witness excused from giving evidence on ground it may incriminate him. Proviso.
24. Inquiries Act applicable to investigations.
25. Information not to be disclosed.

Section

26. Proceedings in private or in public.
27. Access to documents received in investigation.
28. Reports by the Commissioner.
Reports by special commissioners.
Interim reports.
29. Publication of reports.
30. Minister may publish reports.
31. Reduction or removal of customs duties.
32. Revocation of patents.
33. Remission of report to attorney general of a province.
34. Penalty for formation or operation of combine.
35. Penalty for contempt of Commissioner.
36. Failure to attend and give evidence.
37. Refusal to make returns or give access to records.
Liability of directors assenting to offences.
38. Penalty for impeding investigation.
39. When fines payable to Government of Canada.
40. Rights of action not affected.
41. Procedure for enforcing penalties.
Trials by superior courts of criminal jurisdiction only.
Prosecutions at instance of attorney general only.
42. Regulations.
43. Annual report.
44. Repeal.

2nd Session, 18th Parliament, 1 George VI, 1937

THE HOUSE OF COMMONS OF CANADA.

BILL 41.

An Act to amend and consolidate the Combines Investigation Act and amending Act.

R.S., c. 26; 1935, c. 54.

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 Combines Act.* 1923, c. 9, s. 1; R.S., 1927, c. 26, s. 1.

INTERPRETATION.

Definitions. "Combine."

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

(1) "combine" means

(a) a combination of two or more persons by way of actual or tacit contract, agreement or arrangement having relation to any article or commodity which may be a subject of trade or commerce and having or designed to have the effect of

(i) limiting facilities for manufacturing, producing, transporting, supplying, storing or dealing, or

(ii) preventing, limiting or lessening manufacture or production, or

(iii) fixing a common price or a resale price or a common rental, or

(iv) enhancing the price, rental or cost of any article, storage or transportation, or

(v) preventing or lessening competition in or substantially controlling, within any particular area or district or generally, manufacture, production, purchase, barter, sale, storage, transportation, insurance or supply, or

(vi) otherwise restraining or injuring trade or commerce; or

(b) a merger, trust or monopoly;

which combination, merger, trust or monopoly has operated or is likely to operate to the detriment or against the interest of the public, whether consumers, producers or others;

Explanatory Notes.

The two Acts to be amended and consolidated by this Bill are the *Combines Investigation Act* (R.S. 1927, c. 26) and *The Combines Investigation Act Amendment Act, 1935* (1935, c. 54). The Act as amended in 1935 is referred to in these notes as the existing Act, the 1935 Act as the amending Act, the Act in the Revised Statutes as the 1927 Act.

In this Bill all shorter amendments are underlined, and longer amendments are indicated by vertical lines at the side of new sections or sections amended.

The majority of the amendments are those required to provide for administration of the Act under the Minister of Labour by an officer to be known as the Commissioner of the Combines Act, and for the investigation of alleged combines by the Commissioner and, when necessary, by temporary commissioners appointed to conduct single investigations. The penalties for the offence of participating in the formation or operation of a combine are increased.

2. (1) This is section 2 (1) of the existing Act, further divided into paragraphs for convenience in reading. Words in the clauses vertically lined have been transposed. From clause *(c)* of the existing section the words "or a common cost of storage or transportation" have been omitted, their subject matter being already adequately covered in the section. The second "rental" of the existing clause *(d)* is not included, for the same reason. The existing subsection reads as follows:

"(1) 'Combine' means a combination having relation to any commodity which may be the subject of trade or commerce, of two or more persons by way of actual or tacit contract, agreement or arrangement having or designed to have the effect of

(a) limiting facilities for transporting, producing, manufacturing, supplying, storing or dealing, or

(b) preventing, limiting or lessening manufacture or production, or

(c) fixing a common price or a resale price, or a common rental, or a common cost of storage or transportation, or

(d) enhancing the price, rental or cost of article, rental, storage or transportation, or

"Commissioner." (2) "Commissioner" means the Commissioner of the Combines Act, appointed as hereinafter provided;

"Corporation." (3) "corporation" includes company and association duly incorporated by law;

"Merger." (4) "merger" means the combination resulting from the consolidating or amalgamating of the whole or part of the businesses of any two or more persons, or resulting from the purchase, lease or other acquisition by any person of any control over or interest in the whole or part of the business of any other person;

"Minister." (5) "Minister" means the Minister of Labour;

"Special commissioner." (6) "special commissioner" means a temporary commissioner appointed as hereinafter provided for the purpose of conducting an investigation;

"Trust" and "monopoly." (7) "trust" and "monopoly" mean one or more persons who, within any particular area or district or generally,

(a) substantially control any class or species of business, or

(b) have such control over the supply or distribution of or the demand for products of any class or species of business as to enable such person or persons to maintain, enhance or substantially modify or control prices of such products. 1923, c. 9, s. 2; R.S., 1927, c. 26, s. 2; 1935, c. 54, s. 2.

(e) preventing or lessening competition in, or substantially controlling within any particular area or district or generally, production, manufacture, purchase, barter, sale, storage, transportation, insurance or supply, or

(f) otherwise restraining or injuring trade or commerce,

or a merger, trust or monopoly, which combination, merger, trust or monopoly has operated or is likely to operate to the detriment or against the interest of the public, whether consumers, producers or others."

2. (2) New.

2. (3) This is section 2 (3) of the existing Act, amended by the addition of the underlined words.

2. (4) New. The definition of a merger has been separated from that of a trust and monopoly, and has been amended to include a combination resulting from an amalgamation of businesses. The existing definition of "merger, trust or monopoly" is shown below.

2. (5) "Minister of Labour" is substituted for "President of the King's Privy Council for Canada."

2. (6) New.

2. (7) This amends subsection 4 of section 2 of the existing Act, which defines "merger, trust or monopoly." The definition of a merger has been inserted separately in the Bill as subsection 4 of this section. Clause *(b)* of the definition of "trust" and "monopoly" is new. It is designed to include persons who while not substantially controlling an entire class or species of business are able, due to such causes as their dominant position in the trade or an absence of effective price competition, to maintain or substantially control prices of the goods sold.

Subsection 4 of section 2 of the existing Act is as follows:

"(4) 'Merger, trust or monopoly' means one or more persons

(a) who has or have purchased, leased or otherwise acquired any control over or interest in the whole or part of the business of another; or

(b) who either substantially or completely control, throughout any particular area or district in Canada or throughout Canada the class or species of business in which he is or they are engaged;

and extends and applies only to the business of manufacturing, producing, transporting, purchasing, supplying, storing or dealing in commodities which may be the subject of trade or commerce: Provided that this subsection shall not be construed or applied so as to limit or impair any right or interest derived under *The Patent Act, 1935*, or under any other statute of Canada."

Defects of form not to invalidate proceedings.

3. No proceedings under this Act shall be deemed invalid by reason of any defect of form or any technical irregularity. 1923, c. 9, s. 32; R.S., 1927, c. 26, s. 3.

Trade unions not affected.

4. Nothing in this Act shall be construed to apply to combinations of workmen or employees for their own reasonable protection as such workmen or employees. 1923, c. 9, s. 34; R.S., 1927, c. 26, s. 4.

ADMINISTRATION.

Commissioner.

5. (1) The Governor in Council may appoint an officer to be known as the Commissioner of the Combines Act.

Duties and powers.

(2) The Commissioner shall perform the duties and exercise the powers conferred upon him under this Act, and shall report directly to the Minister as required by this Act.

Oath.

(3) The Commissioner shall, before entering upon his duties, take and subscribe before the Clerk of the Privy Council, and shall file in the office of the said Clerk, an oath of office in the following form:—

"I do solemnly swear that I will faithfully, truly and impartially, and to the best of my judgment, skill and ability, execute the powers and trusts reposed in me as Commissioner of the Combines Act. So help me God."

Salary.

(4) The Commissioner shall be paid such salary as may be from time to time fixed and allowed by the Governor in Council. 1923, c. 9, ss. 3, 4 and 31; R.S., 1927, c. 29, ss. 5, 6, 9 and 10; 1935, c. 54, ss. 3 and 4.

Assistant Commissioner.

6. (1) An Assistant Commissioner of the Combines Act may be appointed in the manner authorized by law.

(2) When the Commissioner is absent or unable to act, or when so authorized by the Commissioner with respect to any investigation or matter, the Assistant Commissioner, or, if he also is at the same time absent or unable to act, another officer designated by the Minister, may and shall exercise the powers and perform the duties of the Commissioner.

Special commissioners.

7. (1) The Governor in Council may appoint, from time to time, one or more persons to be special commissioners under this Act.

(2) It shall be the duty of a special commissioner to conduct an investigation into and concerning such matters as are designated in the Order in Council signifying his appointment.

3. This is the same as section 3 of the existing Act.

4. This is the same as section 4 of the existing Act.

5. New. The existing Act is administered by the Dominion Trade and Industry Commission.

6. New. It has been deemed advisable to make specific provision authorizing an officer to act in the absence of the Commissioner.

7. New. Provision is made by this section for the temporary appointment, if necessary, of special commissioners whose duties and powers in the investigations which they are appointed to conduct will be similar to those of the Commissioner. Provision was made in the 1927 Act, section 6, for the appointment of such special commissioners. Facilities for the conducting of investigations by these commissioners were provided in sections 16 to 26, 33, 34, 36, 37 and 38. All provisions regarding such special commissioners were repealed in 1935.

(3) Every special commissioner shall have, with respect to and for the duration of the investigation which he is appointed to conduct, the powers which are conferred on the Commissioner in sections eighteen to twenty-four inclusive; and wherever the word "Commissioner" occurs in sections eighteen to twenty-four inclusive and thirty-five to thirty-seven inclusive of this Act, it shall be deemed to include the words "special commissioner".

(4) The exercise of any of the powers herein conferred upon special commissioners shall not be held to limit or qualify the powers by this Act conferred upon the Commissioner. 1923, c. 9, s. 10; R.S., 1927, c. 26, ss. 6 and 16; 1935, c. 54, ss. 3 and 10.

Legal counsel.

8. Whenever the Commissioner reports that in his opinion the public interest so requires, the Minister may apply to the Minister of Justice to instruct counsel to assist in conducting an investigation, and upon such application the Minister of Justice may instruct counsel accordingly. 1923, c. 9, s. 20; R.S., 1927, c. 26, s. 26; 1935, c. 54, s. 19.

Temporary assistants.

9. The Commissioner may, with the approval of the Minister, employ such temporary, technical and special assistants as may be required to meet the special conditions that may arise in carrying out the provisions of this Act. 1923, c. 9, ss. 15 and 31; R.S., 1927, c. 26, ss. 6 and 21; 1935, c. 54, ss. 3 and 14.

Duties of assistants.

10. Any technical or special assistant or other qualified person employed under this Act shall, when so authorized and deputed by the Commissioner, inquire into any matter within the scope of this Act as may be directed by the Commissioner, and the person so deputed shall have such of the same powers which the Commissioner has as shall be authorized and delegated to him in writing by the Commissioner.

Remuneration and expenses.

11. (1) Any special commissioner and any temporary, technical and special assistants employed by the Commissioner shall be paid for their services and expenses as may be determined by the Governor in Council.

(2) The remuneration and expenses of any special commissioner and of the temporary, technical and special assistants employed by the Commissioner, and of any counsel instructed by the Minister of Justice under this Act, shall be paid out of such appropriations as are provided by Parliament to defray the cost of administering this Act. 1923, c. 9. s. 31; R.S., 1927, c. 26, s. 9; 1935, c. 54, s. 3.

8. This amends section 26 of the existing Act, which reads as follows:

"**26.** Whenever in the opinion of the Commission, the public interest so requires, the Commission may apply to the Minister of Justice to instruct counsel to conduct the investigation before the Commission and upon such application the Minister of Justice may instruct counsel accordingly."

9. New. Sections 6 (4) and 21 of the 1927 Act, providing for the appointment of temporary assistants, were repealed by the amending Act.

10. New.

11. New. Section 9 of the 1927 Act, which made provision similar to this, was repealed by the amending Act. Section 9 was as follows:

"**9.** The remuneration and expenses of the Registrar and of any commissioner appointed under the authority of this Act, and of the temporary, technical and special assistants employed by the Minister, as well as the fees and expenses allowed to any counsel instructed by the Minister of Justice under this Act, shall be paid out of such appropriations as are provided by Parliament to provide the cost of administering this Act.

2. Any person employed by the Minister to render any temporary, technical and special assistance shall be paid for his services and expenses such sum as the Governor in Council may determine."

Civil Service Acts. R.S., c. 22, etc.

12. The *Civil Service Act* and other Acts relating to the Civil Service, in so far as applicable, shall, except as otherwise provided in section five of this Act, apply to the Commissioner and to all other permanent employees under this Act. 1923, c. 9, s. 31; R.S., 1927, c. 26, s. 7; 1935, c. 54, s. 3.

Offices and equipment.

13. The Commissioner may, with the approval of the Minister, establish at any place or places in Canada such office or offices as are required for the discharge of the duties of the Commissioner and of any special commissioner under this act, and may provide therefor the necessary accomodation, stationery and equipment. 1923, c. 9, s. 30; R.S., 1927, c. 26, s. 8; 1935, c. 54, s. 3.

APPLICATIONS.

Application for investigation.

14. (1) Any six persons, British subjects, resident in Canada, of the full age of twenty-one years, who are of the opinion that a combine exists, may apply in writing to the Commissioner for an investigation of such alleged combine, and shall place before the Commissioner the evidence on which such opinion is based.

Statement.

(2) The application shall be accompanied by a statement in the form of a solemn or statutory declaration showing

(a) the names and addresses of the applicants, and at their election the name and address of any one of their number, or of any other person, whom they may, for the purpose of receiving any communication to be made pursuant to this Act, have authorized to represent them;

(b) the nature of the alleged combine and the names of the persons believed by the applicants to be concerned therein and privy thereto;

(c) the manner in which, and where possible the extent to which, the alleged combine is believed by the applicants to operate or to be about to operate to the detriment or against the interest of the public. 1923, c. 9, s. 5; R.S., 1927, c. 26, s. 11; 1935, c. 54, s. 5.

INVESTIGATIONS.

Preliminary inquiry.

15. The Commissioner shall on application made under the last preceding section or on direction by the Minister, or may whenever he has reasonable cause to believe that a combine may exist, cause a preliminary inquiry to be made into and concerning such matters as he deems the circumstances warrant. 1923, c. 9, s. 6; R.S., 1927, c. 26, s. 12; 1935, c. 54, s. 6.

12. New. Section 7 of the 1927 Act, which made provision similar to this, was repealed by the amending Act.

13. New. Section 8 of the 1927 Act, which made provision similar to this, was repealed by the amending Act.

14. This is section 11 of the existing Act, amended by the substitution of "Commissioner" for "Commission," the substitution of "other person" for "attorney, solicitor or counsel," the addition of the words "by the applicants" in clauses *(b)* and *(c)*, and the omission, at the end of the section, of the words "whether consumers, producers or others."

Section 11 of the existing Act reads as follows:

"**11.** Any six persons, British subjects, resident in Canada, of the full age of twenty-one years, who are of the opinion that a combine exists, may apply in writing to the Commission for an investigation of such alleged combine, and shall place before the Commission the evidence on which such opinion is based.

2. The application shall be accompanied by a statement in the form of a solemn or statutory declaration showing

(a) the names and addresses of the applicants, and at their election the name and address of any one of their number, or of any attorney, solicitor or counsel, whom they may, for the purpose of receiving any communication to be made pursuant to this Act, have authorized to represent them;

(b) the nature of the alleged combine and the names of the persons believed to be concerned therein and privy thereto;

(c) the manner in which, and where possible the extent to which, the alleged combine is believed to operate or to be about to operate to the detriment or against the interest of the public whether consumers, producers or others."

15. This amends section 12 of the existing Act, which is as follows:

"**12.** The Commission shall on application made under the last preceding section or on its own motion whenever it has reason to believe that a combine exists cause an inquiry to be made into all such matters, whether of fact or of law, with respect to the said alleged combine as it shall consider necessary to inquire into with the view of determining whether a combine exists."

Decision regarding further investigation.

16. (1) If after a preliminary inquiry the Commissioner decides that an application is frivolous or vexatious or does not justify further investigation, he shall make a report in writing to the Minister showing the inquiry made, the information obtained and his conclusions, and shall inform the applicants of his decision giving the grounds therefor.

Final decision of the Minister.

(2) On written request of the applicants or on his own motion, the Minister may review the decision of the Commissioner under this section, and the decision of the Minister shall be final and conclusive and shall not be subject to appeal or review. 1923, c. 9, s. 7; R.S., 1927, c. 26, s. 13; 1935, c. 54, s. 7.

Investigations.

17. If after a preliminary inquiry the Commissioner decides that further investigation is justified, he shall cause an investigation to be made into and concerning all such matters, whether of fact or of law, as he shall consider it necessary to inquire into for the purpose of determining whether a combine exists. 1923, c. 9, s. 6; R.S., 1927, c. 26, s. 12; 1935, c. 54, s. 6.

Requirement of written returns.

18. The Commissioner may at any time in the course of an investigation, by notice in writing, require any person, and in the case of a corporation any officer or servant of such corporation, to make and render unto the Commissioner, within a time stated in such notice, or from time to time, a written return under oath or affirmation showing in detail such information with respect to the business of the person named in the notice as is by the notice required, and such person, officer or servant shall make and render unto the Commissioner precisely as required a written return under oath or affirmation showing in detail the information required; and, without restricting the generality of the foregoing, the Commissioner may require a full disclosure of all contracts or agreements which the person named in the notice may have at any time entered into with any other person, touching or concerning the business of the said person named in the notice. 1923, c. 9, s. 8; R.S., 1927, c. 26, s. 14; 1935, c. 54, s. 8.

Investigation after requiring written returns.

19. If, after the receipt by the Commissioner of any return made in purported compliance with this Act, the Commissioner shall consider that circumstances so justify, or if after a return under this Act has been required none is made, or none is made within a time set in the notice requiring such return or within such further time as the Commissioner may upon application allow, the Commissioner may investigate the business, or any part thereof, of the person making or failing to make such return, and

16. This amends section 13 of the existing Act, which reads as follows:

"**13.** (1) If, after such preliminary inquiry as the Commission deems the circumstances warrant, the Commission is of the opinion that the application is frivolous or vexatious, or does not justify further inquiry, the Commission may decide that no further inquiry is justified and shall inform the applicant of the decision giving the grounds therefor.

(2) In case the Commission decides that further inquiry shall not be made it shall notify the applicants of its decision giving the grounds therefor.

(3) The decision of the Commission shall be final and conclusive and shall not be subject to appeal or review."

17. In the existing Act there is no specific provision for the course to be followed where preliminary inquiry discloses the necessity of further investigation. Such provision is made in this section.

18. This is section 14 of the existing Act, amended by the substitution of "Commissioner" for "Commission," by the addition of the words "or servant" as underlined; and also by the substitution of "investigation" for "inquiry" and of "person named" for "person so named."

19. New. Section 15 of the 1927 Act, which was repealed by the amending Act, was of the same effect as this, except for the present use of the word "Commissioner" instead of the words "Registrar" and "Registrar or the Minister."

may enter and examine the premises, books, documents, and records of or in the possession or control of such person. 1923, c. 9, s. 9; R.S., 1927, c. 26, s. 15; 1935, c. 54, s. 9.

Investigation into business of alleged parties to combine.

20. The Commissioner shall have authority to investigate the business, or any part thereof, of any person who the Commissioner believes may be a party or privy to or have assisted in the formation or operation of a combine, and he or his duly authorized representative may enter and examine the premises, books, documents and records of or in the possession or control of such person, and make copies of or retain any of such books, documents or records which the Commissioner or his duly authorized representative believes may contain information relating to an offence against this Act. 1923, c. 9, ss. 10 and 14; R.S., 1927, c. 26, ss. 16 and 20; 1935, c. 54, ss. 10 and 13.

Powers of Commissioner as to witnesses.

21. (1) The Commissioner may order that any person resident or present in Canada be examined upon oath before him, or make production of books, documents, records or articles to him, or before or to any other person named for the purpose by the order of the Commissioner, and may make such orders as seem to the Commissioner to be proper for securing the attendance of such witness and his examination and the production by him of books, documents, records or articles, and the use of evidence so obtained, and may otherwise exercise for the enforcement of such orders or punishment for disobedience thereof, all powers that are exercised by any superior court in Canada for the enforcement of subpoenas to witnesses or punishment of disobedience thereof.

Persons competent to give evidence.

(2) Any person summoned by the Commissioner shall be competent and may be compelled to give evidence as a witness.

Fees and expenses of witnesses.

(3) Every person who is summoned and duly attends as a witness shall be entitled to an allowance for attendance and travelling expenses according to the scale in force with respect to witnesses in civil suits in the superior courts of the province in which the investigation is being conducted.

Taking evidence in another country.

(4) The Minister may issue commissions to take evidence in another country, and may make all proper orders for the purpose and for the return and use of the evidence so obtained.

Signature of orders.

(5) Orders to witnesses and all other orders, process or proceedings, except such as are provided for in the last preceding subsection, shall be signed by the Commissioner. 1923, c. 9, s. 16; R.S., 1927, c. 26, s. 22; 1935, c. 54, s. 15.

20. Section 16 of the existing Act, which is amended hereby, reads as follows:

"**16.** The Commission shall have authority to investigate the business, or any part thereof, of any person who is or is believed by the Commission to be a member of any combine or a party or privy thereto, and to authorize a representative on its behalf to enter and examine the premises, books, papers and records of such person."

The latter part of the new section is designed to clarify the powers to obtain books and records for further examination, when such books and records appear to contain information relating to an offence against the Act.

21. This is section 22 of the existing Act, amended by the substitution of "Commissioner" for "Commission" and by the additional changes underlined. Section 22 of the existing Act reads as follows:

"**22.** (1) The Commission may order that any person resident or present in Canada be examined upon oath before, or make production of books, papers, records or articles to, the Commission or before or to any other person named for the purpose by the order of the Commission and may make such orders as seem to the Commission to be proper for securing the attendance of such witness and his examination, and the production by him of books, papers, records or articles, and the use of evidence so obtained, and may otherwise exercise, for the enforcement of such orders or punishment for disobedience thereof, all powers that are exercised by any superior court in Canada for the enforcement of subpoenas to witnesses or punishment of disobedience thereof.

(2) Any person summoned before the Commission shall be competent and may be compelled to give evidence as a witness.

(3) Every person who is summoned and duly attends as a witness shall be entitled to an allowance for attendance and travelling expenses according to the scale in force with respect to witnesses in civil suits in the superior courts of the province in which the inquiry is being conducted.

(4) The Commission may issue commissions to take evidence in a foreign country, and may make all proper orders for the purpose and for the return and use of the evidence so obtained.

(5) Orders to witnesses and all other orders, process or proceedings shall be signed by a commissioner."

Evidence upon affidavit.

22. (1) The Commissioner may accept or require evidence upon affidavit or written affirmation, in every case in which it seems to him proper to do so.

Administering oaths.

(2) The Commissioner and all persons authorized to administer oaths in or concerning any proceeding had or to be had in the Supreme Court of Canada, in the Exchequer Court of Canada, or in any superior court of any province, may administer oaths in or concerning any application, matter or proceeding before the Commissioner. 1923, c. 9, s. 17; R.S., 1927, c. 26, s. 23; 1935, c. 54, s. 16.

No witness excused from giving evidence on ground it may incriminate him.

Proviso.

23. No witness who is required by the Commissioner in an investigation under this Act to answer any question or to produce any book, paper or record shall be excused from answering such question or producing such document on the ground that the answer or document required of him may tend to criminate him or subject him to any proceeding or penalty; but no oral evidence given by such witness in such investigation shall be used or receivable against him in any criminal proceeding thereafter instituted against him, other than a prosecution for perjury in giving evidence in such investigation or proceeding. 1923, c. 9, s. 18; R.S., 1927, c. 26, s. 24; 1935, c. 54, s. 17.

22. This amends section 23 of the existing Act by substituting "Commissioner" for "Commission" and by consolidating in subsection 2 the provisions of subsections 2 and 3 of the existing Act. Section 23 of the existing Act reads as follows:

"**23.** (1) The Commission may accept or require evidence upon affidavit or written affirmation, in every case in which it seems to it proper to do so.

(2) The Commission and all persons authorized to administer oaths to be used in any of the superior courts of any province may administer oaths in such province to be used in applications, matters or proceedings before the Commission.

(3) All persons authorized to administer oaths within or out of Canada, in or concerning any proceeding had or to be had in the Supreme Court of Canada or in the Exchequer Court of Canada, may administer oaths in or concerning any application, matter or proceeding before the Commission."

23. This amends section 24 of the existing Act respecting the evidence which a witness may be required to give in an investigation and its use in any subsequent criminal proceeding against him. Section 24 of the existing Act reads as follows:

"**24.** No person shall be excused from attending and giving evidence and producing books, papers, or records, in obedience to the order of the Commission, on the ground that the oral evidence or documents required of him may tend to criminate him or subject him to any proceeding or penalty, but no such evidence or documents so required shall be used or receivable against such person in any criminal proceedings thereafter instituted against him, other than a prosecution for perjury in giving evidence upon such investigation, inquiry, cause or proceeding."

The changes made to the section by the amending Act of 1935 were the substitution of "Commission" for "Registrar or any commissioner" and the substitution of "evidence or documents so required" for "oral evidence so given."

The purposes of the new section are (1) to aid in arriving at the facts in any investigation under the Act by providing that no oral evidence given by a witness shall thereafter be used in any criminal proceeding instituted against him, other than a prosecution for perjury; and (2) to restore the right of using, in a criminal proceeding against any person, any documents produced by him in an investigation under the Act which, but for the provision inserted in the Act in 1935 and noted above, would be admissible against him. Under the new section no less or greater use may be made of documents than may be made of documents obtained from witnesses in investigations conducted under authority of the Inquiries Act.

R.S. c. 99. *Inquiries Act* applicable to investigations.

24. (1) All provisions of the *Inquiries Act* not repugnant to the provisions of this Act shall apply to any inquiry or investigation under this Act, and the Commissioner shall have all the powers of a commissioner appointed under the *Inquiries Act*, except in so far as any such powers may be inconsistent with the provisions of this Act.

Proceedings under ss. 20 and 23 of 1935, c. 59.

(2) The Governor in Council may authorize the Commissioner to have and exercise any of the powers which are conferred on the Dominion Trade and Industry Commission under sections twenty and twenty-three of *The Dominion Trade and Industry Commission Act, 1935;* and all the provisions of this Act relating to investigations shall, in so far as applicable, apply to proceedings under this subsection. 1923, c. 9, s. 12; R.S., 1927, c. 26, s. 18; 1935, c. 54, s. 12.

Information not to be disclosed.

25. No person who is or has been employed in the service of His Majesty shall, unless so authorized by the Minister or the Commissioner, communicate or allow to be communicated to any person not otherwise legally entitled thereto any information obtained under the provisions of this Act, or allow any such person to inspect or have access to any document furnished under the provisions of this Act.

Proceedings in private or in public.

26. The proceedings before the Commissioner or any special commissioner shall be conducted in private, but the Commissioner may order that any portion of the proceedings shall be conducted in public. 1923, c. 9, s. 19; R.S., 1927, c. 26, s. 25; 1935, c. 54, s. 18.

Access to documents received in investigation.

27. Any person from whom any book, paper or record has been received by the Commissioner as evidence in an investigation may thereafter apply to the Commissioner for the return of such document, and pursuant to such application the Commissioner, if such document has not already been returned to such person, shall supply him with such document or with a certified copy thereof, or shall permit him, or his agent named for the purpose, to have access to such document and to make a copy thereof. 1935, c. 54, s. 20.

24. (1) This is section 18 of the existing Act, unchanged except for the substitution of "Commissioner" for "Commission."

(2) New. Under this subsection the Governor in Council may authorize the Commissioner to receive and investigate complaints of alleged violations of any of the "laws prohibiting unfair trade practices" as provided in sections 2 *(h)* and 20 of The Dominion Trade and Industry Commission Act, 1935. The Commissioner may be authorized similarly to confer with persons in any industry regarding practices in the industry which may be considered to be undesirable, as provided in section 23 of the Commission Act.

25. New.

26. New. Section 7 of the Commission Act reads as follows:

"**7.** The sittings of the Commission shall be public or private as the Commission decides."

27. This section replaces subsection 2 of section 27 of the existing Act, which subsection was added in 1935. Section 27 reads as follows:—

"**27.** (1) The Commission at the conclusion of every investigation which they conduct shall make a report in writing and without delay transmit it to the Minister. Such report shall set out fully the conclusions reached, the action, if any, taken, and any other material which may be required by regulation under this Act.

(2) The Commission shall at the same time deliver into the custody from whence they came, if not already delivered, all books, papers, records and other documents in its possession as evidence relating to the investigation, but before

Reports.

Reports by the Commissioner.

28. (1) The Commissioner at the conclusion of every investigation which he conducts shall make a report thereon in writing to the Minister.

Reports by special commissioners.

(2) Every special commissioner at the conclusion of the investigation which he conducts shall make a report in writing which he shall sign and transmit to the Commissioner, together with the evidence taken at the investigation, certified by the special commissioner, and all documents and papers relating to the investigation remaining in his custody; and the Commissioner shall without delay transmit the report to the Minister.

Interim reports.

(3) The Minister may call for an interim report at any time, and it shall be the duty of the Commissioner or special commissioner, as the case may be, whenever thereunto required by the Minister, to render an interim report setting out the action taken, the evidence obtained and any conclusions reached at the date thereof. 1923, c. 9, s. 21; R.S., 1927, c. 26, s. 27; 1935, c. 54, s. 20.

Publication of reports.

29. Any report of the Commissioner or of a special commissioner, other than an interim report or a report of a preliminary inquiry under section sixteen of this Act, shall within fifteen days after its receipt by the Minister be made public, unless the Commissioner states in writing to the Minister that he believes the public interest would be better served by withholding publication, in which case the Minister may decide whether the report, either in whole or in part, shall be made public. 1923, c. 9, s. 22; R.S., 1927, c. 26, s. 28; 1935, c. 54, s. 21.

doing so the Commission may extract from such documents and certify as true copies such relevant parts thereof as it may deem to be necessary for any purpose of this Act, whereafter such parts, so certified shall have and be accorded in all courts the same probative force as the equivalent parts of the originals of which they are copies."

28. (1) Subsection 1 of section 27 of the existing Act, which is amended hereby, is quoted in the last preceding note.

28. (2) and (3). New. Subsections 2 and 3 of section 27 of the 1927 Act, which were of the same effect as these sections, were repealed by the amending Act of 1935.

29. New. There is no corresponding provision in the existing Act, but subsections 1 and 2 of section 27 of the Commission Act, which apply to reports under the *Combines Investigation Act*, are as follows:

"**27.** (1) The Commission shall within fifteen days after making any report, recommendation or finding under this Act make the same public in such manner as seems desirable unless the Commission is unanimously of the opinion that the public interest would not be served by publication or that the public interest would be better served by withholding publication.

(2) Wherever possible the Commission shall with the report, recommendation or finding make public the reasons and the facts upon which the decision is based."

Section 28 of the 1927 Act, which was repealed by the amending Act, was as follows:

"**28.** Any report of a commissioner, other than an interim report, shall within fifteen days after its receipt by the Minister be made public, unless the commissioner is of the opinion that the public interest would be better served by withholding publication and so states in the report itself, in which case the Minister may exercise his discretion as to the publicity to be given to the report in whole or in part.

2. The Minister may publish and supply copies of any report in such manner and upon such terms as to him seems most desirable."

Minister may publish reports.

30. The Minister may publish and supply copies of any report in such manner and upon such terms as he deems proper. 1923, c. 9, s. 22; R.S., 1927, c. 26, s. 28; 1935, c. 54, s. 21.

Remedies.

Reduction or removal of customs duties.

31. Whenever from or as a result of an investigation under the provisions of this Act, or from or as a result of a judgment of the Supreme Court or Exchequer Court of Canada or of any superior court, or circuit, district or county court in Canada, it appears to the satisfaction of the Governor in Council that with regard to any article of commerce, there exists any combination, merger, trust or monopoly which promotes or is likely to promote unduly the advantage of manufacturers or dealers at the expense of the public, and if it appears to the Governor in Council that such disadvantage to the public is facilitated by the duties of customs imposed on the article or on any like article, the Governor in Council may direct either that such article be admitted into Canada free of duty or that the duty thereon be reduced to such amount or rate as will, in the opinion of the Governor in Council, give the public the benefit of reasonable competition. 1923, c. 9, s. 23; R.S., 1927, c. 26, s. 29.

Revocation of patents.

32. (1) If the owner or holder of any patent issued under the patent laws of the Dominion of Canada has made use of the exclusive rights and privileges which as such owner or holder he controls so as to contravene the provisions of section thirty-four of this Act, such patent shall be liable to be revoked.

Procedure in the Exchequer Court.

(2) If the Commissioner reports that a patent has been so made use of, the Minister of Justice may, on the application of the Minister, exhibit an information in the Exchequer Court of Canada praying for a judgment revoking the patent; and the court shall thereupon have jurisdiction to hear and decide the matter and to give judgment revoking the patent, or otherwise, as the evidence before the court may require. 1923, c. 9, s. 24; R.S., 1927, c. 26, s. 30.

30. New. The subject matter of this section is dealt with in section 27 of the Commission Act which is quoted in the last preceding note. The new section corresponds with subsection 2 of section 28 of the 1927 Act.

31. This is an amendment of section 29 of the existing Act. The only change, other than the substitution of "customs" for "custom," is the insertion of the words "combination, merger, trust or monopoly which promotes or is likely" to replace the word "combine."

32. This is section 30 of the existing Act, amended as underlined. The existing section 30 reads as follows:

"**30.** (1) If the owner or holder of any patent issued under the *Patent Act* has made use of the exclusive rights and privileges which as such owner or holder he controls, so as

(a) unduly to limit the facilities for transporting, producing, manufacturing, supplying, storing or dealing in any article which may be a subject of trade or commerce; or

(b) to restrain or injure trade or commerce in relation to any such article; or

(c) unduly to prevent, limit or lessen the manufacture or production of any article; or

(d) unreasonably to enhance the price of any article; or

(e) unduly to prevent or lessen competition in the production, manufacture, purchase, barter, sale, transportation, storage or supply of any article;

such patent shall be liable to be revoked.

(2) If the Minister reports that a patent has been so made use of, the Minister of Justice may exhibit an information in the Exchequer Court of Canada praying for a judgment revoking the patent; and the court shall thereupon have jurisdiction to hear and decide the matter and to give judgment revoking the patent, or otherwise, as the evidence before the court may require."

Remission of report to attorney general of a province.

33. (1) Whenever in the opinion of the Commissioner an offence has been committed against any of the provisions of this Act, he may remit, to the attorney general of any province within which such alleged offence shall have been committed, the report of the Commissioner or special commissioner and such evidence or other documents as the attorney general may request, for such action as such attorney general may be pleased to institute.

If no action taken.

(2) If, within three months after remission of such report to the attorney general of any province, or within such shorter period as the Minister shall decide, no such action shall have been taken by or at the instance of the attorney general of the province as to the Minister the case seems in the public interest to require, the Attorney General of Canada may on the relation of any person who is resident in Canada and of the full age of twenty-one years permit an information to be laid against such person or persons as in the opinion of the Attorney General of Canada shall have been guilty of an offence against any of the provisions of this Act.

Counsel.

(3) The Minister of Justice may instruct counsel to attend on behalf of the Minister at all proceedings consequent on any information being so laid. 1923, c. 9, s. 25; R.S., 1927, c. 26, s. 31; 1935, c. 54, s. 22.

Offences and Penalties.

Penalty for formation or operation of combine.

34. Every one is guilty of an indictable offence and liable to a fine not exceeding twenty-five thousand dollars or to imprisonment for a term not exceeding two years, or to both fine and imprisonment, or if a corporation to a fine not exceeding one hundred thousand dollars, who is a party or privy to or knowingly assists in the formation or operation of a combine within the meaning of this Act. 1923, c. 9, s. 26; R.S., 1927, c. 26, s. 32.

33. Section 31 of the existing Act, which is amended hereby as indicated by the underlined words, reads as follows:

"**31.** (1) Whenever in the opinion of the Commission an offence has been committed against any of the provisions of this Act, the Commission may remit to the attorney general of any province, within which such alleged offence shall have been committed, for such action as such attorney general may be pleased to institute because of the conditions appearing,

(a) any return or returns which may have been made or rendered pursuant to this Act and are in the possession of the Commission and relevant to such alleged offence; and

(b) the evidence taken on any investigation by the Commission, and the report of the Commission.

(2) If within three months after remission aforesaid, or within such shorter period as the Governor in Council shall decide, no such action shall have been taken by or at the instance of the attorney general of the province as to the Governor in Council the case seems in the public interest to require, the Solicitor General may on the relation of any person who is resident in Canada and of the full age of twenty-one years permit an information to be laid against such person or persons as in the opinion of the Solicitor General shall have been guilty of an offence against any of the provisions of this Act.

(3) The Solicitor General may apply to the Minister of Justice to instruct counsel to attend on behalf of the Minister at all proceedings consequent on the information so laid, and upon such application the Minister of Justice may instruct counsel accordingly."

34. This amends subsection 1 of section 32 of the existing Act. Maximum fines have been raised from the existing amount of $10,000 to an amount of $25,000 for offences by natural persons, and from $25,000 to $100,000 for offences by corporations. A provision that both fine and imprisonment may be imposed on a natural person has been added.

The existing subsection reads as follows:

"**32.** (1) Every one is guilty of an indictable offence and liable to a penalty not exceeding ten thousand dollars or to two years imprisonment, or if a corporation to a penalty not exceeding twenty-five thousand dollars, who is a party or privy to or knowingly assists in the formation or operation of a combine within the meaning of this Act."

Contempt of Commissioner.

35. If in any proceedings under this Act any person wilfully insults the Commissioner, or wilfully interrupts the proceedings, or commits in any other manner any wilful contempt in the face of the Commissioner, the Commissioner may direct any constable to take such person into custody and remove him from the precincts and presence of the Commissioner, to be detained in custody until the conclusion of the day's sitting, and such person shall be guilty of an offence and liable upon summary conviction to a fine not exceeding one hundred dollars. 1923, c. 9, s. 27; R.S., 1927, c. 26, s. 33; 1935, c. 54, s. 23.

Penalty.

Failure to attend and give evidence.

36. Any person who has been duly served with an order issued by the Commissioner requiring him to attend or to produce any books, papers, records or articles before the Commissioner, and to whom, at the time of service, payment or tender has been made of his reasonable travelling expenses according to the scale in force with respect to witnesses in civil suits in the Superior Courts of the province in which the investigation is being conducted, and who, without lawful excuse, the proof whereof shall lie on him, fails to attend and give evidence or to produce any book, paper, record or article as required by the said order, shall be guilty of an offence and liable upon summary conviction to a fine not exceeding one thousand dollars, or to imprisonment for a term not exceeding six months, or to both fine and imprisonment. 1923, c. 9, s. 16; R.S., 1927, c. 26, s. 34; 1935, c. 54, s. 24.

Penalty.

Refusal to make returns or give access to records.

37. (1) Any person who, without lawful excuse, the proof whereof shall lie on him, refuses, neglects or fails

(a) to make any return to the Commissioner as required under authority of this Act, or

(b) to give or afford to the Commissioner or his duly authorized representative admission and access to any premises, books, documents or records as required under authority of this Act,

Penalty.

shall be guilty of an offence and liable upon indictment or upon summary conviction to a fine not exceeding five thousand dollars, or to imprisonment for a term not exceeding two years, or to both fine and imprisonment.

35. This is section 33 of the existing Act amended as indicated by the words underlined. Other than the substitution of "Commissioner" for "Commission" and the similar change of substituting the words "under this Act" for the words "before the Commission or any commissioner", the changes made are for the purpose of clarifying the meaning of the section without changing its effect.

Section 33 of the existing Act is as follows:

"**33.** (1) If in any proceedings before the Commission or any commissioner any person wilfully insults the Commission, or wilfully interrupts the proceedings, or is guilty in any other manner of any wilful contempt in the face of the Commission, the Commission may direct any constable to take the person offending into custody and remove him from the precincts and presence of the Commission, to be detained in custody until the conclusion of the day's sitting.

(2) The person so offending shall be liable upon summary conviction to a penalty not exceeding one hundred dollars."

36. This amends section 34 of the existing Act as shown here by underlining. The only change in effect is that made by substituting "Commissioner" for "Commission".

Section 34 of the existing Act reads as follows:

"**34.** If any person, who has been duly served with an order, issued by the Commission requiring him to attend or to produce any books, papers, records or articles before the Commission, and to whom at the time of service payment or tender has been made of his reasonable travelling expenses according to the scale in force with respect to witnesses in civil suits in the Superior Courts of the province in which the inquiry is being conducted, fails to attend and give evidence, or to produce any book, paper, record or thing as required by the said order, he shall, unless he shows that there was good and sufficient cause for such failure, be guilty of an offence and liable upon summary conviction to imprisonment for a term not exceeding six months and a fine not exceeding one thousand dollars, or to both such fine and imprisonment."

37. (1) This subsection consolidates in briefer form the provisions for offences and penalties contained in sections 35 and 36 of the existing Act. Paragraph *(a)* of the new section relates to section 18 of the Bill, and paragraph *(b)* to sections 19 and 20. Sections 35 and 36 of the existing Act are as follows:—

"**35.** Any person, and, in the case of a corporation, any officer of the corporation, who refuses, neglects or fails

(a) to obey or comply with any notice in writing whereby the Commission, pursuant to the authority of this Act,

Liability of directors assenting to offences.

(2) If a corporation, or officer or servant of a corporation, offends against this section any director or officer of such corporation who assents to or acquiesces in the offence committed shall be guilty of that offence personally and cumulatively with the corporation, officer or servant so offending. 1923, c. 9, s. 29; R.S., 1927, c. 26, ss. 35, 36 and 37; 1935, c. 54, ss. 25 and 26.

requires such person or officer to make and render to it within the time stated in the notice, or from time to time, any written return under oath or affirmation showing in detail such information with respect to the business of the person named in the notice as is by the notice lawfully required, or to show in the return the information so required in detail, precisely as by the notice required, in so far as the information or details are within the knowledge or possession of or available to the person or officer so notified; or

(b) to include in any such return, if thereunto required by the Commission, and if the person or officer notified has knowledge or means of ascertaining the facts, a full disclosure of all contracts or agreements which the person named in the notice may have at any time entered into with any other person touching or concerning the business of the former;

shall be guilty of an offence and liable upon indictment or upon summary conviction to a penalty not exceeding five thousand dollars, or to imprisonment for a term not exceeding two years, or to both such fine and imprisonment.

"**36.** Any person who, being in possession or control of the business, premises, books, papers or records of

(a) any person who has made a return, or failed to make a return when thereunto required, under the authority of this Act; or

(b) any person who is, or in respect of whom there are reasonable grounds for the belief that he is, a member of any combine or a party or privy thereto,

refuses, neglects or fails to give and afford to the Commission admission and access to the aforesaid premises, books, papers or records whenever and as often as demanded by the Commission, shall be guilty of an offence and liable upon indictment or upon summary conviction to a penalty not exceeding five thousand dollars, or to imprisonment for any term not exceeding two years, or to both such fine and imprisonment."

37. (2) This is section 37 of the existing Act, amended so as to include within its scope directors or officers of a corporation who assent to or acquiesce in offences against the preceding section which are committed by the corporation or by any of its officers or employees. Section 37 of the existing Act reads as follows:

"**37.** If a corporation offend against either of the two last preceding sections any director or officer of such corporation who assents to or acquiesces in the offence committed by the corporation shall be guilty of that offence personally and cumulatively with the corporation and with his co-directors or associate officers."

Penalty for impeding investigation.

38. Any person who, in any manner, impedes or prevents, or attempts to impede or prevent, any investigation, examination or inquiry under this Act, shall be guilty of an offence and liable upon indictment or upon summary conviction to a penalty not exceeding five thousand dollars, or to imprisonment for a term not exceeding two years, or to both such fine and imprisonment. 1923, c. 9, s. 29; R.S., 1927, c. 26, s. 38.

When fines payable to Government of Canada.

39. When any proceeding is instituted against any person at the instance of the Government of Canada or of any department thereof for a violation of this Act, all fines, penalties and forfeitures imposed for whatever cause in such proceeding, and the proceeds of all recognizances estreated in connection with such proceeding, shall belong to His Majesty for the public uses of Canada and shall be paid by the magistrate or officer receiving the same to the Minister of Finance and form part of the Consolidated Revenue Fund of Canada; subject, however, to the provisions of section 1037 of the *Criminal Code*.

R.S. c. 36.

Rights of action not affected.

40. The provisions of section thirty-four of this Act which provide for the imposition of penalties shall not deprive any person of any right of action which such person might otherwise have by reason of the provisions of the said section which create an offence.

PROCEDURE.

Procedure for enforcing penalties.

41. (1) When an indictment is found against any person for any offence against this Act the accused shall have the option to be tried before the judge presiding at the court at which the indictment is found, or the judge presiding at any subsequent sitting of such court, or at any court where the indictment comes on for trial, without the intervention of a jury; and in the event of such option being exercised the proceedings subsequent thereto shall be regulated in so far as may be applicable by Part XVIII of the *Criminal Code*, respecting speedy trials of indictable offences.

R.S. c. 36.

Trials by superior courts of criminal jurisdiction only.

(2) No court mentioned in section five hundred and eighty-two of the *Criminal Code* has power to try any offence against section thirty-four of this Act.

Prosecutions at instance of attorney general only.

(3) No prosecution for any offence against section thirty-four of this Act shall be commenced otherwise than at the instance of the Attorney General of Canada or of the attorney general of a province. 1923, c. 9, ss. 26 and 28; R.S., 1927, c. 26, ss. 32 and 39.

38. This is the same as section 38 of the existing Act.

39. This section is new.

Section 1037 of the *Criminal Code*, to which the provisions of this section are subject, is as follows:

"**1037.** The Governor in Council may, from time to time, direct that any fine, penalty or forfeiture, or any portion thereof, which would otherwise belong to the Crown for the public uses of Canada, be paid to any provincial, municipal or local authority, which wholly or in part bears the expenses of administering the law under which such fine, penalty or forfeiture is imposed, or that the same be applied in any other manner deemed best adapted to attain the objects of such law and to secure its due administration."

40. This section is new. It ensures the right of any person aggrieved by an offence against section 34 of the Bill, which makes the formation or operation of a combine an indictable offence, to any remedy at law to which, if the penalty provisions of section 34 did not exist, he might be entitled.

41. (1) This subsection is section 39 of the existing Act transposed without change.

41. (2) This subsection is new.

The courts named in section 582 of the *Criminal Code* have not power to try the indictable offences which are mentioned in section 583. These offences, which include offences against section 498 of the Code, relating to combination in restraint of trade, may be tried by superior courts of criminal jurisdiction only.

This subsection provides that only the latter courts may try offences against section 34 of the Bill.

41. (3) This is subsection 2 of section 32 of the existing Act, with the words "Attorney-General of Canada" substituted for the words "Solicitor General of Canada." The existing subsection reads as follows:

"(2) No prosecution for any offence under this section shall be commenced, otherwise than at the instance of the Solicitor General of Canada or of the attorney general of a province."

Regulations.

Governor in Council may make regulations.

42. (1) The Governor in Council may make such regulations, not inconsistent with this Act, as to him seem necessary for carrying out the provisions of this Act and for the efficient administration thereof.

Publication of regulations in *Canada Gazette*.

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

Regulations to be laid before Parliament.

(3) The regulations shall be laid before both Houses of Parliament within fifteen days after such publication if Parliament be then sitting, and if Parliament be not then sitting, then within fifteen days after the opening of the next session thereof. 1923, c. 9, s. 33; R.S., 1927, c. 26, s. 40.

Annual Report.

Annual report.

43. The Commissioner shall make to the Minister annually a report of proceedings under this Act, and the Minister shall lay such report before Parliament within fifteen days of the making thereof if Parliament be then sitting, and if Parliament be not then sitting, then within fifteen days after the opening of the next session thereof. 1923, c. 9, s. 35; R.S., 1927, c. 26, s. 41; 1935, c. 54, s. 27.

Repeal.

Repeal.

44. The *Combines Investigation Act*, chapter twenty-six of the Revised Statutes of Canada, 1927, the *Combines Investigation Act Amendment Act, 1935*, chapter fifty-four of the statutes of 1935, and sections thirteen and fourteen of chapter fifty-nine of the statutes of 1935, are repealed.

42. This is section 40 of the existing Act transposed with no change, other than the substitution of the word "be" for the word "is" in subsection (3).

43. This amends section 41 of the existing Act. "Commissioner" is substituted for "Commission." The section is revised to correspond with the form of section 42 (3) of the Bill. Section 41 of the existing Act reads as follows:

"The Commission shall, annually, report to the Minister its proceedings under this Act and he shall lay such report before Parliament if it be then sitting, and, if it be not then sitting, within the first fifteen days of its then next session."

44. Sections 13 and 14 of *The Dominion Trade and Industry Commission Act, 1935*, c. 59, read as follows:

"**13.** The Commission shall be charged with the administration of the *Combines Investigation Act* and shall exercise all the powers and jurisdiction and perform all the duties conferred on the Commission under the said *Combines Investigation Act.*

"**14.** (1) In any case where the Commission, after full investigation under the *Combines Investigation Act*, is unanimously of opinion that wasteful or demoralizing competition exists in any specific industry, and that agreements between the persons engaged in the industry to modify such competition by controlling and regulating prices or production would not result in injury to or undue restraint of trade or be detrimental to or against the interest of the public, or where such agreements exist and in the unanimous opinion of the Commission but for their existence wasteful or demoralizing competition would exist in any specific industry, the Commission may so advise the Governor in Council and recommend that certain agreements be approved.

(2) The Governor in Council may, if of opinion that the conclusions of the Commission are well founded, approve of any such agreement, and shall make regulations requiring the Commission to determine from time to time whether the agreement is resulting in injury to or undue restraint of trade or is detrimental to the public interest.

(3) The Commission shall require persons engaged in the industry to furnish full information relating to operations within the industry under the agreement and may at any time, of its own motion and in its absolute discretion, advise the Governor in Council to rescind the approval of the agreement and the Governor in Council may rescind the approval accordingly.

(4) In any case where the Governor in Council has approved an agreement under this section, no prosecution of a party to such agreement shall be instituted under the *Combines Investigation Act* or under sections four hundred and ninety-eight and four hundred and ninety-eight A or any other relevant section of the *Criminal Code* for an offence arising in the performance of such agreement, except with the consent of the Commission."

Second Session, Eighteenth Parliament, 1 George VI, 1937

THE HOUSE OF COMMONS OF CANADA.

BILL 42.

An Act to amend the Old Age Pensions Act.

First reading, March 1, 1937.

THE MINISTER OF FINANCE.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

32891

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 42.

An Act to amend the Old Age Pensions Act.

R.S., c. 156; 1931, c. 42.

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

Definitions.

1. Paragraph *(b)* of section two of the *Old Age Pensions Act*, chapter one hundred and fifty-six of the Revised Statutes of Canada, 1927, is repealed and the following substituted therefor:—

"Pension."

"*(b)* 'pension' means a pension payable in accordance with this Act and the regulations hereunder;"

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

"Child."

"*(f)* 'child' means a son or step-son who has not attained the age of sixteen years and a daughter or step-daughter who has not attained the age of seventeen years, and a son, step-son, daughter or step-daughter who, having attained one or other of the said ages but not having attained the age of twenty-one years, is prevented from earning a livelihood by reason of physical or mental incapacity."

3. The said Act is further amended by inserting, immediately after section eight, the following section:—

Pensions to the blind.

"**8A.** (1) Subject to the provisions of this Act, provision shall be made for the payment of a pension to every blind person, who at the date of the proposed commencement of the pension

Conditions.

(a) is, and continues to be, so blind as to be unable to perform any work for which eyesight is essential;

(b) has attained the age of forty years;

R.S., c. 157, 1930, c. 48.

(c) is not in receipt of a pension under the *Pension Act*, or an allowance under *The War Veterans' Allowance Act;*

(d) is

Explanatory Notes.

The purpose of the Bill is to amend the *Old Age Pensions Act* to provide for the payment of pensions to blind persons who have attained the age of forty years and have fulfilled the other conditions set forth in this Bill.

1. Paragraph *(b)* of section two of the *Old Age Pensions Act* reads as follows:—

"*(b)* 'pension' means an old age pension payable in accordance with this Act and the regulations hereunder;"

This amendment is made so that the word "pension" shall include pensions payable to both the aged and the blind.

2. It is desirable to define the word "child" which is used in section 8A as enacted by section three of the Bill.

3. 8A. (1) The expression "so blind as to be unable to perform any work for which eyesight is essential" is taken from *The Blind Persons Act, 1920*, of the United Kingdom. It is considered the most satisfactory definition of blindness for the purpose of an Act providing for pensions to the blind. The definition will require further interpretation before it can be applied and section four of this Bill provides that this may be done by regulation.

Subsection one of section eight (showing the conditions set forth in paragraphs *(a)*, *(c)*, *(d)*, *(e)* and *(g)* of the said section) reads as follows:—

"**8.** Provision shall be made for the payment of a pension to every person who, at the date of the proposed commencement of the pension

(a) is a British subject, or, being a widow, who is not a British subject, was such before her marriage;

(b) has attained the age of seventy years;

(i) unmarried, or a widower without a child or children, or a widow without a child or children and is not in receipt of an income of as much as four hundred and forty dollars a year, or

(ii) married, or a widower with a child or children, or a widow with a child or children and is not in receipt of an income of as much as six hundred and forty dollars a year; and

(e) fulfils the conditions laid down in paragraphs *(a)*, *(c)*, *(d)*, *(e)* and *(g)* of subsection one of section eight of this Act.

Maximum pension.

(2) Notwithstanding the provisions of subsection one of section nine of this Act the maximum pension payable to a blind person shall be two hundred and forty dollars yearly:

Proviso.

Provided that in the case of a blind person, who, after the coming into force of this section, marries a person so blind as to be unable to perform any work for which eyesight is essential, the maximum pension payable shall be one hundred and twenty dollars yearly.

Reductions.

(3) The pensions payable under the provisions of the last preceding subsection shall be subject to reduction as follows:—

(a) in the case of an unmarried person or a widower without a child or children or a widow without a child or children, by the amount of the income of the pensioner in excess of two hundred dollars a year;

(b) in the case of a married person or a widower with a child or children or a widow with a child or children, by the amount of the income of the pensioner in excess of four hundred dollars a year.

Must be living together.

(4) No blind person who is married or is a widower with a child or children or a widow with a child or children shall be entitled to any pension in excess of the pension to which an unmarried person is entitled unless such married person and his or her spouse or such widower or widow and one or more of his or her children are living together."

Power to make regulations.

4. Subsection one of section nineteen of the said Act is amended by adding thereto the following paragraphs:—

"*(s)* the interpretation of the expression 'is so blind as to be unable to perform any work for which eyesight is essential;'

(t) the medical examination and other evidence necessary to establish that a person is so blind as to be unable to perform any work for which eyesight is essential;

(u) the definition for the purposes of this Act of the words 'married,' 'unmarried,' 'widower,' 'widow.' "

(c) has resided in Canada for the twenty years immediately preceding the date aforesaid;
(d) has resided in the province in which the application for pension is made for the five years immediately preceding the said date;
(e) is not an Indian as defined by the *Indian Act;*
(f) is not in receipt of an income of as much as three hundred and sixty-five dollars ($365) a year, and
(g) has not made any voluntary assignment or transfer of property for the purpose of qualifying for a pension.

(2) The maximum pension payable to a blind person whether married or unmarried is $240 yearly which is the same as the maximum pension payable to a person who has attained the age of seventy years. The maximum pension however is reduced to $120 yearly in the case of a blind person marrying another blind person after this Bill comes into force. This provision is inserted to discourage the marriage of blind persons.

(3) The permissible income allowed an unmarried person or a widower or widow without children is $200 a year. The permissible income allowed a married person or a widower or widow with children is $400 a year. In the case of old age pensions the permissible income in all cases is $125 a year and no distinction is made between married and unmarried persons. This subsection recognizes the fact that the cost of living for blind persons is higher than for sighted persons, and it permits and encourages a married person to support himself and his family by augmenting his pension by earnings.

(4) This subsection provides that married persons or widowers or widows with children cannot obtain a greater pension than an unmarried person unless they are living with their spouses or their children as the case may be.

4. This amendment permits the Governor in Council to make regulations for certain purposes deemed essential for the efficient operation of the Act.

55.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 55.

An Act to amend the Department of National Revenue Act.

First reading, March 8, 1937.

The MINISTER OF NATIONAL REVENUE.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

33928

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 55.

An Act to amend the Department of National Revenue Act.

R.S., c. 137; 1928, c. 37.

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

Subsection providing gratuity in lieu of leave on retirement, repealed.

1. Subsection five of section three of the *Department of National Revenue Act*, chapter one hundred and thirty-seven of the Revised Statutes of Canada, 1927, as enacted by section one of chapter thirty-eight of the statutes of 1928, is repealed.

Commencement of Act.

2. This Act shall come into force on the first day of October, 1937.

Explanatory Note.

1. Subsection 5, to be repealed, now reads as follows:—

"(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."

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 56.

An Act respecting the appointment of Auditors for National Railways.

First reading, March 8, 1937.

The MINISTER OF TRANSPORT.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

34096

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 56.

An Act respecting the appointment of Auditors for National Railways.

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

1932-33, c. 33; 1934, c. 3; 1935, c. 1; 1936, c. 21.

Appointment of auditors.

1. Notwithstanding the provisions of section thirteen of *The Canadian National-Canadian Pacific Act, 1933*, chapter thirty-three of the statutes of 1933, as enacted by section three of chapter twenty-five of the statutes of 1936, respecting the appointment of auditors by joint resolution of the Senate and House of Commons, George A. Touche and Company, of the cities of Toronto and Montreal, chartered accountants, are appointed as independent auditors for the year 1937, to make a continuous audit under the provisions of the said section, of the accounts of National Railways as defined in the said Act.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 62.

An Act to amend the Criminal Code.

First reading, March 12, 1937.

Mr. WOODSWORTH.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

34481

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 62.

R.S., c. 36; 1930, c. 11; 1931, c. 28; 1932, cc. 7, 8, 9, 28; 1932-33, cc. 25, 59. 1934, cc. 11, 47; 1935, cc. 36, 56; 1936, c. 29.

An Act to amend the Criminal Code.

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

1. The *Criminal Code*, chapter thirty-six of the Revised Statutes of Canada, 1927, is amended by inserting immediately after section five hundred and two the following section:—

"**502A.** Any employer or his agent, whether an individual person, company or corporation, who

Refusing to employ, etc., members of a trade union.

(a) refuses to employ or dismisses from his employment any person for the reason that such person is a member of a trade union or of an association or combination of workmen or employees formed for the purpose of advancing in a lawful manner their interests and organized for their protection in the regulation of wages and conditions of work; or

Intimidation to prevent workmen from belonging to a trade union.

(b) seeks by intimidation, threat of loss of position or employment, or by actual loss of position or employment, or by threatening or imposing any pecuniary penalty, to prevent workmen or employees from belonging to a trade union or to such association or combination; or

Conspiring, etc., to do things mentioned.

(c) conspires, combines, agrees or arranges with any other employer or his agent to do any of the things mentioned in the preceding paragraphs;

Penalty.

is guilty of an indictable offence and liable, in the case of an individual, to a fine not exceeding one hundred dollars or to not more than three months' imprisonment, with or without hard labour, and in the case of a company or corporation, to a penalty not exceeding one thousand dollars.

Explanatory Note.

The purpose of this Bill is to prevent employers from refusing to employ, or from dismissing employees, or conspiring with others therefor, for the reason that they are members of a trade union.

As it is lawful for workmen or employees to form themselves into trade unions and to bargain collectively, it should, as a matter of public policy, be unlawful for employers to seek by overt acts or intimidation, threats or conspiracy to prevent them from belonging to such trade unions.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 63.

An Act to amend the Lord's Day Act.

First reading, March 15, 1937.

Mr. BRUNELLE.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
34399
1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 63.

An Act to amend the Lord's Day Act.

R.S. c. 123; 1935, c. 14.

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

1. Section fourteen of the *Lord's Day Act*, chapter one hundred and twenty-three of the Revised Statutes of Canada, 1927, is amended by adding thereto the following subsection:—

Penalty for directors and officers permitting violation of the Act.

"(2) Any person, being a director, an officer, a superintendent or an employee of a corporation, to whose direction or orders any employee is by the terms or conditions of his employment bound to conform, who authorizes, directs or permits any such last mentioned employee of that corporation to carry on any part of the business of the corporation in violation of any of the provisions of this Act, shall be liable, on summary conviction before two justices of the peace, to the same penalties as those to which a corporation is liable under subsection one of this section and in addition, for a first offence, to imprisonment for a term not exceeding three months and not less than one month, with or without hard labour, and for each subsequent offence, to imprisonment for a term not exceeding six months and not less than two months, with or without hard labour."

Explanatory Note.

Section fourteen reads as follows:—

"**14.** Every corporation which authorizes, directs or permits its employees to carry on any part of the business of such corporation in violation of any of the provisions of this Act, shall be liable, on summary conviction before two justices of the peace, for the first offence, to a penalty not exceeding two hundred and fifty dollars and not less than fifty dollars, and, for each subsequent offence, to a penalty not exceeding five hundred dollars and not less than one hundred dollars, in addition to any other penalty prescribed by law for the same offence."

The purpose of the Bill is to provide for the punishment by way of fine and imprisonment of directors and officers violating the provisions of the Act.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 64.

An Act to Control and Regulate the Sale of Feeding Stuffs.

First reading, March 16, 1937.

THE MINISTER OF AGRICULTURE.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
33587 1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 64.

An Act to Control and Regulate the Sale of Feeding Stuffs.

HIS Majesty, by and with the 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 Feeding Stuffs Act, 1937.*

INTERPRETATION.

Definitions.

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

"Brand".

(a) "brand" means any distinctive mark or name applied to a feeding stuff other than that by which it is generally known to the trade;

"Chop feed".

(b) "chop feed" means the product of chopping, grinding or crushing wheat, rye, barley, oats *(avena sativa)*, Indian corn, buckwheat *(Fagopyrum esculentum)*, flax, emmer, spelt, field peas, field beans or soy beans, whether used singly or in combination, or such other grains or seeds as the Minister may from time to time by regulation prescribe;

"Feeding stuff".

(c) "feeding stuff" means any article intended for consumption by live stock and purporting to supply proteins, carbohydrates, fats, minerals, condiments or vitamins, and shall include any article prepared for the purpose of preventing or correcting nutritional disorders;

"Inspector".

(d) "inspector" means any person designated by the Minister to enforce the provisions of this Act or the regulations thereunder;

"Live stock".

(e) "live stock" means and includes horses, mules, cattle, sheep, goats, swine, foxes, rabbits and poultry and such other animal or bird as the Minister may from time to time by regulation prescribe;

"Minister".

(f) "Minister" means the Minister of Agriculture;

Explanatory Notes.

The present *Feeding Stuffs Act*, which this Bill is intended to replace, has been in effect without amendment, except in regard to wheat by-products, since 1921. The purpose of this Bill is to provide for the control of additional feed products, to require guarantees suited to the different kinds of feed products now on the market, to facilitate enforcement and to consolidate and clarify the wording of the Act where necessary or advisable.

2. The definitions which have to do with the operative provisions of the Act have been completely re-drafted. In the present Act they are as follows:—

"**2.** In this Act, and in any regulation made hereunder, unless the context otherwise requires,

(a) "chop feed" means the mixed or unmixed meals made directly from or consisting of the entire clean grain of wheat, rye, barley, oats, Indian corn, buckwheat and flax seed used separately or in any combination desired;

(b) "commercial feeding stuffs" means any article offered for sale for the feeding of live stock and poultry, including feeds stated to possess medicinal as well as nutritive properties, but not including

(i) hay and straw,

(ii) whole grains of wheat, rye, barley, oats, corn, buckwheat or flax seed,

(iii) chop feeds,

(iv) bran, shorts, middlings, feed flour, and screenings, the products of wheat,

(v) wet brewers' grains, roots or other materials containing sixty per centum or more of water;

(c) "feeding stuff" means any commercial feeding stuff, bran, shorts or middlings and chop feed;

(d) "Minister" means the Minister of Agriculture;

(e) "regulation" means a regulation made hereunder."

"Official analyst"

(*g*) "official analyst" means any analyst appointed under this Act;

"Owner".

(*h*) "owner" means the person applying for and accorded registration under this Act;

"Package".

(*i*) "package" means and includes sack, bag, barrel, bin or other container;

'Regulation".

(*j*) "regulation" means any regulation made under the authority of this Act.

Exemptions.

3. This Act shall not apply to—

(*a*) whole hays, straws, corn stover and silage when unmixed with any other material;

(*b*) hulled oats, hulled barley, cracked Indian corn and the whole seeds or grains of cultivated farm crops;

(*c*) feeding stuff prepared in accordance with a prescription provided and signed by the purchaser for consumption or processing by such purchaser;

(*d*) feeding stuff for export from Canada and so labelled.

REGISTRATION, LABELS AND CONTENTS.

Dealing in unregistered feeding stuffs prohibited.

4. (1) No feeding stuff mentioned in column 1 of Schedule "A" to this Act shall be imported into, manufactured, distributed, advertised, sold or offered or held in possession for sale in Canada which has not first been registered with and had a registration number assigned to it by the Minister.

Application for registration and renewal.

(2) Application for registration or renewal thereof shall be made by the person first marketing such feeding stuff or by his accredited agent in such form and manner and setting forth such particulars as may from time to time by regulation be prescribed.

Registration fees.

(3) Any such application shall be accompanied by the following registration fee, namely:—

(*a*) five dollars for the initial registration of any feeding stuff compounded of two or more ingredients;

(*b*) two dollars for the initial registration of any feeding stuff consisting of a single ingredient;

(*c*) two dollars for renewal of registration of any feeding stuff.

Applicant non-resident of Canada.

(4) If the applicant for registration or any renewal thereof does not reside in Canada the Minister may require that the application be countersigned by a representative or agent of the applicant resident in Canada and be accompanied by the undertaking of such representative or agent in form satisfactory to the Minister, to accept responsibility for any failure in respect of the registered article to comply with the provisions of this Act or the regulations thereunder.

3. This section is new and provides for certain exemptions and requires no explanation.

4. Section 4 requires the registration of specified kinds and classes of feeding stuffs and prescribes the conditions under which the Minister may refuse or cancel registration. It makes substantially the same provisions as sections 5 and 6 of the present Act except that the initial fee for the registration of a mixed feed is increased from two to five dollars.

Sections 5 and 6 of the existing Act are as follows:—

"**5.** No commercial feeding stuff shall be imported into, manufactured, distributed, sold or offered, exposed or held for sale in Canada unless it has been registered with the Minister and a registration number assigned to it.

2. Application for registration must be made by the manufacturer and must be accompanied by

(a) a registration fee of two dollars;

(b) a sealed representative sample of at least one pound of such feeding stuff; and

(c) a statement of the contents of such feeding stuff in such form and containing such details as the Minister by regulation may prescribe.

3. The registration shall be for a period continuing until the first day of October following the date upon which it is granted.

4. Such registration may be renewed from year to year.

5. The conditions for renewal shall be the same as those for the original registration."

Where registration may be refused.

(5) The Minister may refuse to register any feeding stuff—

(a) if in his opinion the brand or name would tend to deceive or mislead a purchaser in respect of the composition or utility value of the feeding stuff;

(b) under a brand or name identical with or in the opinion of the Minister likely to be confused with a brand or name already applied to a registered feeding stuff;

(c) if the specific name of each and every ingredient used in its manufacture be not stated;

(d) if a sample of the feeding stuff which, upon request, the applicant shall submit and certify as representative of the feeding stuff to be registered be found not to accord with the provisions of this Act or the regulations thereunder.

No change to be made without Ministerial approval.

(6) No change in the brand, name, chemical composition or ingredients of a registered feeding stuff shall be made without the written approval of the Minister, who may refuse to allow any change which in his opinion would lower the feeding value of such feeding stuff but may authorize, either at the time of registration or subsequently, such variations as in his opinion do not warrant registration as a separate and distinct article.

Term of registration.

(7) Every registration unless sooner cancelled shall expire on the last day of the registration year next following the date of issue but may be renewed from year to year.

Cancellation of registration

(8) The Minister may cancel the registration of any feeding stuff in respect of which there has been a violation of this Act or regulations in the registration, importation, manufacture, distribution, advertisement, sale or offering or having in possession for sale.

Labelling of package.

5. (1) Every package containing any feeding stuff mentioned in column 1 of Schedule "A" to this Act shall be labelled in such manner as may from time to time by regulation be prescribed.

Form of label.

(2) Every such label shall, in relation to such feeding stuff, show conspicuously and legibly—

(a) the name and address of the registered owner;

(b) the brand and name, which shall include such particulars of the composition and nutritive purposes as may be prescribed;

(c) the registration number;

(d) the net weight of contents;

(e) the specific name of each ingredient, employing such terms, and giving such particulars of the character, quality and quantity of any ingredient, as may be prescribed;

(f) the guaranteed analysis setting forth such particulars as are mentioned in column 2 of such Schedule;

"**6.** The Minister may refuse to register any commercial feeding stuff under a name or brand which, in the opinion of the Minister, would tend to mislead or deceive with respect to the materials of which it is composed, or when the statement of the contents is, in the opinion of the Minister, incomplete or misleading.

2. The Minister may also refuse to register more than one commercial feeding stuff under the same name or brand.

3. The Minister may cancel any registration which in his opinion has been made in violation of any of the provisions of this Act or of any regulation.

4. No change in the composition of a registered brand of commercial feeding stuff shall be made without registering it."

5. Section 5, together with Schedule "A", prescribes how specified kinds and classes of feeding stuffs shall be labelled for sale. It makes substantially the same provisions as section 4 of the present Act but varies the chemical guarantees according to the nature or purpose of the feeding stuff. In addition it requires feed containers to be labelled with the net weight of contents and authorizes certain details respecting brand names and feed ingredients to be prescribed by regulation.

Section 4 of the existing Act is as follows:

"**4.** Every sack, bag, bin or other container containing commercial feeding stuffs sold or offered, exposed or held for sale, shall have affixed thereto a tag or label in a conspicuous place on the outside thereof, containing a legible and plainly printed statement of

(a) the name, brand or trade mark of the contents;

(b) the full name and address of the manufacturer;

(c) the specific name of every ingredient contained in the feed;

(g) any matter mentioned in this subsection which is also required to be set forth upon application for registration corresponding as set forth upon the label in every particular with that so set forth upon application.

Package containing by-product.

6. (1) The package containing any by-product, resulting from the milling of wheat for the production of flour, imported into, manufactured, advertised, sold or offered or held in possession for sale in Canada as feeding stuff shall be labelled in such manner as may from time to time by regulation be prescribed.

Manner of labelling.

Form and contents of label.

(2) Every such label shall show conspicuously and legibly—

(a) the name and address of the person marketing such feeding stuff;

(b) the name of the by-product which shall be one of the names indicated in column 1 of Schedule "B" to this Act, which name shall not have associated with it any name, brand or description tending to qualify the meaning of the prescribed name of the by-product;

(c) the guaranteed analysis setting forth the minimum percentages of crude protein and crude fat and the maximum percentage of crude fibre.

Percentage of crude fibre.

(3) No such by-product shall contain crude fibre in excess of the percentage by weight indicated in column 2 of such Schedule "B".

Screenings, scourings, etc.

(4) Any such by-product shall be free from any screenings, scourings or other materials except as hereinafter provided.

Compounded feeding stuff.

Allowable percentages.

(5) Any such by-product may be used in such combination and under such conditions in any compounded feeding stuff containing not less than twelve per centum of crude protein and not more than fourteen per centum of crude fibre as the Governor in Council may from time to time prescribe.

Vendor to provide purchaser with information.

7. Whenever any feeding stuff is sold otherwise than in a package, the vendor shall, in such manner as may from time to time by regulation be prescribed, provide the purchaser with the information required to be labelled on packages of such feeding stuff.

Feeding stuff not to contain excess of certain foreign matter.

8. No feeding stuff shall be imported into, manufactured, distributed, advertised, sold or offered or held in possession for sale in Canada which contains in excess of the tolerances which the Minister may from time to time by regulation prescribe—

(d) the registered number;

(e) the analysis as guaranteed by the manufacturer, which shall show the percentage content of protein, fat and fibre, respectively.

2. In the case of car lots in bulk, the provisions of this section shall be held to be complied with if the statement required by this section is attached to the invoice or bill of lading delivered to the purchaser."

6. Section 6, together with Schedule "B", prescribes standards for wheat by-products and how such by-products shall be labelled and sold. It makes substantially the same provisions as section 8 of the present Act but *(a)* provides for the additional product, wheat germ, *(b)* prescribes a minimum guarantee of protein and fat rather than the establishment by regulation of minimum standards for such constituents, *(c)* excludes screenings to avoid a distinction based on origin rather than on quality and *(d)* in place of prohibiting certain materials to be combined with wheat by-products authorizes the Governor-in-Council to prescribe, within restricted limits, the mixtures wherein wheat by-products may be used.

7. New.

8. Section 8 prohibits the sale of feeding stuffs containing injurious or unsuitable materials and makes substantially the same provisions as sections 9 and 10 of the present Act.

(a) any seeds, damaged grain or other material designated by regulation as injurious to, or unsuitable for feeding live stock;
(b) any vital weed seeds;
(c) any chaff, dust, floor sweepings or other material of like character from time to time designated by regulation.

Inspectors, analysts.

9. Such inspectors and analysts may be appointed as the Minister may consider necessary for the effective carrying out of the provisions of this Act.

Inspector may enter premises and take samples.

10. An inspector may at all reasonable times enter any premises in which he has reasonable cause to believe any feeding stuff is being or has been prepared for sale and may take for analysis samples of any feeding stuff there found on payment of the value of such samples.

OFFENCES AND PENALTIES.

Particular offences.

Penalty.

11. Every person shall be guilty of an offence and liable upon summary conviction to a fine not exceeding five hundred dollars and not less than fifty dollars and in default of payment of the fine imposed to imprisonment for a term not exceeding two months unless such fine is sooner paid who—

(a) unlawfully uses any registration number;
(b) fraudulently lessens the value of any feeding stuff;
(c) wilfully removes, alters or effaces the prescribed tags, markings or information placed on packages of feeding stuff or provided with or placed on bulk or unpackaged feeding stuff in accordance with this Act;
(d) fraudulently alters or uses a certificate of analysis of an official analyst;
(e) wilfully obstructs, hinders, resists or in any way opposes an inspector in the execution of his duties under this Act;
(f) makes unauthorized disposition of feeding stuff placed under detention.

Sections 9 and 10 of the existing Act read as follows:—

"**9.** No grain, screenings or other ingredient which contains in excess of the quantity allowed by regulation, any seeds, damaged grain or other material designated by regulation of the Minister as injurious to the health of live stock or poultry, shall be used as a constituent of any feeding stuffs."

"**10.** No feeding stuff shall be sold or offered, exposed or held for sale which contains any vital weed seeds in excess of the quantity allowed by regulation."

9. New.

10. Section 10 provides for the sampling of feeding stuffs by inspectors, and is substantially the same as section 15 of the present Act.

Section 15 of the existing Act is as follows:—

"**15.** Any officer or person charged with the enforcement of this Act shall have access

(a) to any elevator, warehouse or other premises where he has reason to believe that grains or other constituent parts of feeding stuffs are blended for the manufacture of feeding stuffs; and

(b) to any premises or receptacles which he has reason to believe contains feeding stuff.

2. Such officer or person may take the samples therefrom on payment of the value of such samples."

11. Section 11 provides penalties for deliberate interference with the application and operation of this Act. It makes substantially the same provisions as sections 19 and 20 of the present Act.

Sections 19 and 20 of the existing Act are as follows:—

"**19.** Any person who obstructs any officer or person charged with the enforcement of this Act when entering or attempting to enter any premises to make an examination of any feeding stuff, or refuses to permit the making of such examination or the taking of samples, shall be liable on summary conviction to a fine of not less than twenty-five dollars and not more than five hundred dollars, or to imprisonment for any term not exceeding twelve months."

"**20.** Any person forging or unlawfully using any manufacturer's registration number or any certificate of analysis and examination required hereunder, shall be liable upon

Particular offences.

Penalty.

12. Every person shall be guilty of an offence and liable upon summary conviction to a fine not exceeding one hundred dollars and not less than five dollars for a first offence and not exceeding five hundred dollars and not less than fifty dollars for each subsequent offence and in either case in default of payment of the fine imposed to imprisonment for a term not exceeding two months unless such fine is sooner paid, who imports, manufactures, distributes, advertises, sells or offers or has in possession for sale any feeding stuff which—

(a) is not registered as required by this Act, or

(b) is not labelled or accompanied by any statement in accord with this Act or the regulations thereunder, or

(c) in relation to the provisions of this Act or to the feeding stuff is labelled or represented incorrectly or in a manner likely to mislead any person.

Offences not otherwise provided.

Penalty.

13. Every person shall be guilty of an offence and liable on summary conviction to a fine not exceeding fifty dollars and not less than five dollars and in default of payment of the imposed fine to imprisonment for a term not exceeding one month unless such fine is sooner paid who contravenes any provision of this Act or the regulations thereunder in respect of which no penalty is hereinbefore prescribed.

summary conviction to a fine not exceeding two hundred dollars for the first offence and not less than two hundred dollars and not exceeding five hundred dollars for each subsequent offence, or to imprisonment for a term not exceeding twelve months, or to both fine and imprisonment."

12. Section 12 provides penalties for failure to comply with the general provisions of the Act. It makes substantially the same provisions as sections 11 and 16 of the present Act.

Sections 11 and 16 of the existing Act read:

"**11.** Any person who sells or offers, exposes or holds in possession for sale in Canada, or who imports into Canada any feeding stuff found to be adulterated or incorrectly or misleadingly tagged, labelled or named, shall be guilty of a violation of this Act.

2. The Minister may cancel any registration and prohibit the further sale or importation of any such feeding stuff."

"**16.** Except as otherwise provided in section eighteen of this Act, every person who by himself or through the agency of another person sells, offers, exposes or holds in his possession for sale, feeding stuff in violation of any of the provisions of this Act, or any regulation, shall be guilty of an offence and upon summary conviction therefor shall be liable for a first offence to a fine not exceeding one hundred dollars and for the second offence to a fine not less than one hundred dollars and not exceeding two hundred dollars, and for each subsequent offence to a fine of not less than two hundred dollars and not exceeding five hundred dollars, together with the costs of prosecution.

2. In default of immediate payment of such fine and costs, such person shall be liable to imprisonment for a term not exceeding twelve months unless such fine and costs of enforcing the same are sooner paid.

3. The feeding stuff shall be liable to forfeiture to His Majesty."

13. Section 13 provides for offences not otherwise provided. It makes substantially the same provision as section 17 of the present Act.

Section 17 of the existing Act reads:

"**17.** Any person who is guilty of a violation of this Act, or of any regulation for which no penalty is provided, shall be liable upon summary conviction to a fine of one hundred dollars or to imprisonment for a term not exceeding two months."

REGULATIONS.

Regulations.

14. The Governor in Council may from time to time make regulations—

(a) varying any schedule to this Act;

(b) requiring and specifying particulars of the character, quality and quantity of any feeding stuff not included in the schedules to this Act or of any ingredient or constituent thereof to be labelled on packages containing, or provided to the purchaser of, such feeding stuff;

(c) prescribing standards of quality and contents and fixing the permissible limits of variability for any feeding stuff or any ingredients or constituents thereof;

(d) prescribing the unit or units in which shall be stated the net content weight of packages of feeding stuff;

(e) prescribing particulars of the character, quality and quantity of ingredients of feeding stuffs to be marked on packages;

(f) with respect to any other matter concerning which he may deem regulation necessary for the execution of the purposes of this Act.

Regulations.

15. The Minister may from time to time make regulations respecting—

(a) registration of feeding stuffs;

(b) labelling of packages;

(c) information to purchasers of feeding stuff;

(d) procuring and analysis of samples;

(e) analysis for purchaser of feeding stuff and the fees therefor;

(f) particulars of the composition and nutritive purposes to be included in the brand or name of any feeding stuff;

(g) the names under which simple or compound feeding stuffs shall be sold;

(h) what shall constitute a registration year with respect to any feeding stuff;

(i) what shall be regarded as weed seeds;

(j) the disposition of damaged feeding stuff;

(k) any other matter in regard to which he is by this Act required or authorized to prescribe.

Date of bringing egulations nto force.

16. Regulations made under this Act shall be in force from the date of their publication in the *Canada Gazette* unless otherwise provided in the said regulations or publication.

14. Section 14 is new and provides authority to the Governor-in-Council to make regulations, in particular to facilitate adaptation of guarantee requirements to commercial and scientific developments in the field of animal nutrition.

15. Section 15 provides authority for the Minister to make regulations, and corresponds with, but differs in detail from section 3 of the present Act.

MISCELLANEOUS PROVISIONS

Warranty.

17. (1) Upon the sale of any feeding stuff, any contract or notice to the contrary notwithstanding, there shall, be implied a warranty that it conforms to any statement made in relation thereto and to this Act and the regulations thereunder.

Vitamin strength.

Biological tests.

(2) No statement shall be made indicating the vitamin strength of any fish oil, fish liver oil or other feeding stuff, or that any such article has been biologically tested unless such statement is based on a test acceptable to the Minister who may require submission of satisfactory evidence that such test has been made.

Certificate of analyst as evidence.

18. In any prosecution under this Act a certificate as to the analysis of any feeding stuff signed or purporting to be signed by an official analyst shall be *prima facie* evidence of the facts stated in such certificate and conclusive evidence of the authority of the person giving or making the same without any proof of appointment or signature.

Publication of analysis.

19. The Minister may publish the results of analysis and examination of feeding stuffs made in connection with the enforcement of this Act and any additional information relative thereto which in his opinion is in the public interest.

Exports to be labelled.

20. Whenever any feeding stuff is to be exported from Canada it shall be so labelled in such manner as may from time to time by regulation be prescribed.

Detention and disposal of feeding stuff not conforming with the Act.

21. Any feeding stuff in respect of which any offence against this Act or the regulations thereunder is committed may be placed under detention by an inspector at the risk and expense of the owner until such time as such feeding stuff has been made to comply with the provisions of the Act and regulations and upon the conviction of the person charged with such offence may be forfeited to His Majesty and may be destroyed or otherwise disposed of as the Minister may direct.

Place of offence.

R.S., c. 36.

22. In any complaint, information or conviction under this Act the matter complained of may be declared and shall be held to have arisen within the meaning of the *Criminal Code* relating to summary convictions, at the place where the feeding stuff was sold, offered or had in possession for sale, found or placed under detention.

17. Section 17 is new. Subsection (1) requires no explanation.

Subsection (2) requires to be based on tests claims of a character which can not with assurance and accuracy be made otherwise.

18. Section 18 makes substantially the same provisions with respect to the evidence status of an official analyst's certificate as section 13 of the present Act.

Section 13 of the existing Act reads:—

"**13.** The certificate of analysis and examination of any official analyst on any sample of feeding stuff forwarded to him under the provisions of this Act and of the regulations hereunder, shall be accepted as evidence in any prosecution of any person charged with having sold or offered, exposed or held in his possession for sale, in violation of the provisions of this Act, feeding stuffs from which the sample purports to have been taken, or of any person from whom such person purchased the feeding stuffs."

19. Substantially the same as section 14 of the Act. The words "in the public interest" are substituted for the word "advisable."

20. New.

21. Section 21 is new and provides for the detention and disposition of feeding stuffs not labelled or otherwise conforming with the provisions of the Act.

22. Section 22 is self explanatory and makes substantially the same provisions as section 21 of the present Act.

Advisory board.

23. The Minister may appoint an advisory board which may, at his request, recommend to him such regulations as in its opinion should be established under this Act.

Repeal.

24. The *Feeding Stuffs Act*, chapter sixty-seven of the Revised Statutes of Canada, 1927, is repealed.

Coming into force.

25. This Act shall come into force upon the first day of October one thousand nine hundred and thirty-seven.

SCHEDULE "A"

Column 1.	Column 2.
Article of Feeding Stuff.	**Particulars of analysis to be guaranteed in accordance with Section 5 (2) *(f)*.**
	Amounts to be stated as percentages of the weight of the article, provided that iodine may be stated as ounces per hundred pounds of the article.
Feeding stuffs (excluding chop feeds), ground, crushed or in meal, cake, pellet or biscuit form, not otherwise provided for, and to which, in the opinion of the Minister, the particulars specified are appropriate.	Minimum amount of crude protein. Minimum amount of crude fat. Maximum amount of crude fibre.
Mixed feeding stuffs, commonly called supplemental feeds, purported to supply both proteins and minerals in excess of the amounts required in complete or balanced meal mixtures.	Minimum amount of crude protein. Minimum amount of crude fat. Maximum amount of crude fat if in excess of 7 per cent. Maximum amount of crude fibre. Actual amounts (within permitted tolerances) of such of the following as are intentionally or purportedly present: Calcium (Ca), Phosphorus (P), Iodine (I), Iron (Fe) and Salt (NaCl).
Mixed feeding stuffs for mineral nutrition.	Actual amounts (within permitted tolerances) of such of the following as are intentionally or purportedly present: Calcium (Ca), Phosphorus (P), Iodine (I), Iron (Fe) and Salt (NaCl).
Blood meal	Minimum amount of crude protein.
Bone meal, or any other bone product except bone char.	Minimum amount of crude protein. Maximum amount of crude fat if in excess of 5 per cent. Actual amounts (within permitted tolerance) of phosphorus (P) and calcium (Ca).
Dried milk or buttermilk	Minimum amount of crude protein.
Dried whey	Minimum amount of crude protein. Minimum amount of lactose.
Fish liver meal	Minimum amount of crude protein. Minimum and maximum amounts of crude fat.

23. Section 23 is self explanatory and makes the same provision as section 3 *(a)* of the present Act.

24. Repeal.

25. Section 25 brings the Act into force at a date to correspond with the expiry of registrations under the present Act.

SCHEDULE "A"—*Continued.*

Column 1.	Column 2.
Article of Feeding Stuff.	**Particulars of analysis to be guaranteed in accordance with Section 5 (2) *(f)*.**
Fish meal or any other product (except liver meal) of fish or fish waste.	Minimum amount of crude protein. Maximum amount of crude fat. Maximum amount of crude fibre if in excess of 2 per cent. Maximum amount of salt (NaCl).
Meat meal or scrap, tankage or any other product of meat or meat and bone, including whale meat.	Minimum amount of crude protein. Maximum amount of crude fat. Maximum amount of crude fibre if in excess of 2 per cent.
Semi-solid milk or buttermilk.....	Minimum amount of crude protein. Maximum amount of moisture.

SCHEDULE "B"

Column 1.	Column 2.
Name of wheat by-product.	Maximum crude fibre content in accordance with Section 6 (3).
Bran.....	11·5 per cent.
Shorts.....	8·0 per cent.
Middlings.....	4·5 per cent.
Feed flour.....	2·0 per cent.
Wheat germ.....	2·5 per cent.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 65.

An Act respecting the Testing, Inspection and Sale of Seeds.

First reading, March 16, 1937.

THE MINISTER OF AGRICULTURE.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

33586

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 65.

An Act respecting the Testing, Inspection and Sale of Seeds.

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 Seeds Act, 1937*.

INTERPRETATION.

Definitions.

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

"Brand".

(a) "brand" means the trade name or mark applied to seed by the producer, wholesaler or retailer thereof;

"Container."

(b) "container" includes every package, sack, bag, barrel, car, truck, bin, case or other receptacle;

"Control sample."

(c) "control sample" means a seed sample drawn from a seed lot by or on behalf of the grower or owner, on his own responsibility, and forwarded to a Seed Branch district office for testing;

"Control sample certificate."

(d) "control sample certificate" means a certificate that is issued on a control sample of seed;

"Crop registration certificate."

(e) "crop registration certificate" means a certificate issued for a seed crop by the Canadian Seed Growers' Association, based on records and reports of crop inspections made in accordance with standards and regulations established by the Association;

"Elite stock seed."

(f) "Elite stock seed" means selected seed or plants produced by plant breeders the product of which may be eligible to produce registered seed;

"Inspector."

(g) "inspector" means any officer designated by the Minister to carry out the provisions of this Act;

Explanatory Notes.

The purpose of this Bill is to amend and consolidate the Seeds Act as a result of experience gained in the administration of the Act and merchandising of seeds over a period of thirteen years.

Vertical lines or underlining on the opposite page indicates new matter. Vertical lines or underlining in the explanatory notes indicates matter that has been left out or amended.

2. Section 2 at present reads as follows:—

INTERPRETATION.

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

(a) "advertise" means to make known by a printed public notice;

(b) "container" includes every package, sack, bag, barrel, car, bin, case or other receptacle;

(c) "control sample certificate" means a certificate that is issued on a control sample of seed that is received for analysis and grading at the office of a district inspector;

(d) "Elite stock seed" means selected seed or plants produced by plant breeders, the product of which may be eligible to produce Registered seed. (Am. 1928, c. 47.)

(e) "inspector" means any inspector or other officer charged by the Minister with the enforcement of this Act;

(f) "Minister" means the Minister of Agriculture;

(g) "official analyst" means any seed analyst or plant specialist designated as official analyst under the provisions of this Act;

"Inspector's sample."
(h) "inspector's sample" means a seed sample officially drawn by an inspector, or under his direction, from a seed lot to be examined, graded and sealed;

"Minister."
(i) "Minister" means the Minister of Agriculture;

"Official analyst."
(j) "official analyst" means any seed analyst or plant specialist designated as official analyst under the provisions of this Act;

"Official sample."
(k) "official sample" means a seed sample officially drawn by an inspector and forwarded to a Seed Branch district office to check a suspected violation of this Act;

"Official sample certificate."
(l) "official sample certificate" means a certificate that is issued on an official sample of seed;

"Registration control number."
(m) "registration control number" means a number issued for seed represented as to quality and grade by a type sample and also in the case of lawn and turf grass seed mixtures, by a stated formula;

"Regulation."
(n) "regulation" means any regulation made under the provisions of this Act;

"Sealed container."
(o) "sealed container" means any container so closed as to prevent its being opened without discovery;

"Seed crop certificate."
(p) "seed crop certificate" means a certificate issued by an inspector for a seed crop, based on standards and regulations established by the Minister;

"Seed inspection certificate."
(q) "seed inspection certificate" means a certificate issued by an inspector on seed sampled, examined, graded and sealed by him or under his direction.

Regulations.
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, the minimum percentage of purity of variety for seeds that may be sold in accordance with the provisions of paragraph *(d)* of section five and paragraph *(b)* of section six of this Act; the kinds of seeds to which sections five and six shall apply, and to modify such minimum quality for any period of time or territory;

(b) the conditions under which brand names and registration control numbers for seeds may be used;

(h) "regulation" means any regulation made under the provisions of this Act;

(i) "sealed container" means any container so closed as to prevent its being opened without discovery;

(j) "seed inspection certificate" means a certificate given by an inspector on seeds sampled, examined, graded and sealed by him or under his direction. (Am. 1928, c. 47.) 1923, c. 27, s. 2.

3. Section 3 reads 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"

Paragraph *(a)* of section 3 is amended to provide for minimum percentages of purity of variety for seeds which may be sold under variety name.

This paragraph is as follows:—

"*(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; (Am. 1928, c. 47.)"

Paragraph *(b)* of section 3 is new and provides for the conditions under which brand names for seed and registration control numbers may be used by regulation under the Act.

(c) the species of plants the seeds of which may be deemed to be prohibited noxious, primary noxious, or secondary noxious weed seeds, and also other plants the seeds of which may be deemed to be other weeds within the meaning of this Act;

(d) the names of the varieties to be included in a list of established variety names and the methods to be followed in making propagating tests or an examination of seeds or plants to determine the variety, and whether falsely represented, or of a new or inferior variety within the meaning of this Act;

(e) the form of statement, language, whether English or French, and size of the printing of the brand or mark to be on the container of seeds or plants or on a tag or label attached thereto;

(f) 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;

(g) the minimum percentage of germination for each kind of seed, below which such seeds when sold, advertised, offered or had in possession for sale shall be branded or marked as required by the provisions of this Act;

(h) the procedure to be followed and the implements and materials to be used in the grading and inspection of seed, in the inspection of seed crops, and in the methods for testing and analysing seed;

Paragraph *(c)* of section 3, formerly paragraph *(b)*, is amended to provide for the new class of seeds to be designated under regulation as "Prohibited Noxious."

This paragraph reads as follows:—

"*(b)* the species of plants the seeds of which may be deemed to be primary noxious or secondary noxious weed seeds, and also other plants the seeds of which may be deemed to be useless or harmful weed seeds within the meaning of this Act:"

Paragraph *(d)* of section 3, formerly paragraph *(c)*, is amended to provide a list of variety names to be established by regulation in conformity with the repealed section 8 of this Act.

This paragraph reads as follows:—

"*(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; (Am. 1928, c. 47.)"

Paragraph *(e)* of section 3, formerly paragraph *(d)*, no change in text.

(d) the form of statement, language, whether English or French, and size of the printing of the brand or mark to be on the container of seeds or plants or on a tag or label attached thereto;

Paragraph *(f)* of section 3, formerly paragraph *(e)*, no change in text.

(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;

Paragraph *(g)* of section 3, formerly paragraph *(f)*, no change in text.

(f) the minimum percentage of germination for each kind of seed, below which such seeds when sold, offered, advertised, exposed or had in possession for sale shall be branded or marked as required by the provisions of this Act;

Paragraph *(h)* of section 3, formerly paragraph *(g)*, is amended in order to condense and clarify the wording without changing its purport or application.

(i) whatever may be considered necessary to restrict or prohibit the importation into Canada of any seeds or plants to which this Act applies and which may within the meaning of this Act, be deemed to be not suitable for seeding or planting;

(j) whatever else may be deemed necessary to secure the efficient enforcement of this Act.

The present paragraph *(g)* reads as follows:—

(g) the form of tag that may be employed as a seed inspection certificate; the character of the seal to be attached by a seed inspector to containers of seed to protect the seed inspection certificate tag; the nature of the inspection that must be made of seed crops or of cleaned seed, and of the information that must be available to the seed inspector before a seed inspection certificate may be issued; 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; (Am. 1928, c. 47.)

Paragraph *(i)* of section 3, formerly paragraph *(h)*, is amended in order to condense and clarify the wording without changing its purport or application.

The present paragraph *(h)* reads as follows:—

(h) whatever may be deemed necessary to secure the observance of this Act in respect of seeds that may be imported into Canada, or to restrict or prohibit the importation into Canada of any seeds or plants that may be deemed to be not suitable for seeding or planting in Canada, or to prescribe geographical areas beyond which such imported seeds or plants shall not be sold for the purpose of seeding;

Paragraph *(j)* of section 3, was formerly paragraph *(i)*, which reads as follows:—

(i) whatever else may be deemed necessary to secure the efficient enforcement of this Act. 1923, c. 27, s. 12.

No change.

GENERAL

Appointments.

4. There may be appointed in the manner authorized by law such inspectors and official analysts as are necessary for the purpose of this Act.

As to sale of cereal, forage crop, lawn or turf grass seed.

5. Seeds of cereals, forage crops, lawn or turf grasses, or other kinds of seed, or bulbs or sets of garden vegetables, that may be prescribed by regulation, shall not be advertised, offered, sold or had in possession for sale for the purpose of seeding in Canada nor shall any shipment be billed as seed unless each container thereof or a tag or label durably attached thereto is marked on one side 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 or mark if any;

(d) the name of the variety, when known;

(e) the name of the grade of seed, or bulb or set, which shall be one of the following:

(i) for seed derived from an inspected seed crop for which a crop registration certificate has been issued, Registered No. 1, Registered No. 2, Registered No. 3;

4. Section 4, no change in text.

GENERAL.

"**4.** There may be appointed in the manner authorized by law such inspectors and official analysts as are necessary for the purposes of this Act." 1923, c. 27, s.25.

5. Section 5 is abbreviated in wording, the names of the kinds of seed omitted, and provision made to prescribe such names by regulation.

Section 5 at present reads as follows:—

"**5.** 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:—

Paragraph *(a)* of section 5, no change in text.

(a) the name and address of the seller;

Paragraph *(b)* of section 5, no change in text.

(b) the name of the kind or kinds;

Paragraph *(c)* of section 5 now provides for a mark in addition to the brand name.

(c) the brand name if any;

Paragraph *(d)* of section 5, no change in text.

(d) the name of variety, when known;

Paragraph *(e)* of section 5, no change in text.

(e) the name of the grade of seed, which shall be one of the following:—

Sub-paragraph *(i)* of paragraph *(e)* of section 5, formerly sub-paragraph (ii) of paragraph *(e)* provides for the deletion of descriptive information in connection with the grade name which was found to be inoperative.

(ii) for seed derived from an inspected seed crop for which a seed crop certificate has been issued, Certified No. 1, Certified No. 2;

(iii) for the general seeds, bulbs or sets of commerce No. 1 Seed, No. 2 Seed, No. 3 Seed and for timothy the additional grade name of No. 2 Seed No. 1 Purity;

(iv) for mixtures of forage crop, lawn or turf grass seeds, No. 1 Mixture, No. 2 Mixture, No. 3 Mixture;

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

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

Subparagraph (ii) of paragraph *(e)* at present reads as follows:—

"(ii) for seed derived from an inspected seed crop that was pure as to variety and was registered by the Canadian Seed Growers' Association, Registered No. 1, Registered No. 2, Registered No. 3, to which grade names there may be added such further word or words as may be prescribed by regulation to describe such damage to the seed as may not impair its utility value for seeding;"

Sub-paragraph (ii) of paragraph *(e)* of section 5, is new. It provides for two new grades of seed.

Sub-paragraph (iii) of paragraph *(e)* of section 5, formerly sub-paragraph (i) of paragraph *(e)*, provides for the word "Seed" to be added to the grade names, and for an additional grade name for timothy seed.

Sub-paragraph (i) of paragraph *(e)* at present reads as follows:—

"(i) for the general seeds of commerce, No. 1, No. 2, No. 3;"

Sub-paragraph (iv) of paragraph *(e)* of section 5, formerly sub-paragraph (iii) of paragraph *(e)*, provides for the inclusion of lawn or turf grass seeds in the labelling of forage crop seed mixtures.

Sub-paragraph (iii) of paragraph *(e)* at present reads as follows:—

"(iii) for mixtures of grass, clover, or other fodder or forage crops seeds, No. 1 Mixture, No. 2 Mixture, No. 3 Mixture;"

Paragraph *(f)* of section 5 is amended in order to provide for the use of a registration control number. This registration control number will be given for seed of a stated quality and grade, accompanied by a type sample, thus eliminating the necessity of submitting for testing and grading control samples of individual shipments.

Paragraph *(f)* at present reads as follows:—

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

Paragraph *(g)* of section 5, no change in text.

(g) the origin of production for the kinds and in the manner as may be prescribed by regulation. (Am. 1928, c. 47.)

As to sale of field root or garden vegetable seed.

6. Seeds of field roots or garden vegetables that may be prescribed by regulation shall not be advertised, offered, sold or had in possession for sale for the purpose of seeding in Canada, unless such seed is graded and containers marked in accordance with section five of this Act, or if not graded, each container of such seed or a tag or label attached thereto is marked on one side 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 or type;

(c) the year in which the seed was tested for germination;

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

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

Use of established variety names.

7. Seeds or plants of cereals, potatoes, forage crops, lawn or turf grasses shall not be advertised, offered, sold or had in possession for sale for the purpose of seeding or planting in Canada, under any variety name that is not included in a list of established variety names as may be prescribed by regulation, nor shall an approved variety name for any kind of seed accepted for registration or certification be altered by any qualifying term or reference whatsoever.

Section 6 as amended clarifies the wording of this section and deletes the listing of the names of the kinds of field roots and garden vegetable seeds, providing for the listing of these by regulation. It also provides for marking on containers of seed the year in which the seed was tested for germination, in addition to information required in repealed section 6.

6. Section 6 at present 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 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." (Am. 1928, c. 47.)

7. Former section 7 has been deleted. This referred to field root and garden vegetable seeds in packets of two ounces or less. By deleting the requirement for marking the year date in which the container was filled it has been possible to combine the section with Section 6.

Section 7, formerly section 8, as amended clarifies the wording of this section and provides for the application of this section to the establishment by regulation of a list of variety names of cereals, forage crops, lawn or turf grasses. While this section does not provide for the inclusion of field root and garden vegetable variety names in the established list, it does provide protection against misuse of variety names for all kinds of seed as approved for registration.

Licence to be obtained before new variety name may be used.

8. (1) Seeds or plants of cereals, potatoes, forage crops, lawn or turf grasses described as a new variety of such seeds or plants shall not be advertised, offered, sold or had in possession for sale for the purpose of seeding or planting in Canada, unless such variety is licensed for sale by the Minister.

Minister may refuse licence until after examination and report.

(2) The Minister may refuse to issue a licence in respect of any variety name unless 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 the purpose, or if the variety is found or known to be approximately the same as a previously established variety and variety name, or is of such inferior quality or possesses such characteristics as to impair its value for commerce;

Power to cancel licence or change name.

(3) The Minister may cancel a licence or change the name of a variety licensed for sale when sufficient evidence is submitted to show that it is in the interest of the public to make such cancellation or change.

Section 8 at present reads as follows:—

"**8.** No person shall sell, offer, advertise, expose or have in possession for sale for the purpose of seeding or planting in Canada, any agricultural or garden vegetable seeds or plants under any kind or variety name that is false or spurious." 1923, c. 27, s. 6.

8. Subsection one of section 8, formerly subsection one of section 9, as amended provides for the deletion of the provision for a list of eligible variety names generally employed in Canada during the fiscal year ending March 31st, 1923. The amendment to section 7 provides for a list of established variety names to be prescribed by regulation thereby making the list provided for in subsection one of section 9 before repeal unnecessary. This section as repealed also deletes the provision for the licencing of new varieties of field root and garden vegetable seeds.

Section 9 (1) at present reads as follows:—

"**9.** (1) No person shall sell, offer, advertise, expose or have in possession for sale for the purpose of seeding or planting in Canada, any agricultural or garden vegetable seeds or plants described as a new kind of variety of such seeds or plants with a name that was not in general use for such purpose in Canada between the thirty-first day of March, one thousand nine hundred and twenty-two, and the thirty-first day of March, one thousand nine hundred and twenty-three, unless such person has first obtained a licence so to do from the Minister."

Subsection two of section 8, formerly subsection two of section 9, as amended provides for the licencing of new variety names on the basis of quality, of all kinds of seed to which this section applies.

Subsection (2) at present reads as follows:—

"(2) The Minister may refuse to issue a licence 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." (Am. 1928, c. 47.)

Subsection three of section 8, formerly subsection three of section 9, as amended provides for the cancelling of a licence in addition to the changing of a variety name when sufficient evidence is given to show that it is in the interest of the public to make such cancellation or change.

As to truth in advertising.

9. Seeds or plants that are falsely represented as to age, viability, quality, grade, variety, origin or description shall not be advertised, offered, sold or had in possession for sale for the purpose of seeding or planting in Canada, nor shall seeds of cereal grains, forage crops, lawn or turf grasses be advertised for sale at a stated price unless the grade name is included in the advertisement.

As to sale of seed for export.

10. Seeds purported to have been inspected and graded for export shall not be advertised, offered, sold or had in possession for sale for export from Canada, unless each container thereof has affixed thereto an approved seal and tag bearing 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, when known;

(d) the name of the export grade the quality of which may be defined by regulation which shall be one of the following: Registered No. 1, Registered No. 2, Registered No. 3, Certified No. 1, Certified No. 2, No. 1 Seed, No. 2 Seed, No. 3 Seed;

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

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

Subsection (3) of section 9 reads as follows:—

"(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." (Am. 1928, c. 47.)

9. Section 9, formerly section 10, as amended provides more fully against misrepresentation as to quality of seed offered for sale.

Section 10 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, 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 at a stated price unless the grade name is included in the advertisement." (Am. 1928, c. 47.)

10. Section 10, formerly section 11, as amended deletes the grade name Registered Extra and adds the grade name Registered No. 3, thereby bringing the grade names into conformity with domestic grade names established for registered seed under Section 5 of this Act. It also provides for the new grade names Certified No. 1, Certified No. 2.

As to seeds of rejected quality.

11. Seed or a mixture of seeds as named in Section 5 of this Act, or that may be prescribed by regulation, of a quality inferior to No. 3 Seed or No. 3 Mixture, or any seed named in section six of this Act, or that may be prescribed by regulation, of a quality inferior to the minimum standard of purity prescribed for No. 3 Seed shall not be advertised, offered, sold or had in possession for sale for the purpose of seeding in Canada; such seed shall be designated as Rejected.

As to importation of seed.

12. Seed of cereal grains, forage crops, lawn or turf grasses, field roots, garden vagetables or other kinds of seed that may be prescribed by regulation, shall not be imported into Canada for the purpose of seeding or of selling or offering for sale for seeding, unless they conform to the provisions of this Act and the regulations thereunder.

Section 11 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, Registered No. 1, Registered No. 2, No. 1, No. 2 and No. 3;

(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." (Am. 1928, c. 47.)

11. Section 11, formerly section 12, as amended brings the wording of this section into conformity with the previously repealed sections of this Act.

Section 12 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, 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." (Am. 1928, c. 47.)

12. Section 12, formerly section 13, as amended fully provides for the control of all kinds of seeds imported into Canada in accordance with the provisions of this Act and regulations thereunder.

As to carrying seed.

13. No person shall for hire, receive for carriage, or carry in a container, any seeds to which this Act applies unless such container is branded or marked in accordance with the provisions of this Act and regulations.

As to use of disclaimer or non-warranty clause.

14. The use of a printed or written disclaimer or non-warranty clause in respect to any seed advertised, sold, offered or had in possession for sale for the purpose of seeding in Canada, shall not be deemed to waive any liability of the person who violates any provision of this Act.

Exemptions.

15. 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".

Exemptions.

16. Sections five and six of this Act shall not apply to seed 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 seed 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, nor to seed of Elite stock that may be produced and sold by any plant breeder to a seed grower, unless such seed be again sold.

Section 13 reads as follows:—

"**13.** No person shall import into Canada for the purpose of selling or offering for sale, or for the purpose of seeding, any of the seeds named in section five of this Act, or any kinds of garden vegetable seeds that may be prescribed by regulation, unless thay are branded or marked or coloured in accordance with the provisions of this Act and conform to the regulations thereunder." (Am. 1928, c. 47.)

13. Section 13 is a new provision aimed at controlling the distribution of seed not graded or marked in accordance with the provisions of this Act and regulations. A new source of danger to agriculture has arisen through the transporting (by truck) of uncleaned, ungraded seed from seed producing districts to other districts for seeding purposes. This provision taken in conjunction with the Detention clause, section 20, should result in correcting this distribution of inferior seed.

14. Section 14 is a new provision and is intended to prevent the use of printed or written disclaimers or non-warranty clauses to escape liability for offering seed for sale contrary to the provisions of this Act.

15. Section 15, formerly section 14, paragraphs *(a)* and *(b)*, provides exemption for the classes of seed described from all provisions of the Act.

"**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'; "

16. Section 16, formerly paragraphs *(c)* and *(d)* of section 14, provides for the exemption of seed of the classes described from the provisions of sections 5 and 6 only of the Act.

The paragraphs *(c)* and *(d)* at present read as follows:—

"*(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." (Am. 1928, c. 47.)

Power to require declaration, enter and take official samples and to examine records.

17. 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 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 any carrier, 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; further, he may make or have made any examination of books, invoices or other records to determine the truthfulness of advertising or public statements in respect to seed offered for sale.

Official samples.

18. Any inspector charged with the enforcement of this Act, or any purchaser of seeds may take an official sample and forward it to such person as may be appointed to inspect, test, grade and report upon any seeds submitted for such purposes under the provisions of this Act. Such official sample shall be taken in accordance with the procedure as prescribed by regulation.

Publications.

19. The Minister may publish the results of tests of official samples of seeds or plants made in connection with the enforcement of this Act, and any additional information which in the opinion of the Minister is advisable.

17. Section 17, formerly section 15, provides additional power for inspectors to obtainne cessary information to check false advertising or public statements.

Section 15 reads as follows:—

"**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." (Am. 1928, c. 47.)

18. Section 18, formerly section 16, now includes the provision of this section with former section 18 and makes full provision for taking official samples.

Sections 16 and 18 read as follows:—

"**16.** Any purchaser of seeds or any inspector charged with the enforcement of this Act may take an official sample from the said seeds and forward it to such person as may be appointed to inspect, test, grade and report upon any seeds submitted for such purposes under the provisions of this Act. 1923, c. 27, s. 14.

"**18.** Any official sample of seeds or plants taken and sealed for official testing or grading shall be taken in the presence of

(a) the person or his agent who sold, offered, advertised, exposed or had in possession for sale the said seeds or plants, or

(b) an impartial or non-interested witness;

and in accordance with the rules for official seed sampling as prescribed by regulation." 1923, c. 27, s. 16.

Former section 19 has been deleted. This section referred to the duty of a district inspector regarding official reports and procedure in taking official samples.

19. Section 19, formerly section 20, no change in text.

Detention.

20. Any seed advertised, offered, sold, had in possession for sale or carried for the purpose of seeding in Canada contrary to the provisions of this Act, may be detained by an inspector, together with any container enclosing same, and held as may be prescribed by regulation, at the expense of the owner, until compliance with the Act is effected. If the owner fails to comply with the aforesaid provisions within thirty days such seed may be confiscated and disposed of as the Minister may direct.

Prosecution for violation.

21. (1) Notwithstanding anything herein contained no person shall be prosecuted for violation of any provision of this Act or regulation thereunder with respect to the viability of seeds when such seeds have been out of his possession for more than six months.

(2) No person having seeds in his possession for sale shall be prosecuted for violation of this Act or regulations thereunder if he satisfies the Inspector that

(a) the seeds were purchased in Canada, and

(b) the seeds have not been altered or their quality impaired while in his possession; and

(c) he had no reason to believe that such seeds did not comply with the provisions of this Act or regulations thereunder;

and shall disclose the name and address of the person from whom he purchased the seed and the place and date of such purchase.

(3) If, however, the seeds or plants were purchased from a person not resident in Canada the prosecution shall be taken against the person or his agent in Canada who sold, advertised, offered or had in his possession for sale the said seeds or plants.

20. Section 20 is a new provision to prevent more effectively the distribution of seed offered for sale contrary to the provisions of the Act.

21. Formerly section 17, as amended clarifies the wording of this section and provides for exemption from prosecution under certain conditions.

Section 17 at present reads as follows:—

"**17.** (1) No proceeding to enforce a penalty provided for violation of a provision of this Act, in respect to any official sample of seeds or plants taken and sealed for testing or grading under the provisions of this Act, shall be instituted against the person resident in Canada from whom the seeds or plants were purchased when

(a) the seeds are in sealed containers and have been in the possession of such person for more than six months, or

(b) the seeds or plants are not in sealed containers and have been in the possession of the said person for more than fourteen days.

2. If the said person satisfies the inspector or magistrate before whom the proceeding has been instituted that

(a) the seeds or plants were purchased by him directly from a person domiciled in Canada;

(b) the containers if sealed were not opened nor the state of the seeds or plants altered while in his possession;

(c) he had no reason to believe that such official sample did not comply with the provisions of this Act;

and shall disclose the name and address of the person from whom he purchased the same, and the place and date of the sale thereof to him, he shall not be liable to prosecution as hereinafter provided.

3. If, however, the seeds or plants were purchased from a person not resident in Canada the complaint made shall be against the person in whose possession they are found." 1923, c. 27, s. 15.

OFFENCES AND PENALTIES

Illegal sale.

22. (1) Except as otherwise provided in the next following section, every person who by himself or through the agency of another person sells, advertises, offers or has in his possession for sale, seeds or plants in violation of any of the provisions of this Act or regulations thereunder, shall be guilty of an offence and liable upon summary conviction for a first offence to a fine of not less than five dollars and not more than twenty-five dollars, and for each subsequent offence to a fine of not less than twenty-five dollars and not more than two hundred and fifty dollars.

Penalty for default of immediate payment of fine.

(2) In default of immediate payment of such fine such person shall be liable to imprisonment for a term not exceeding one month unless such fine is sooner paid.

Penalty for tampering or obstruction.

23. Any person who

(a) forges or alters any certificate of grade or falsely marks or uses the serial number of any certificate issued under the provisions of this Act;

(b) wilfully lowers the quality or value of seeds by mixing any other seeds or material therewith after the said seeds have been tested and marked as required by this Act;

(c) wilfully obstructs, hinders, resists or in any way opposes any inspector while in the discharge of his duty;

shall be guilty of an offence and liable upon summary conviction to a fine of not less than fifty dollars and not exceeding five hundred dollars, or to imprisonment for any term not exceeding twelve months, or to both fine and imprisonment.

22. Formerly section 21, reads as follows:—

OFFENCES AND PENALTIES.

"**21.** Except as otherwise provided in the next following section, every person who by himself or through the agency of another person sells, offers, advertises, exposes or has in his possession for sale, seeds or plants in violation of any of the provisions of this Act or regulation hereunder, shall be guilty of an offence and upon summary conviction therefor be liable for a first offence to a fine of not less than five dollars and not more than twenty-five dollars, and for each subsequent offence to a fine of not less than twenty-five dollars and not more than two hundred and fifty dollars.

2. In default of immediate payment of such fine and costs such person shall be liable to imprisonment for a term not exceeding one month unless such fine and costs of enforcing the same are sooner paid." 1923, c. 27, s. 19.

23. Formerly section 22, reads as follows:—

"**22.** Any person who

(a) forges or alters any certificate of grade or falsely marks or uses the serial number of any certificate issued under the provisions of this Act;

(b) wilfully lowers the quality or value of seeds by mixing any other seeds or material therewith after the said seeds have been tested and marked as required by this Act; or

(c) wilfully obstructs, hinders, resists or in any way opposes any inspector charged with the enforcement of this Act while in the discharge of his duty;

shall be liable on summary conviction to a fine of not less than fifty dollars and not exceeding five hundred dollars, or to imprisonment for any term not exceeding twelve months, or to both fine and imprisonment." 1923, c. 27, s. 20.

Former section 23 is deleted. It is believed that the provision requiring all costs of prosecution to be paid by the person convicted of an offence against this Act is redundant.

Right of civil process.

24. No proceedings taken under this Act or conviction recorded shall in any way affect the right of any person to any legal remedy to which he may otherwise be entitled.

Certificate of grade and analysis as evidence.

25. In any prosecution under this Act or regulations thereunder, the certificate of grade of an inspector and the certificate of test or analysis of an official analyst on any sample of seeds or plants received under the provisions of this Act, shall be accepted as *prima facie* evidence of the particulars of the said certificates as therein set out.

Act repealed.

26. The *Seeds Act,* chapter one hundred and eighty-five of the Revised Statutes of Canada, as amended by chapter forty-seven of the statutes of 1928, is repealed.

24. Section 24 reads as follows:—

"**24.** No proceedings taken under this Act against any person shall in any way interfere with, or lessen the right of, an aggrieved person to any remedy by legal proceedings to which he may be entitled." 1923, c. 27, s. 22.

25. Former section 26 reads as follows:—

"**26.** In any prosecution under this Act or of regulations prescribed hereunder, the certificate of grade of an inspector and the certificate of test or analysis of an official analyst on any sample of seeds or plants received under the provisions of this Act, shall be accepted as *prima facie* evidence of the particulars of the said certificates as therein set out." 1923, c. 27, s. 24.

Former section 25 stating who shall be *prima facie* liable, is deleted.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 73.

An Act to authorize the provision of moneys to meet certain expenditures made and indebtedness incurred by the Canadian National Railways during the calendar year 1937, and to authorize the guarantee by His Majesty of certain securities to be issued by the Canadian National Railways.

First reading, March 18, 1937.

THE MINISTER OF FINANCE.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
34491 1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 73.

An Act to authorize the provision of moneys to meet certain expenditures made and indebtedness incurred by the Canadian National Railways during the calendar year 1937, and to authorize the guarantee by His Majesty of certain securities to be issued by the Canadian National Railways.

1931, cc. 22, 23; 1932, cc. 6, 15, 25, 26; 1932-33, c. 34; 1934, c. 28; 1935, c. 17; 1936, c. 27.

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 *Canadian National Railways Financing and Guarantee Act, 1937.*

Power to issue securities for refunding and capital expenditures.

2. Subject to the provisions of this Act and the approval of the Governor in Council, the Canadian National Railway Company (herein called "the National Company") may issue notes, obligations, bonds, debentures or other securities (herein called "securities") bearing such rates of interest and subject to such other terms and conditions as the Governor in Council may approve to provide the amounts necessary to meet in whole or in part expenditures made or indebtedness incurred during the calendar year 1937 by or on behalf of the National Company or any Company comprised in the Canadian National Railways (as defined in chapter ten of the statutes of Canada, 1929) or any Company controlled by stock ownership or otherwise by any Company comprised in the Canadian National Railways or by the National Company in respect of any of the Canadian Government Railways entrusted to the National Company 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) Retirement of maturing capital obligations, miscellaneous maturing or matured notes and other obligations secured or unsecured and payment of sinking funds, not exceeding $7,114,000;

(b) Additions and betterments including co-ordinations and acquisition of real or personal property, not exceeding $23,607,700.00, estimated as follows:

General additions and betterments.....	$11,289,999.00	
Less: Equipment retirements.....	7,389,999.00	
	$ 3,900,000.00	
Acquisition of securities.....	561,000.00	
New equipment purchases.....	19,396,700.00	
	$23,857,700.00	
Less: Available from working capital....	250,000.00	
	$23,607,700.00	

Proviso.

Provided, however, that for such purposes the aggregate principal amount at any one time outstanding of the securities which the National Company is hereby authorized to issue from time to time shall not exceed the sum of $30,721,700.00, being the total of the items hereinbefore set out.

Minister of Finance may make loans for refunding and capital expenditures.

3. The Minister of Finance, with the approval of the Governor in Council, may make loans to the National Company out of the Consolidated Revenue Fund for the purpose of meeting authorized expenditures, bearing such rates of interest and subject to such other terms and conditions as the Governor in Council may determine and secured by securities which the National Company is authorized to issue from time to time under the provisions of section two of this Act, upon applications, approved by the Minister of Transport, made from time to time by the National Company to the Minister of Finance, for such loans: Provided, however, that the aggregate principal amount at any one time outstanding of the loans which the Minister of Finance is hereby authorized to make from time to time to the National Company shall not exceed the sum of $30,721,700.00.

Power to aid other companies.

4. The National Company may 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 other or others of the said companies from time to time:—

(a) Apply the proceeds of any issue of securities in meeting authorized expenditures on its own account or on account of any other or others of the said companies;

(b) Make advances for the purpose of meeting authorized expenditures to any other or others of the said companies, upon or without any security, at discretion.

Guarantee.

5. The Governor in Council may authorize the guarantee of the principal, interest and sinking funds (if any) of the securities (herein called "guaranteed securities") which the National Company may make or issue from time to time under the provisions of section two of this Act.

Form and terms of guarantee.

6. (1) The guarantee or guarantees may be in such forms and subject to such terms and conditions as the Governor in Council may determine to be appropriate and applicable thereto and may be signed on behalf of His Majesty by the Minister of Finance or the acting 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 the guarantee and that the provisions of this Act have been complied with.

Method of guarantee.

(2) Any such guarantee may be either a general guarantee covering the total amount of the issue or be a separate guarantee endorsed on each obligation.

Temporary guarantee.

(3) With the approval of the Governor in Council temporary guarantees may be made, to be subsequently replaced by permanent guarantees.

Proceeds paid to credit of Minister of Finance in trust.

7. (1) The proceeds of any sale, pledge or other disposition of any guaranteed securities shall be deposited in the first place either in the Consolidated Revenue Fund or to the credit of the Minister of Finance and Receiver General of Canada in trust for the National Company in one or more banks designated by him.

Application for the release of any part of the proceeds.

(2) The Board of Directors of the National Company may from time to time authorize application to be made to the Minister of Transport for the release of any part of the proceeds deposited as aforesaid to the National Company for the purpose of meeting specified authorized expenditures within the respective limits mentioned in section two of this Act, and the Minister of Transport may in his discretion approve the said applications and may request the Minister of Finance to release the amount or amounts of such applications or part thereof accordingly.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 74.

An Act to establish a corporation to be known as Trans-Canada Air Lines.

First reading, March 22, 1937.

THE MINISTER OF TRANSPORT.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

32337

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 74.

An Act to establish a corporation to be known as Trans-Canada Air Lines.

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 Trans-Canada Air Lines Act, 1937.*

INTERPRETATION.

Definitions.

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

"Aircraft."

(a) "aircraft" means airships designed to be lighter than air and flying machines designed to be heavier than air and, in either case, having means of traction or propulsion;

"Corporation."

(b) "Corporation" means Trans-Canada Air Lines;

"Current year."

(c) "current year" means the calendar year in respect of which a rate is to be fixed pursuant to this Act;

"Deficit."

(d) "deficit" means the amount of money by which operating expenses exceed gross revenue;

"Director."

(e) "director" means a member of the Board of Directors of the Corporation;

"Gross revenue."

(f) "gross revenue" means the total revenue earned by the Corporation from the operation of the Trans-Canada Lines, including the rates payable for the transport of mails;

"Initial period."

(g) "initial period" means the period of time commencing on the date of the Trans-Canada contract and ending on the thirty-first day of December, 1939;

"Minister."

(h) "Minister" means the Minister of Transport;

"Operating expenses."

(*i*) "operating expenses" means the expenditure actually and necessarily made by the Corporation to earn the gross revenue and shall include an allowance equal to five per centum per annum on the capital invested in the Trans-Canada Lines, an allowance for depreciation to be determined in accordance with the terms of the Trans-Canada contract, premiums for the insurance of passengers, goods and equipment and such other items of operating expense as may properly be allowed in accordance with the terms of the Trans-Canada contract aforesaid;

"Preceding year."

(*j*) "preceding year" means the calendar year next preceding the current year;

"Rate" or "Rates."

(*k*) "rate" or "rates" means the rate or rates of remuneration authorized by this Act to be paid to the Corporation for the transport of mails;

"Surplus."

(*l*) "surplus" means the amount of money by which the gross revenue exceeds the operating expenses;

"Trans-Canada Lines."

(*m*) "Trans-Canada Lines" shall have the meaning set forth in section fourteen of this Act;

"Trans-Canada contract."

(*n*) "Trans-Canada contract" means the contract authorized by section fourteen of this Act.

CONSTITUTION OF THE CORPORATION.

Incorporators.

3. The following persons, namely, Valentine Irving Smart, Robert Knowlton Smith, Charles Peter Edwards, Edward Burton Jost and Findlay Malcolm Maclennan all of the City of Ottawa together with such persons as become shareholders of the Corporation are hereby incorporated under the name of "Trans-Canada Air Lines."

Provisional directors.

4. The persons named in the next preceding section shall be the provisional directors of the Corporation.

Head office.

5. The head office of the Corporation shall be at the City of Ottawa or such other city as the directors may select.

MANAGEMENT.

Board of directors.

6. (1) The Corporation shall be under the management of a Board of Directors composed of nine persons, elected and appointed as hereinafter provided.

Director British subject resident of Canada.

(2) It shall not be necessary that a director be a shareholder of the Corporation, but no person shall be elected or appointed as a director or shall continue to hold office as such who is not a British subject ordinarily resident in Canada.

Election and appointment of directors.

(3) Six directors shall be elected by the shareholders of the Corporation and three directors shall be appointed by the Governor in Council.

CAPITAL STOCK.

Capital shares.

7. (1) The authorized capital of the Corporation shall be five million dollars divided into shares of one hundred dollars each, represented by share certificates.

Shares offered to C.N.R. and others.

(2) The shares of the capital stock of the Corporation shall be offered for subscription to the Canadian National Railway Company, and in the event of non-subscription of any of the said shares by the said Company such shares not subscribed for shall be offered for subscription to such other persons engaged or interested in aviation as are approved by the Minister.

Commencement of business.

(3) When the capital stock of the Corporation has been fully subscribed the Minister shall cause a notice to that effect to be published in the *Canada Gazette* and the Corporation shall upon such publication, be entitled to commence business.

C.N.R. may deal with shares generally.

(4) The Canadian National Railway Company is hereby authorized to subscribe for, underwrite, purchase, hold, and, subject to the provisions of this Act, sell and dispose of the shares of the capital stock of the Corporation.

Money subscribed for shares at the call of directors.

8. The directors of the Corporation may call for and demand from the shareholders thereof respectively all sums of money by them subscribed at such times and places and in such payments or instalments as the directors in their discretion by resolution decide: Provided, however, that no property or services shall be received or accepted in payment of shares or of any call made in respect of shares unless, in the opinion of the Minister, such property or services have a value equivalent to the total nominal amount of the shares or of the call made in respect of the shares, as the case may be, and if any property or services are received or accepted by the directors otherwise than in accordance with the terms of this section the directors shall be jointly and severally liable to pay to the Corporation the total nominal amount of the shares or of the call, as the case may be.

Property or services as payment for shares.

Shares only transferable with approval of Minister.

9. Shares of capital stock shall not be transferable except to such persons engaged or interested in aviation as are approved by the Minister.

Ownership of shares.

10. No shares shall be held by any person other than a British subject resident in Canada or a corporation incorporated under the laws of Canada or of any province and controlled by British subjects ordinarily resident in Canada, and if any shares are held by any person or corporation not authorized by this section to hold shares the same may be forfeited to His Majesty by order of the Exchequer Court of Canada on the application of the Minister.

Minister may acquire all shares.

11. (1) The Minister shall, with the approval of the Governor in Council, be entitled at any time to acquire from the shareholders all of the shares of the capital stock of the Corporation on payment to the shareholders of the book value thereof, and the Governor in Council may by order vest the said shares in the Minister.

Book value.

(2) The book value of the shares shall, in the event of disagreement, be determined by a reference by the Minister to the Exchequer Court of Canada.

Minister to hold shares in trust.

(3) The shares shall, upon acquisition by the Minister, be held in trust for His Majesty.

Audit.

12. The books of the Corporation shall at all reasonable times be open to audit by an auditor to be named by the Minister, and such auditor shall report to the Minister.

BUSINESS AND POWERS OF THE CORPORATION.

Establishment, operation and maintenance of air lines.

13. The Corporation is authorized,—

(a) to establish, operate and maintain air lines or regular services of aircraft of all kinds, to carry on the business of transporting passengers and goods by air, and to enter into contracts for the transport of mails, passengers and goods by any means, and either by the Corporation's own aircraft and conveyances or by means of the aircraft and conveyances of others, and to enter into contracts with any person or company for the interchange of traffic and, in connection with any of the objects aforesaid, to carry on the business of warehousing goods, wares and merchandise of every kind and description whatsoever;

Deal in hangars, aerodromes, etc.

(b) to buy, sell, lease, erect, construct and acquire hangars, aerodromes, seaplane bases, landing fields, beacons and mooring masts;

Borrowing power.

(c) to borrow money for any of the purposes of the Corporation;

Business within and outside Canada.

(d) to carry on its business throughout Canada and outside of Canada.

Minister may contract with Corporation.

14. (1) The Governor in Council may authorize the Minister to enter into a contract with the Corporation (to be known as the Trans-Canada contract) for the organization, operation and maintenance by the Corporation of lines of aircraft (to be known as the Trans-Canada Lines) for the speedy and efficient transport across Canada and between and within the several provinces of passengers and goods.

Terms.

(2) The Trans-Canada contract shall provide,—

Operation routes.

(a) for the operation of the aforesaid lines of aircraft between points and over routes to be designated from time to time while the contract is in force by the Governor in Council;

Schedule of services.

(b) for a schedule of services to be maintained by the Corporation, and that such schedule may from time to time while the contract is in force be amended by the Governor in Council on the joint recommendation of the Minister and the Postmaster General;

Subsidy.

(c) for the payment to the Corporation, at the end of each calendar year of the initial period, of a subsidy equal to the deficit, if any, resulting from operations during such calendar year, which subsidy shall be payable out of moneys to be appropriated by Parliament for that purpose;

Tariffs.

(d) for the transport of passengers and goods by the Corporation at tariff charges on a competitive basis with other similar transportation services in North America;

Equipment and service.

(e) for the furnishing by the Corporation of all adequate, modern aviation equipment, two-way telephone service, hangars and other buildings and, except as hereafter otherwise provided, all other equipment, services and materials necessary for the operation of an efficient service by means of the aforesaid Trans-Canada Lines sufficient to take care of all mail, passengers, express and other traffic offered to the Corporation for transport;

Government landing fields, etc., free.

(f) for the operation and maintenance by the Government of Canada, without charge to the Corporation, of emergency landing fields, lights and radio beams, necessary for the operation of the said Trans-Canada Lines and for the supply to the Corporation free of charge of weather reports: Provided, however, that when the revenues of the Corporation, in the opinion of the Minister, will permit, charges may be imposed for landing, lighting and weather reports such as are charged for other similar competing coast to coast services in North America;

Proviso.

Term of contract not less than ten years.

(g) for the term of the contract; Provided, however, that the same shall not be less than ten years.

Contract not assignable without approval of Governor in Council.

(3) The Trans-Canada contract shall not be assignable except with the approval of the Governor in Council.

TRANS-CANADA MAIL CONTRACT.

Mail transport contract.

15. (1) The Governor in Council may authorize the Postmaster General to enter into a contract with the Corporation for the transport of mails by means of the Trans-Canada-Lines.

Rates.

(2) Such contract shall provide for the transport of mails at a rate or rates to be fixed, in respect of the initial period of operation, by the terms of the contract, and thereafter, as hereinafter provided by this Act.

R.S., c. 161.

(3) Notwithstanding anything contained in the *Post Office Act*, such contract shall be co-terminous with the Trans-Canada contract.

Fixation of rates.

16. (1) In the month of January in the year nineteen hundred and forty and in every year thereafter while the Trans-Canada contract is in force, the Governor in Council on the joint recommendation of the Minister and the Postmaster General, shall, as hereinafter provided, fix the rate or rates for the current year.

Basis of rate fixation.

(2) If in the preceding year the Corporation incurred a deficit, the rate or rates for the current year shall be fixed so as to produce an increase in the sum total to be paid on account of the said rates equal to the deficit in the preceding year.

Basis of rate fixation.

(3) If in the preceding year the Corporation earned a surplus, the rate or rates for the current year shall be fixed so as to produce a decrease in the sum total to be paid on account of the said rates equal to one-half the amount of the surplus earned in the preceding year: Provided, however, that the rates so fixed shall not be lower than rates payable for other similar coast to coast transport of mails in North America.

Rates to apply from first day of current year.

(4) The rate or rates so fixed shall apply as from the first day of the current year.

Revenue and operating expenses, assumption.

(5) In fixing the rates as hereinbefore provided, it shall be assumed that the Corporation's gross revenue and operating expenses for the current year will be the same as in the preceding year, except in so far as the gross revenue will be increased or decreased by any change in rates.

Corporation obligations.

17. Nothing in this Act shall be deemed to relieve the Corporation or its servants from any duty or obligation under any other statute, regulation,or law, not inconsistent with the provisions of this Act, relating to the ownership or operation of aircraft or to the transport of passengers and goods by means of aircraft.

Part III of *Companies Act* to apply.

Exceptions.

1934, c. 33.

18. The provisions of Part III of *The Companies Act*, dred and fifty-eight, one hundred and fifty-nine, one hundred and sixty-three and one hundred and eighty thereof, shall, in so far as the said provisions are not inconsistent with the provisions of this Act, apply to the Corporation, and this Act shall for the purposes of the said Part III of *The Companies Act, 1934*, be deemed to be a Special Act and the Corporation shall be deemed to be a company for the purposes of the aforesaid Part.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 75.

An Act respecting the establishment of a National Park in the Province of New Brunswick and to amend The Nova Scotia and Prince Edward Island National Parks Act, 1936.

First reading, March 22, 1937.

THE MINISTER OF MINES AND RESOURCES.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

34126

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 75.

An Act respecting the establishment of a National Park in the Province of New Brunswick and to amend The Nova Scotia and Prince Edward Island National Parks Act, 1936.

1936, c. 43.

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

Short title.

1. This Act may be cited as *The National Parks Act, 1937*.

Lands set apart as a National Park in N.B.

2. The Governor in Council may, by proclamation, set aside as a National Park of Canada, such lands in the province of New Brunswick as the province and Canada agree upon as suitable for a National Park, provided that the province furnishes Canada with a clear title to the said lands, and upon the issue of such proclamation the said National Park shall be subject to the provisions of *The National Parks Act*, chapter thirty-three of the statutes of 1930.

1930, c. 33.

1936, c. 43, s. 3, amended.

3. Section three of *The Nova Scotia and Prince Edward Island National Parks Act, 1936*, chapter forty-three of the statutes of 1936, is amended by adding thereto the following subsection:—

Certain lands in Cape Breton may be withdrawn.

"(2) The Governor in Council may, by proclamation, withdraw from the said Park such lands in Cape Breton as may be agreed upon by the province of Nova Scotia and by Canada and the Governor in Council may thereupon re-vest such lands in the province."

Explanatory Notes.

2. New Brunswick Park.

New areas to be administered and developed as National Parks under The National Parks Act can only be established by Act of Parliament.

No area has as yet been decided on in New Brunswick. A number of areas have been suggested but it may be some time before a decision is reached as to what area is to be finally developed as a National Park.

It is necessary, if development is to proceed this year, that legislation providing for the establishment of the area chosen as a park be passed at this session of Parliament.

3. The area set aside for a park in Cape Breton, Nova Scotia, as described in The Nova Scotia and Prince Edward Island Parks Act, 1936, was mostly in unsurveyed territory. A detailed survey of the boundary has since been made which necessitates certain changes in this boundary as described in the original Act to meet local conditions. It will be necessary to add certain areas, authority for which was provided in the original Act, and also to withdraw certain areas which the detailed survey discloses are not now necessary from a Park point of view.

The provision herewith is to authorize the Governor in Council to withdraw from the park any areas which the official plan of the survey of the boundaries, which has not yet been issued, shows as lying outside the boundaries as finally selected and surveyed.

Section three of The Nova Scotia and Prince Edward Island National Parks Act, 1936, at present reads as follows:—

"**3.** The Governor in Council may, by proclamation, add to the said park such lands in Cape Breton as may be agreed upon by the province of Nova Scotia and Canada as being suitable for an addition to the said National Park, providing the province furnishes Canada with clear title to the said lands."

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 76.

An Act to authorize an agreement between His Majesty the King and the Corporation of the City of Ottawa.

AS PASSED BY THE HOUSE OF COMMONS, 22nd MARCH, 1937.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
34167 1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 76.

An Act to authorize an agreement between His Majesty the King and the Corporation of the City of Ottawa.

1920, c. 15; 1924, c. 59; 1925, c. 21; 1931, c. 43; 1932, c. 11; 1932-33, c. 17; 1934, c. 7; 1935, c. 7; 1936, c. 14.

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

Agreement with City of Ottawa extended for one year.

1. The Minister of Public Works may on behalf of His Majesty the King enter into an agreement with the Corporation of the City of Ottawa, extending for a period of one year from the first day of July 1936, the provisions of the existing agreement between His Majesty the King and the said Corporation, dated the thirtieth day of March, 1920, which last mentioned agreement as amended was extended to the first day of July, 1936, under the authority of chapter fourteen of the statutes of 1936.

Explanatory Notes.

The operation of the agreement with the City of Ottawa of 30th March, 1920, as set out in the Schedule to chapter 15 of the statutes of 1920 and amended by chapter 21 of the statutes of 1925, has been extended yearly under the authority of successive annual Acts.

By chapter 21 of the statutes of 1925, the period of the agreement was extended for five years, to 1st July, 1930, and the Minister was empowered to agree on behalf of His Majesty to pay to the Corporation annually the sum of $100,000 during the said period of five years from 1st July, 1925, instead of the annual sum of $75,000 as provided for in the said agreement.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 77.

An Act to repeal the Biological Board Act and to create The Fisheries Research Board of Canada.

First reading, March 22, 1937.

The Minister of Fisheries.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

33147

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 77.

An Act to repeal the Biological Board Act and to create The Fisheries Research Board of Canada.

R.S., c. 18, 1930, c. 4.

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

Short Title.

1. This Act may be cited as *The Fisheries Research Board Act.*

INTERPRETATION.

Definitions.

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

"Board."

(a) "Board" means "The Fisheries Research Board of Canada";

"Minister."

(b) "Minister" means the Minister of Fisheries;

"Department."

(c) "Department" means the Department of Fisheries.

Board created.

3. There shall be a body to be called "The Fisheries Research Board of Canada" which shall be under the control of the Minister.

Constitution of Board.

4. The Board shall consist of fifteen members appointed by the Minister as follows: two from the Department, two representing the fishery industry on the Atlantic coast, two representing the fishery industry on the Pacific coast, and nine scientists selected from a list including nominations which may be made by any Canadian University whose staff embraces scientists engaged in research work in any way bearing upon fishery problems; provided that for subsequent appointments of scientific members a list including nominations as aforesaid shall be supplied to the Minister by the Board.

Scientific members.

Explanatory Notes.

1. This Bill is asked for by the Biological Board. Its main objects are to repeal the Biological Board Act and to constitute a smaller Board in the interest of efficiency. Also the present name of the Board does not indicate its purpose or work.

2. *(a)* This name clearly indicates the nature and scope of the Board's work. The present name is "The Biological Board of Canada."

(b) The Ministry of Marine and Fisheries referred to in the present Act no longer exists.

(c) New.

3. Present name is "The Biological Board of Canada."

4. Section 4 of the existing Act reads as follows:—

"**4.** The Board shall consist of seven members appointed by the Minister, and one additional member appointed by such universities, to be named by the Minister, as may engage in the work of biological research."

(b) This clause provides for the constitution of the Board and sets out the method of selecting the scientific members of the Board.

Duration of office.

Re-appointment.

"**5.** Of the members of the Board first appointed under this Act, five shall be appointed for a term of five years, five for a term of three years and five for a term of one year. Members subsequently appointed shall be appointed for a term of five years. A retiring member shall be eligible for reappointment."

Duties.

6. The Board shall have charge of all Dominion fishery research stations in Canada, and shall have the conduct and control of investigations of practical and economic problems connected with marine and fresh water fisheries, flora and fauna, and such other work as may be assigned to it by the Minister.

Annual Meeting.

7. The Board shall meet annually at the City of Ottawa, and at such meetings shall elect one member to be chairman and another to be secretary, each of whom shall hold office until the next annual meeting. Other meetings of the Board may be held at such places and at such times as are necessary for the work of the Board.

By-laws.

8. The Board may make by-laws for the conduct of its business, but no by-law shall be in force until it has been approved by the Minister.

No salaries.

Expenses.

9. No member of the Board shall receive payment or emolument for his services, but each member shall receive such payments for his travelling and other expenses in connection with the work of the Board as may be approved by the Governor in Council; provided that the chairman and the secretary, if not an officer or officers of the Department, may be paid such emolument as the Board with the approval of the Minister decides.

Audit.

10. All receipts and expenditures of the Board shall be subject to examination and audit by the Auditor General.

5. New. This clause provides for a board of rotating membership and permits reappointment.

6. Section 5 of the existing Act reads as follows:—

"**5.** The Board shall have charge of all biological stations in Canada, and shall have the conduct and control of investigations of practical and economic problems connected with marine and fresh water fisheries, flora and fauna, and such other work as may be assigned to it by the Minister."

7. Section 6 of the existing Act reads as follows:—

"**6.** The Board shall meet annually at the city of Ottawa, and at such meetings shall elect one member to be chairman and another to be secretary-treasurer, who shall hold office until the next annual meeting.

(2) Other meetings of the Board shall be held at such places and at such times as are necessary for the work of the Board."

8. No change.

9. Section 8 of the existing Act reads as follows:—

"**8.** No member of the Board shall receive any payment or emolument for his services, but he shall be repaid all actual, reasonable travelling or other expenses in connection with the work of the Board."

10. Section 10 of the existing Act reads as follows:—

"**10.** A detailed statement of the expenses of the Board up to the close of the preceding fiscal year shall be prepared annually by the secretary-treasurer, and such statement shall be submitted to and be examined by the Auditor General."

The new section is in accordance with present practice.

Expenditure of money.

11. From the moneys appropriated by Parliament for the work of the Board, or which the Board may receive through bequest, donation or the sale of natural history specimens, the Board shall expend such sums as are necessary for its work.

Annual report.

12. The Board shall make a report upon the work done by it to the Minister as soon as possible after the close of each fiscal year.

Repeal.

13. *The Biological Board Act*, chapter eighteen of the Revised Statutes of Canada, 1927, is repealed.

Commencement of Act.

14. This Act shall come into force on the first day of January, 1938.

11. Section 9 of the existing Act reads as follows:—

"**9.** From the moneys appropriated by Parliament for the work of the Board, or which the Board may receive through bequest, donation or the sale of specimens of natural history, the secretary-treasurer, under direction of the Board, shall expend such sums as are necessary for the work of the Board."

12. No change.

14. The Biological Board, under the existing Act, held its annual meeting early in January this year and arranged for all work to be done until the next annual meeting which would be the first week in January next year. The Executive of the said Board can carry on under the existing Act without any additional expense. If the new Act became effective immediately the Executive under it would disappear which would make it necessary to call the new Board together to recreate an Executive body but this expense will be avoided by making the Act become effective just before the new Board would be convened in the ordinary course of things.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 78.

An Act to amend the Supreme Court Act.

First reading, March 1937.

THE MINISTER OF JUSTICE.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

34620

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 78.

An Act to amend the Supreme Court Act.

R.S., c. 35; 1928, c. 9; 1929, c. 58; 1930, c. 44.

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

1. Section thirty-seven of the *Supreme Court Act*, chapter thirty-five of the Revised Statutes of Canada, 1927, as enacted by section one of chapter forty-four of the statutes of 1930, is repealed and the following substituted therefor:

Appeals from other than court of last resort in province, where over $2,000 involved, by leave of court of final resort and consent of both parties.

"**37.** (1) Subject to section thirty-eight hereof, where the amount or value of the matter in controversy in the appeal exceeds the sum of two thousand dollars, an appeal shall lie directly to the Supreme Court in respect of a question of law alone from a final judgment pronounced in a judicial proceeding by a provincial court of which the judges are appointed by the Governor General, upon leave being granted to that effect by the highest court of final resort in the province in which the proceedings were originally instituted, and provided that the consent in writing of the parties, or their solicitors, verified by affidavit is filed with the Registrar of the Supreme Court and with the registrar, clerk or prothonotary of the court to be appealed from.

Limitation of granting of leave.

(2) No such leave shall be granted by the highest court of final resort unless an appeal would lie to such court of final resort and also to the Supreme Court from the judgment of such court pronounced in such appeal.

Ordinarily appeal only from court of last resort.

(3) Save as provided by this section, but subject to section forty-four, no appeal shall lie to the Supreme Court except from the highest court of final resort having jurisdiction in the province in which the proceedings were originally instituted."

Explanatory Notes.

The purpose of this amendment is to clarify the intended meaning and effect of the present section 37 of the Supreme Court Act. The said section reads as follows:

"**37.** Where the amount or value of the matter in controversy in the appeal exceeds the sum of two thousand dollars, subject to section thirty-eight, an appeal shall lie directly to the Supreme Court from any final judgment of a provincial court, whether of appellate or original jurisdiction, other than the highest court of final resort in the province, pronounced in a judicial proceeding, which is not one of those specifically excepted in section thirty-six,

(a) by leave of the highest court of final resort having jurisdiction in the province in which the proceedings were originally instituted; and

(b) by consent in writing of the parties, or their solicitors, verified by affidavit and filed with the Registrar of the Supreme Court and with the registrar, clerk or prothonotary of the court to be appealed from;

but otherwise, subject to section forty-four, no appeal shall lie to the Supreme Court save from the highest court of final resort in the province, whether the judgment or decision in such proceeding was or was not a proper subject of appeal to such highest court of final resort".

The intention of the section as so amended was that the leave of the court of final resort as well as the consent of the parties should be conditions precedent to the appeal. Nevertheless the language of the section, does not express that intention as clearly as it might, and the object of the present amendment is to bring the section into conformity with the original intention. The section in the form proposed will give a right of appeal *per saltum* from judgments of the ordinary courts upon questions of law where both parties agree and where the provincial court gives leave; but negatives the power of the provincial court of appeal to give leave except in cases where there is a right of appeal to that court as well as a right of appeal to the Supreme Court from the judgment of the provincial court of appeal.

79.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 79.

An Act respecting a certain Trade Agreement between Canada and the United Kingdom.

First reading, March 24, 1937.

THE PRIME MINISTER.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

33844

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 79.

An Act respecting a certain Trade Agreement between Canada and the United Kingdom.

1932-33, c. 2.

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

Short title.

1. This Act may be cited as *The United Kingdom Trade Agreement Act, 1937.*

Trade Agreement approved.

2. The Trade Agreement entered into between the Government of Canada and the Government of the United Kingdom, copy of which is set forth in the Schedule to this Act, is hereby approved.

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 of the said Agreement.

Suspension of inconsistent laws.

4. In the event of any inconsistency between the provisions of this Act and of the said Agreement, and the operation of any other law, the provisions of this Act and of the said Agreement shall, to the extent of such inconsistency, prevail.

Repeal of U.K. Trade Agreement Act, 1932.

5. From the date of the coming into force of this Act, and subject to the provisions of Article 17 of the Agreement, *The United Kingdom Trade Agreement Act, 1932*, chapter two of the statutes of 1932-33, shall be repealed.

Coming into force.

6. This Act shall come into force on a day to be fixed by Proclamation of the Governor in Council.

SCHEDULE

Trade Agreement Between Canada and the United Kingdom

The Governments of Canada and of the United Kingdom, recognizing that the revival and development of trade is an essential feature of the prosperity and well-being of all countries and to this end desiring further to facilitate trade and commerce between Canada and the United Kingdom, and having resolved to replace by the present Agreement the Agreement concluded between them at Ottawa on the 20th August, 1932, have agreed upon the following provisions:—

Article 1

The Government of the United Kingdom undertake that goods grown, produced or manufactured in Canada and consigned from any part of the British Empire which are now free of duty, shall continue to enjoy entry free of customs duty into the United Kingdom, subject, however, to the reservations set forth in Schedule I appended hereto.

Article 2

The Government of the United Kingdom undertake that the goods the manufacture of Canada enumerated in Schedule II appended hereto when consigned from any part of the British Empire shall not on importation into the United Kingdom be subjected to duties of customs higher than those specified in that Schedule.

Article 3

The Government of the United Kingdom undertake in respect of the goods the growth, produce or manufacture of Canada enumerated in Schedule III appended hereto that the difference between the rate of the duties of customs on such goods on importation into the United Kingdom when consigned from any part of the British Empire and the rate upon similar goods the growth, produce or manufacture of any foreign country shall not be less than the rates set out in that Schedule:

Provided that the duty on either wheat in grain, copper, zinc or lead, as provided in this Agreement, may be removed if at any time Empire producers of wheat in grain, copper, zinc or lead respectively are unable or unwilling to offer these commodities on first sale in the United Kingdom at prices not exceeding the world prices and in quantities sufficient to supply the requirements of United Kingdom consumers; and,

Provided further that while the arrangements contained in the Report of the Import Duties Advisory Committee of the 2nd July, 1935, are in force, the duties on lead and zinc shall be in accord with the proposals in Appendices B and C of that Report.

Article 4

The Government of the United Kingdom undertake that until the 19th August, 1942, tobacco grown, produced or manufactured in Canada and consigned from any part of the British Empire shall enjoy on importation into the

United Kingdom the existing margin of preference over foreign tobacco, so long, however, as the duty on foreign unmanufactured tobacco does not fall below 2*s.* 0½*d.* per lb., in which event the margin of preference shall be equal to the full duty.

ARTICLE 5

The Government of Canada, recognizing that it is the present policy of the Government of the United Kingdom to promote the orderly marketing of bacon and hams and of meat in the United Kingdom with due regard to the normal development of trade, declare their willingness so far as their power extends to continue to assist the Government of the United Kingdom in carrying out this policy and, in particular, to furnish from time to time estimates of forthcoming shipments of bacon and hams and cattle and beef.

As regards bacon and hams, the Government of the United Kingdom undertake:

(1) that any duty or levy which may be imposed on bacon and hams imported into the United Kingdom shall not apply to imports of Canadian bacon and hams when consigned from any part of the British Empire;

(2) that there will be no regulation by them of such imports unless the rate at which the trade from Canada progresses towards two and one-half million hundred-weight per annum should become abnormal and such as to endanger the effective working of the system of supply regulation;

(3) that no such regulation would be put into effect without prior consultation with the Government of Canada.

As regards cattle and beef, the Government of the United Kingdom undertake:

(1) that any duty or levy which may be imposed on cattle or beef imported into the United Kingdom shall not apply to imports of Canadian cattle or beef when consigned from any part of the British Empire;

(2) that, if so requested, they will make themselves responsible for Canadian interests in any International Conference that may be set up to arrange for regulating supplies imported into the United Kingdom and will use their best endeavours to ensure that Canada secures an equitable share in the trade in cattle and beef;

(3) that any Agreement for the setting up of such a Conference, to which they may become a party, will not provide for any reduction in imports of Canadian fat cattle and beef into the United Kingdom below recent levels;

(4) that any such Agreement will recognize that special provision may become necessary for increased shipments of fat cattle and beef from Canada and will provide for specified reductions, if necessary, in shipments of chilled beef from foreign countries;

(5) that there will be no regulation of imports of cattle or beef from Canada unless, after consultation with the Government of Canada, it

appears to the Government of the United Kingdom that the effective working of a general scheme for the orderly marketing in the United Kingdom of meat cannot otherwise be secured.

ARTICLE 6

The Government of Canada undertake that the goods the growth, produce or manufacture of the United Kingdom enumerated in Schedule IV appended hereto, when conveyed without transhipment from any part of the British Empire enjoying the benefits of the British Preferential Tariff into a sea, lake or river port of Canada, shall not be subjected to duties of customs higher than those specified in that Schedule.

The Government of Canada undertake as regards goods the growth, produce or manufacture of the United Kingdom other than those enumerated in Schedule IV that, under the British Preferential Tariff, no new protective duty shall be imposed and no existing protective duty increased except after an inquiry at which United Kingdom producers shall enjoy full rights of audience.

ARTICLE 7

The Government of Canada undertake that goods the growth, produce or manufacture of the United Kingdom enumerated in Schedule IV, when not of a class or kind made in Canada and when subject to duties of customs on importation into Canada, shall, when conveyed without transhipment from any part of the British Empire enjoying the benefits of the British Preferential Tariff into a sea, lake or river port of Canada, enjoy the benefit of preferential tariff margins which, in the case of any such goods, shall not be less than the difference between the rate of duty provided for in this Agreement and the rate of duty now levied upon like goods the growth, produce or manufacture of any foreign country, provided however that, if the duty on foreign goods becomes less than such preferential tariff margin, no duty shall be levied on the like goods of United Kingdom origin.

ARTICLE 8

The Government of Canada undertake in respect of the goods the growth, produce or manufacture of the United Kingdom enumerated in Schedule V appended hereto that the difference between the rates of duties of customs on such goods on importation into Canada, when conveyed without transhipment from any part of the British Empire enjoying the benefits of the British Preferential Tariff into a sea, lake or river port of Canada, and the rates upon similar goods the growth, produce or manufacture of any foreign country shall not be less than the margins set out in that Schedule.

ARTICLE 9

The two Governments undertake that, except as provided for in legislation already in force, goods the growth, produce or manufacture of either country covered by the provisions of Articles 1 and 2, or of the first paragraph of Article 6, as the case may be, shall not be subjected on importation into the other

country to any imposts or charges other than the customs duties leviable in accordance with the provisions of the said Articles unless equal imposts or charges are imposed on similar goods the growth, produce or manufacture of the importing country.

ARTICLE 10

Each Government reserve the right to suspend or modify the preferential margin specified in respect of any item in Schedule III or Schedule V, as the case may be, if, after inquiry, it appears to that Government that a predominating share of the trade in such item is controlled by any organization or combine of exporters and that by virtue of the guaranteed margin that organization or combine is exercising this control to the prejudice of consumers or users of the goods in question.

ARTICLE 11

Neither Government will, without the consent of the other Government, amend their regulations regarding qualification for preferential tariff treatment so as to increase above fifty per centum the prescribed proportion of the value of any class of manufactured articles which must be derived from expenditure in the British Empire in order to entitle the articles to preference.

ARTICLE 12

The Government of Canada, recognizing that the entry of Canadian goods into the United Kingdom market free of duty, as assured in Article 1 of this Agreement and, in particular, their exemption from liability to any special or dumping duty, even if sold in that market at less than their comparable selling price in Canada, warrant more nearly reciprocal treatment of United Kingdom goods offered for sale in similar circumstances in Canada, agree to exempt particular classes of United Kingdom goods from special or dumping duty under the conditions set out in the following paragraphs.

If it appears to the Government of the United Kingdom that any goods enjoying entry free of duty into the United Kingdom under the provisions of Article 1 of this Agreement are exported from Canada to the United Kingdom at export or selling prices lower than the fair market value for home consumption, as determined on the bases laid down in Section 6 of the Customs Tariff of Canada, and that in consequence thereof the sale of similar United Kingdom goods is being prejudicially or injuriously affected, they may notify the Government of Canada of the facts of the case and request that United Kingdom goods of each or any class or kind normally manufactured by the Canadian industry manufacturing the goods in question shall be exempt from special or dumping duty on importation into Canada.

On receipt of such notification and request the Government of Canada will take suitable steps to correct the situation complained of and, if other measures are ineffectual, will exempt United Kingdom goods, as specified in the notification, from special or dumping duty for such period as may prove necessary. Recognizing that in certain circumstances it may be found necessary to exempt from special or dumping duty other United Kingdom goods of a class or kind normally manufactured by the Canadian industry manufacturing the

goods in question, the Government of Canada agree that they will accord sympathetic consideration to any request that the United Kingdom Government may make under this Article for such exemption and will, in consultation with the United Kingdom Government, determine what measures shall be taken to restore fair trading conditions.

ARTICLE 13

The Government of the United Kingdom will invite the Governments of the non-self-governing Colonies and Protectorates to continue to accord to Canada any preference which may for the time being be accorded to any other part of the British Empire:

Provided that the operation of this paragraph shall not extend to any preferences accorded by Northern Rhodesia to the Union of South Africa, Southern Rhodesia and the High Commission Territories in South Africa.

The Government of Canada undertake to accord to those non-self-governing Colonies, Protectorates and Mandated Territories, to which the benefits of the British Preferential Tariff are at present accorded, and also to Malta, the benefit of any preferences for the time being accorded to any part of the British Empire:

Provided that nothing in this paragraph shall interfere with existing obligations or special arrangements already in force between Canada and other parts of the British Empire; and,

Provided further that the Government of Canada shall not be bound to continue to accord any preferences to any Colony or Protectorate which, not being precluded by international obligations from according preferences, either (i) accords to Canada no preferences, or (ii) accords to some other part of the British Empire (in the case of Northern Rhodesia, excepting the Union of South Africa, Southern Rhodesia and the High Commission Territories in South Africa) preferences not accorded to Canada.

ARTICLE 14

The Government of Canada undertake to accord to goods the growth, produce or manufacture of any of the non-self-governing Colonies, Protectorates or Mandated Territories of Togoland under British Mandate, the Cameroons under British Mandate, the Tanganyika Territory or Palestine, treatment not less favourable than that accorded to similar goods the growth, produce or manufacture of any foreign country.

ARTICLE 15

The Government of the United Kingdom will invite the Governments of the Colonies and Protectorates shown in Schedule VI appended hereto to continue in operation the preferences accorded to Canada on the commodities and at the rates shown in that Schedule, and the Government of Canada will continue in operation the preferences accorded to the Colonies, Protectorates and Mandated Territories by Canada as set out in Schedule VII appended hereto:

Provided that the Government of Canada shall not be bound to continue to accord any preferences to any Colony or Protectorate which, not being precluded by international obligations from according preferences,

either (i) accords to Canada no preferences, or (ii) accords to some other part of the British Empire (in the case of Northern Rhodesia, excepting the Union of South Africa, Southern Rhodesia and the High Commission Territories in South Africa) preferences not accorded to Canada; and,

Provided further that, in the event of the denunciation and termination of the Canada-West Indies Trade Agreement dated the 6th July, 1925, either Government shall be at liberty, on giving at least six months' notice, to terminate the provisions of this Article not earlier than the termination of that Agreement.

ARTICLE 16

In the event of circumstances arising which in the judgment of the Government of the United Kingdom or of the Government of Canada, as the case may be, necessitate a variation in the terms of this Agreement, the proposal to vary those terms shall be the subject of consultation between the two Governments.

ARTICLE 17

The Agreement will come into force on a date to be mutually agreed between the two Governments. On the coming into force of the present Agreement, the Agreement concluded between the two Governments at Ottawa on the 20th August, 1932, shall cease to have effect. Pending the coming into force of the present Agreement, the two Governments will apply its provisions as far as may be possible and will consult together with regard to the dates on which particular provisions of the 1932 Agreement shall be deemed to have been replaced by provisions of the present Agreement. The Agreement will remain in force until the 20th August, 1940. Unless six months before the 20th August, 1940, notice of termination shall have been given by either Government to the other, the Agreement will remain in force until the expiry of six months from the date on which a notice of termination is given.

Done in duplicate, at Ottawa, this twenty-third day of February, 1937.

Signed on behalf of the Government of Canada:—

W. L. MACKENZIE KING
CHAS. A. DUNNING

Signed on behalf of the Government of the United Kingdom:—

F. L. C. FLOUD

SCHEDULE I

(*See* Article 1)

As regards eggs, poultry, butter, cheese and other milk products, the Government of the United Kingdom reserve to themselves the right, if they consider it necessary in the interests of the United Kingdom producer to do so, to review at any time the basis of preference so far as relates to the articles above enumerated and after notifying the Canadian Government either to impose a preferential duty on Canadian produce whilst maintaining preferential margins, or in consultation with the Canadian Government to bring such produce within any system which may be put into operation for the quantitative regulation of supplies from all sources in the United Kingdom market.

SCHEDULE II

(*See* Article 2)

Article	Rate of Duty
Motor cars (including motor bicycles and motor tricycles) and accessories and component parts of motor cars, motor bicycles and motor tricycles	22½ per cent. *ad valorem*
Stockings and socks of natural silk or where the value of the natural silk component exceeds 20 per cent. of the aggregate of the values of all the components of the article	28⅓ per cent. *ad valorem*, or 8*s*. per lb., whichever is the greater.
Reed Organs (including harmoniums) complete	Free.

SCHEDULE III

(*See* Article 3)

Article	Margin of Preference
Wheat, in grain	2*s*. per quarter.
Butter	15*s*. per cwt.
Cheese	15 per cent. *ad valorem*.
Apples, raw (excluding apples consigned direct to a registered cider manufacturer for use in making cider)	4*s*. 6*d*. per cwt.
Pears, raw	4*s*. 6*d*. per cwt.
Apples, canned	3*s*. 6*d*. per cwt., in addition to the difference in the rates of duty in respect of sugar content.
Eggs in shell—	
(a) Not exceeding 14 lbs. in weight per great hundred	1*s*. per great hundred.
(b) Over 14 lbs. but not exceeding 17 lbs.	1*s*. 6*d*. per great hundred.
(c) Over 17 lbs.	1*s*. 9*d*. per great hundred.
Condensed milk, whole, sweetened or slightly sweetened	5*s*. per cwt., in addition to the difference in the rates of duty in respect of sugar content.
Condensed milk, whole, not sweetened	6*s*. per cwt.
Milk powder and other preserved milk excluding condensed milk, not sweetened	6*s*. per cwt.
Honey	7*s*. per cwt.
Copper, unwrought, whether refined or not, in ingots, bars, blocks, slabs, cakes and rods	2*d*. per lb.
Timber of all kinds imported into the United Kingdom in substantial quantities from Canada, in so far as now dutiable	10 per cent. *ad valorem*.
Fish, fresh sea, excluding fish livers	10 per cent. *ad valorem*.
Chilled or frozen salmon	1½*d*. per lb.
Salmon, canned	10 per cent. *ad valorem*.
Other fish, canned	10 per cent. *ad valorem*.
Asbestos	10 per cent. *ad valorem*.
Zinc	10 per cent. *ad valorem*.
Lead	10 per cent. *ad valorem*.
Patent leather not forming part of another article and goods composed wholly of patent leather	15 per cent. *ad valorem*.

SCHEDULE IV

(*See* Article 6)

NOTE.—The rates of duty set out below will be subject to discounts in accordance with the provisions of Section 5 of the Customs Tariff.

No. of Canadian Tariff Item	Article	Rate of Duty on Goods the Growth, Produce or Manufacture of the United Kingdom
ex 8	Extracts of meat and fluid beef, not medicated	10 p.c.
20a	Butter produced from the cocoa bean	Free
23	Preparations of cocoa or chocolate, n.o.p., and confectionery, coated with or containing chocolate, the weight of the wrappings and cartons to be included in the weight for duty	12½ p.c. and per pound 2½ cts.
34	Mustard, ground	17½ p.c.
41	Salt, n.o.p., in bags, barrels and other coverings	Free
	Bags, barrels and other usual coverings used in the importation of the salt specified in this item	Free
65	Biscuits, not sweetened	12½ p.c.
65a	Diabetic breads and biscuits, under regulations prescribed by the Minister	Free
66a	Biscuits, sweetened or unsweetened, valued at not less than 20 cents per pound wholesale, f.o.b. any port in the United Kingdom, said value to be based on the net weight and to include the value of the usual retail package	Free
ex 82	(*d*) Rosebushes, n.o.p. each	1½ cts.
ex 90	Vegetables, prepared or preserved:— (*b*) Pickled or preserved in salt, brine, oil or in any other manner, n.o.p.	15 p.c.
105d	Jellies, jams, marmalades, preserves, fruit butters and condensed mince meats per pound	2 cts.
105e	Fruits and peels, crystallized, glacé, candied or drained; cherries and other fruits of crème de menthe, maraschino or other flavour	20 p.c.
ex 120	Herring (not including kippered herring in sealed containers) packed in oil or otherwise, in sealed containers	20 p.c.
123	Salmon and all other fish, prepared or preserved, including oysters, n.o.p.	17½ p.c.
141	Sugar candy and confectionery, n.o.p., including sweetened gums, candied pop-corn, candied nuts, flavouring powders, custard powders, jelly powders, sweet-meats, sweetened breads, cakes, pies, puddings and all other confections containing sugar, the weight of the wrappings and cartons to be included in the weight for duty per pound	½ ct. and 15 p.c.
143a	Cigarettes, the weight of the paper covering to be included in the weight for duty per pound	$3.50
144	Cut tobacco per pound	80 cts.
145	Manufactured tobacco, n.o.p., and snuff per pound	75 cts.
147	Ale, beer, porter and stout, when imported in bottles per gallon Provided, that six quart bottles or twelve pint bottles shall be held to contain one gallon.	15 cts.
152	Lime juice, fruit syrups and fruit juices, n.o.p.	15 p.c.

SCHEDULE IV—*Continued*

No. of Canadian Tariff Item	Article	Rate of Duty on Goods the Growth, Produce or Manufacture of the United Kingdom
156	Ethyl alcohol, or the substance commonly known as alcohol, hydrated oxide of ethyl or spirits of wine, n.o.p.; gin of all kinds, n.o.p.; whisky and all spirituous or alcoholic liquors, n.o.p.; amyl alcohol or fusel oil, or any substance known as potato spirits or potato oil; methyl alcohol, wood alcohol, wood naphtha, pyroxylic spirit or any substance known as wood spirit or methylated spirits, absinthe, arrack or palm spirit, brandy, including artificial brandy and imitations of brandy, n.o.p.; cordials and liqueurs of all kinds, n.o.p.; mescal, pulque, rum shrub, schiedam and other schnapps; tafia, angostura and similar alcoholic bitters or beverages; and wines, n.o.p., containing more than forty per cent of proof spirit, per gallon of the strength of proof..... Provided, as to all goods specified in Item No. 156 when of less strength than the strength of proof, that no reduction or allowance shall be made in the measurement thereof for duty purposes, below the strength of 15 per cent under proof.	$5.00
159	Spirits and strong waters of any kind, mixed with any ingredient or ingredients, as being or known or designated as essences, extracts, or ethereal and spirituous fruit essences, n.o.p.....per gallon	$5.00 and 30 p.c.
160	Alcoholic perfumes and perfumed spirits, bay rum, cologne and lavender waters, lotions, hair, tooth and skin washes, and other toilet preparations containing spirits of any kind:— (a) when in bottles or flasks containing not more than four ounces each.... (b) when in bottles, flasks or other packages, containing more than four ounces each.....per gallon	30 p.c. $5.00
168	Malt flour containing less than 50 per centum in weight of malt; malt syrup or malt syrup powder; extracts of malt, fluid or not; grain molasses—all articles in this item upon valuation without British or foreign excise duties, under regulations prescribed by the Minister.....	25 p.c.
169	Books, viz:—Novels or works of fiction, or literature of a similar character, unbound or paper bound or in sheets, but not to include Christmas annuals, or publications commonly known as juvenile and toy books.....	Free.
171	Books, printed, periodicals and pamphlets, or parts thereof, n.o.p., not to include blank account books, copy books, or books to be written or drawn upon.....	Free.
178 } 178c }	Advertising and printed matter, viz:—Advertising pamphlets, advertising show cards, illustrated advertising periodicals; price books, catalogues and price lists; advertising almanacs and calendars; patent medicine or other advertising circulars, fly sheets or pamphlets; advertising chromos, chromotypes, oleographs or like work produced by any process other than hand painting or drawing, and having any advertisement or advertising matter printed, lithographed or stamped thereon, or attached thereto, including advertising bills, folders and posters, or other similar artistic work, lithographed, printed or stamped on paper or cardboard for business or advertisement purposes, n.o.p.:— (i) when produced in countries entitled to the British Preferential Tariff and relating exclusively to products of such British countries, but not relating to Canadian products..... (ii) n.o.p.....per pound	Free. 5 cts.
180	Photographs, chromos, chromotypes, artotypes, oleographs, paintings, drawings, pictures, decalcomania transfers of all kinds, n.o.p., engravings or prints or proofs therefrom, and similar works of art, n.o.p.; blue prints, building plans, maps, and charts, n.o.p.....	12½ p.c.
180c	Decalcomania transfers, when imported exclusively for use in the manufacture of vitreous enamelled products or of tableware of china, porcelain or semi-porcelain.....	Free.
181a	Pictorial post-cards, greeting cards and similar artistic cards or folders.....	20 p.c.
187	Albumenized and other papers and films chemically prepared for photographers' use, n.o.p.....	Free.
187a	Hypersensitive or supersensitive panchromatic films and infra-red films, unexposed, for aerial photography.....	Free

SCHEDULE IV—*Continued*

No. of Canadian Tariff Item	Article	Rate of Duty on Goods the Growth, Produce or Manufacture of the United Kingdom
ex 192	Electrical insulating pressboard, not less than ·040 inch in thickness	Free.
192b	Sandpaper, glass or flint paper, and emery paper or emery cloth	12½ p.c.
192c	Roofing and shingles of saturated felt	Free.
193	Paper sacks or bags of all kinds, printed or not	15 p.c.
194	Playing cards, in packs or in sheet form, n.o.p.; cards and sheets partly lithographed or printed, for use in the manufacture of such playing cards	15 p.c.
195	Paper hanging or wall papers, including borders or bordering	17½ p.c.
ex 197 ex 199	Hand made papers, not to include mould-made deckle-edge papers, valued at not less than 40 cents per pound wholesale	10 p.c.
197b	Wrapping paper of all kinds, not pasted, coated or embossed	17½ p.c.
198	Ruled and border and coated papers, boxed papers, pads not printed, papier-mâché ware, n.o.p.	20 p.c.
199	Papeteries, envelopes, and all manufactures of paper, n.o.p.	20 p.c.
199c	Waxed stencil paper for use on duplicating machines	10 p.c.
200a	Regenerated cellulose, and cellulose acetate, transparent, in sheets, not printed, and manufactures of regenerated cellulose or of cellulose acetate, n.o.p.	20 p.c.
203a	Chemical compounds composed of two or more acids or salts soluble in water, adapted for dyeing or tanning	Free
203b	Aniline and coal tar dyes, adapted for dyeing, in bulk, or in packages of not less than one pound	Free
206a	Biological products, animal or vegetable, n.o.p., for parenteral administration in the diagnosis or treatment of diseases of man, when manufactured under licence of the Department of Pensions and National Health under regulations prescribed by the Food and Drugs Act; and biological products, animal or vegetable, n.o.p., for parenteral administration in the diagnosis or treatment of diseases of animals or poultry, when imported under permit of the Veterinary Director General	Free
ex 208a	Chloride of lime and hypochlorite of lime:— 1. When in packages of not less than twenty-five pounds weight each	Free
208e	Cresylic acid and compounds of cresylic acid, used in the process of concentrating ores, metals or minerals, n.o.p.	Free
208j	Sal ammoniac and nitrate of ammonia	Free
208l	Bichloride of tin and tin crystals	Free
208m	Sulphate of copper (blue vitriol)	Free
208n	Sulphate of iron (copperas)	Free
208o	Cream of tartar in crystals and tartaric acid crystals	Free
208r	Oxide of tin or of copper	Free
208s	Sulphate of zinc and chloride of zinc	Free
208t	All chemicals and drugs, when of a kind not produced in Canada, which were on August 20, 1932, dutiable at rates of 15, 25, and 25 p.c., under Tariff Item 711	Free
209c	Bichromate of potash, crude; red and yellow prussiate of potash	Free
210	Peroxide of soda; silicate of soda in crystals or in solution; bichromate of soda; nitrate of soda or cubic nitre, n.o.p.; sulphide of sodium; nitrite of soda; arseniate, binarseniate, chlorate, bisulphite and stannate of soda; prussiate of soda and sulphite of soda	Free

SCHEDULE IV—*Continued*

No. of Canadian Tariff Item	Article	Rate of Duty on Goods the Growth, Produce or Manufacture of the United Kingdom
210d	Sodium, sulphate of, crude, or salt cake.....per pound	½ ct.
212	Sulphate of alumina or alum cake; and alum in bulk, ground or unground, but not calcined.....	Free
215	Stearic acid, n.o.p.....	Free
216	Acids, n.o.p., of a kind not produced in Canada.....	Free
218	Acid phosphate, not medicinal.....	Free
219	(i) Solutions of peroxides of hydrogen, n.o.p.....	12½ p.c.
	(ii) Solutions of hydrogen peroxide containing 25 per centum or more by weight of hydrogen peroxide.....	Free
219c	Non-alcoholic preparations or chemicals, such as are used for disinfecting, dipping or spraying, when in packages not exceeding three pounds each, in weight, the weight of such packages to be included in the weight for duty.....	5 p.c.
219d	Sulphuric ether; chloroform, n.o.p.; preparations of vinyl ether for anaesthetic purposes.....	Free
ex 220	All medicinal, chemical and pharmaceutical preparations, compounded of more than one substance, including patent and proprietary preparations, tinctures, pills, powders, troches, lozenges, syrups, cordials, bitters, anodynes, tonics, plasters, liniments, salves, ointments, pastes, drops, waters, essences and oils, n.o.p.:—	
	(a) When dry.....	17½ p.c.
	(b) Liquid, when containing not more than two and one-half per centum of proof spirit.....	20 p.c.
228	Soap powders, powdered soap, mineral soap, and soap, n.o.p.....	20 p.c.
229	Soap, common or laundry.....per one hundred pounds	50 cts.
230	Castile soap.....	Free
232	Glue, liquid, powdered or sheet, and gelatine, n.o.p.....	17½ p.c.
	and per pound	2 cts.
232c	Gelatine, edible.....	10 p.c.
ex 232d	Mucilage and adhesive paste.....	15 p.c.
	and per pound	1½ cts.
234	Perfumery, including toilet preparations, non-alcoholic, viz., hair oils, tooth and other powders and washes, pomatums, pastes and all other perfumed preparations, n.o.p., used for the hair, mouth or skin.....	15 p.c.
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.....	10 p.c.
238a	Manufactures of celluloid, or of which celluloid is the component of chief value, n.o.p.....	10 p.c.
240	Ultramarine blue, dry or in pulp; whiting or whitening; Paris white and gilders' whiting; blanc fixé; satin white.....	Free
241a	Litharge, other than for battery purposes.....	Free
242	Dry red lead; orange mineral; antimony oxide, titanium oxide, and zinc oxide such as zinc white and lithopone; white pigments containing not less than 14 per cent by weight of titanium dioxide.....	Free
243	Dry white lead.....	15 p.c

SCHEDULE IV—*Continued*

No. of Canadian Tariff Item	Article	Rate of Duty on Goods the Growth, Produce or Manufacture of the United Kingdom
244	White lead ground in oil	20 p.c.
245	Ochres, ochrey earths, siennas and umbers	5 p.c.
246	Oxides, fireproofs, rough stuff, fillers, laundry blueing, and colours, dry, n.o.p.	12½ p.c.
246b	Stains and oxides, valued at not less than 20 cents per pound, for use exclusively as colouring constituents in the manufacture of vitreous enamels and pottery glazes; and liquid gold paint, for use exclusively in the manufacture of tableware of china, porcelain or semi-porcelain	Free
247	Liquid fillers, anti-corrosive and anti-fouling paints, and ground and liquid paints, n.o.p.	17½ p.c.
ex 247 247a	Artists' and school children's colours; fitted boxes containing the same; artists' brushes; pastels, of a value of one cent per stick, or over; artists' canvas, coated and prepared for oil painting	Free
248	Paints and colours, ground in spirits, and all spirit varnishes and lacquers ..... per gallon	75 cts.
249	Varnishes, lacquers, japans, japan driers, liquid driers, and oil finish, n.o.p. ..... per gallon	15 cts. and 10 p.c.
250	Paris green, dry	Free
252	Shoe blacking; shoemakers' ink; shoe, harness and leather dressing, and knife or other polish or composition, n.o.p.	12½ p.c.
254	Gums, viz:—Australian, copal, damar, elemi, kaurie, mastic, sandarac, Senegal, tragacanth, gedda, and barberry; gum chicle or sappato gum, crude; lac, crude, seed, button, stick and shell; ambergris; Pontianac	Free
256	Printing ink	12½ p.c.
259a	Sesame seed oil, crude	Free
264	Essential oils, n.o.p., including bay oil, otto of limes, and peppermint oil	Free
ex 265a	Halibut liver oil, crude or refined	Free
265b	Cod liver oil, crude or refined	Free
276b	Cotton seed and crude cotton seed oil, when imported by manufacturers of cotton seed meal and refined cotton seed oil, for use exclusively in the manufacture of such commodities, in their own factories	Free
277	Palm and palm kernel oil, unbleached or bleached, not edible; shea butter	Free
278	Oils, viz:—cocoanut, palm and palm kernel, not edible, for manufacturing soap; carbolic or heavy oil	Free
278b	Crude peanut oil, for refining for edible purposes, used as materials in Canadian manufactures	Free
278c	Cocoanut oil, not edible, when imported for use in the manufacture of refined cocoanut oil	Free
278d	Olive oil for manufacturing soap or tobacco or for canning fish; olive oil for use in the processing of textile fibres, including the finishing of fabrics	Free
ex 282a	Firebrick, n.o.p.	7½ p.c.
284	Drain pipes, sewer pipes and earthenware fittings therefor, chimney linings or vents, chimney tops and inverted blocks, glazed or unglazed, n.o.p.; earthenware tiles, n.o.p.	20 p.c.
285	Tiles or blocks of earthenware or of stone prepared for mosaic flooring	15 p.c.
286	Earthenware and stoneware, viz:—demijohns, churns or crocks, n.o.p.	20 p.c.

SCHEDULE IV—*Continued*

No. of Canadian Tariff Item	Article	Rate of Duty on Goods the Growth, Produce or Manufacture of the United Kingdom
287	All tableware of china, porcelain, semi-porcelain, or white granite, but not to include tea-pots, jugs and similar articles of the type commonly known as earthenware	Free
288	Stoneware and Rockingham ware and earthenware, n.o.p.	20 p.c.
288a	Chemical stoneware composed of a non-absorbent vitrified body specially compounded to resist acids or other corrosive reagents	Free
288b	Hand forms of porcelain, when imported by manufacturers for use exclusively in the manufacture of rubber gloves in their own factories	Free
289	Baths, bathtubs, basins, closets, lavatories, urinals, sinks and laundry tubs of earthenware, stone, cement, clay or other material, n.o.p.	15 p.c.
296c	Magnesium carbonate, imported for use in the compounding or manufacture of rubber products	Free
300	Crucibles of clay, sand or plumbago	Free
312a	Asbestos in any form other than crude, and all manufactures thereof, when made from crude asbestos of Empire origin, n.o.p.	Free
316a	Incandescent lamp bulbs and glass tubing for use in the manufacture of incandescent lamps, and mantle stocking for gas light	Free
318	Common and colourless window glass	Free
319	Glass, in sheets, and bent plate glass, n.o.p.	Free
320	Plate glass, not bevelled, in sheets or panes not exceeding seven square feet each, n.o.p.	Free
321	Plate glass, not bevelled, in sheets or panes, exceeding seven square feet each, and not exceeding twenty five square feet each, n.o.p.	Free
322	Plate glass, n.o.p.	17½ p.c.
323	Silvered glass, bevelled or not and framed or not, n.o.p.	20 p.c.
326 ex 326a	(i) Demijohns or carboys, bottles, flasks, phials, jars and balls, of glass, not cut, n.o.p.; lamp chimneys of glass, n.o.p.; decanters and machine-made tumblers of glass, not cut nor decorated, n.o.p.	15 p.c.
	(ii) Opal glassware, glass tableware, cut glassware and illuminating glassware, n.o.p.	10 p.c.
326a	Manufactures of glass, n.o.p.	10 p.c.
326e	Articles of glass, not plate or sheet, designed to be cut or mounted; articles of glassware, when imported by manufacturers of silverware to be used in receptacles made of, or electro-plated with, precious metals, in their own factories	Free
326g	High thermal shock resisting glassware	Free
339a	Lead capsules for bottles	Free
340	Type for printing, including chases, quoins and slugs, of all kinds	7½ p.c.
341	Babbit metal and type metal, in blocks, bars, plates and sheets	10 p.c.
ex 352 ex 427 ex 445k ex 446a ex 462	Fixed or stationary meters, of a size or capacity not made in Canada, for hydraulic engineering; gauges, indicators and recorders for water or other liquid levels, volume or flow, of a class or kind not made in Canada	Free.

SCHEDULE IV—*Continued*

No. of Canadian Tariff Item	Article	Rate of Duty on Goods the Growth, Produce or Manufacture of the United Kingdom
ex 352 ex 362 ex 519 ex 597a ex 624 ex 647 *et al.*	Antiquities (other than spirits or wines) produced more than 100 years prior to date of importation, under such regulations, including proof of antiquity, as may be prescribed by the Minister	Free.
353	Aluminum and alloys thereof, crude or semi-fabricated, viz:—pigs, ingots, blocks, notch bars, slabs, billets and blooms; bars, rods and wire; angles, channels, beams, tees and other rolled or drawn sections and shapes; pipes and tubes; plates, sheets and strips, including circles; leaf, n.o.p., or foil, less than ·005 inch in thickness, plain or embossed, with or without backing; wire and cable, twisted or stranded, reinforced with steel or not; aluminum powder	Free
353a	Aluminum leaf, less than ·005 millimetres in thickness; aluminum scrap. Provided, that nothing shall be deemed to be aluminum scrap except waste or refuse aluminum, fit only to be remelted.	Free
354	Manufactures of aluminum, n.o.p.	15 p.c.
354a	Kitchen or household hollow-ware of aluminum, n.o.p.	20 p.c.
357	Britannia metal, nickel silver, Nevada and German silver, manufactures of, not plated, n.o.p.	15 p.c.
361	Gold and silver leaf; Dutch or schlag metal leaf; brocade and bronze powders	15 p.c.
362	Articles consisting wholly or in part of sterling or other silverware, n.o.p.; manufactures of gold or silver, n.o.p.	20 p.c.
362b	Toilet articles of all kinds, including atomizers, brushes, buffers, button hooks, combs, cuticle knives, hair receivers, hand-mirrors, jewel boxes, manicure scissors, nail files, perfume bottles, puff jars, shoe horns, trays and tweezers, of which the manufactured component material of chief value is sterling silver	17½ p.c.
362c	Nickel-plated ware, gilt or electro-plated ware, n.o.p.	17½ p.c.
368	Clocks, time recorders, clock movements, clockwork mechanisms, and clock cases	15 p.c.
369	Parts of clock movements or of clockwork mechanisms, finished or unfinished, not including plates	10 p.c.
370	Copper rollers, and stones, used in the printing of textile fabrics or wallpaper.	Free
ex 377a *et al.*	Wrought iron in the form of billets, bars, rods, sheets, strips, plates or skelp..	Free
377c	Ingots, cogged ingots, blooms, slabs, billets, n.o.p., of iron or steel, of a class or kind not made in Canada, when imported by manufacturers of forgings for use exclusively in the manufacture of forgings, in their own factories, under regulations prescribed by the Minister	Free
ex 378	Bars and rods, of iron or steel; billets, of iron or steel, weighing less than 60 pounds per lineal yard:— (*b*) Not further processed than hammered or pressed, n.o.p. (*c*) Cold rolled, drawn, reeled, turned or ground, n.o.p. (*d*) Hot rolled, valued at not less than 4 cents per pound, n.o.p.	 10 p.c. 10 p.c. Free
ex 378a	Bars or rods, of iron or steel, hot rolled, viz:— Rounds over 4¼ inches in diameter and squares over 4 inches	Free
ex 379	Bars or rods, of iron or steel, including billets weighing less than 60 pounds per lineal yard, hot rolled, as hereunder defined, under regulations prescribed by the Minister:— (*e*) Bars of iron or steel, hot rolled, 5 inches in diameter and larger, when imported by manufacturers of polished shafting for use in their own factories (*f*) Sash or casement sections of iron or steel, hot or cold rolled, not punched, drilled nor further manufactured, when imported by manufacturers of metal window frames, for use in their own factories	 Free. Free.

SCHEDULE IV—*Continued*

No. of Canadian Tariff Item	Article	Rate of Duty on Goods the Growth, Produce or Manufacture of the United Kingdom
380	Plates of iron or steel, hot or cold rolled:—	
	(a) Not more than 66 inches in width, n.o.p.....per ton	$4.25
	(b) More than 66 inches in width, n.o.p.....	Free
	(c) Flanged, dished or curved, n.o.p.....	5 p.c.
	(d) With chequer, diamond or other raised pattern on contact surface....	Free
ex 381	Sheets, of iron or steel, hot or cold rolled:—	
	(a) ·080 inch or less in thickness, n.o.p.....	7½ p.c.
382	Hoop, band or strip, of iron or steel:—	
	(a) Hot rolled, ·080 inch or less in thickness, n.o.p.....	5 p.c.
	(b) Hot rolled, more than ·080 inch in thickness, n.o.p.....per ton	$3.00
	(c) Cold rolled or cold drawn, ·080 inch or less in thickness, n.o.p.....	7½ p.c.
	(d) Cold rolled or cold drawn, more than ·080 inch in thickness, n.o.p...	12½ p.c.
383	Sheets, plates, hoop, band or strip, of iron or steel:—	
	(a) Coated with tin, of a class or kind not made in Canada, n.o.p.....	Free
	(b) Coated with tin, n.o.p.....	Free
	(c) Coated with zinc, n.o.p.....	7½ p.c.
	(d) Coated with metal or metals, n.o.p.....	5 p.c.
	(e) Coated with paint, tar, asphaltum or otherwise coated, n.o.p.....	5 p.c.
	(f) Coated with vitreous enamel, n.o.p.....	10 p.c.
	(g) Corrugated, coated or not.....	10 p.c.
385	Sheets, plates, hoop, band or strip, of iron or steel, hot rolled, valued at not less than five cents per pound, n.o.p.....	Free
385a	Sheets, plates, hoop, band or strip, of rust, acid or heat resisting steels, hot or cold rolled, polished or not, valued at not less than five cents per pound.....	Free
ex 386	Sheets, plates, hoop, band or strip, of iron or steel, as hereunder defined, under regulations prescribed by the Minister:—	
	(a) Plates, when imported by manufacturers for use exclusively in the manufacture or repair of the pressure parts of boilers, pulp digesters, steam accumulators and vessels for the refining of oil, in their own factories.....	Free.
	(h) Sheets, plates, hoop, band or strip, hardened, tempered or ground, not further manufactured than cut to shape, without indented edges, when imported by manufacturers of saws for use exclusively in the manufacture of saws, in their own factories.....	Free.
	(m) (i) Sheets of iron or steel, cold rolled, when imported by manufacturers for use exclusively in the manufacture of sheets coated with tin.....	Free.
	(ii) Sheets, hoop, band or strip, of iron or steel, hot rolled, when imported by manufacturers for use exclusively in the manufacture of sheets, hoop, band or strip, coated with zinc or other metal or metals, not including tin, in their own factories.....	5 p.c.
	(p) Sheets of iron or steel, hot or cold rolled, with silicon content of ·075 p.c. or more, when imported by manufacturers of electrical apparatus, for use in the manufacture of electrical apparatus in their own factories.....	Free.
	(q) Hoop steel, hot or cold rolled, plain or coated, ·064 inch or less in thickness, not more than three inches in width, when imported by manufacturers of barrels or kegs or by manufacturers of flat hoops for barrels and kegs, for use exclusively in their own factories.....	Free.
387c	Steel grooved (or girder) rails for electric tramway use, weighing not less than 75 pounds per lineal yard, punched, drilled, or not, of shapes and lengths not made in Canada.....	Free
388	Iron or steel angles, beams, channels, columns, girders, joists, tees, zees and other shapes or sections, not punched, drilled or further manufactured than hot rolled, weighing not less than 35 pounds per lineal yard, n.o.p.; piling of iron or steel, not punched or drilled, weighing not less than 35 pounds per lineal yard, including interlocking sections, if any, used therewith, n.o.p.....	Free
388b	Iron or steel angles, beams, channels, columns, girders, joists, tees, zees and other shapes or sections, not punched, drilled or further manufactured than hot rolled, n.o.p.; piling of iron or steel, not punched or drilled, including interlocking sections, if any, used therewith, n.o.p.....per ton	$4.00

SCHEDULE IV—*Continued*

No. of Canadian Tariff Item	Article	Rate of Duty on Goods the Growth, Produce or Manufacture of the United Kingdom
388d	Iron or steel angles, beams, channels, columns, girders, joists, piling, tees, zees and other shapes or sections, punched, drilled or further manufactured than hot rolled or cast, n.o.p.	20 p.c.
388e	Iron or steel side or centre sill sections, of all sizes not manufactured in Canada, weighing not less than 35 pounds per lineal yard, not punched, drilled or further manufactured, when imported by manufacturers of railway cars, for use in their own factories	Free
390c	Piston ring castings of steel, in the rough as from the moulds	Free
392	Forgings, of iron or steel, in any degree of manufacture, n.o.p.	17½ p.c.
ex 392 } 392a }	Forgings of iron or steel, in any degree of manufacture, hollow, machined or not, not less than 12 inches in internal diameter; and all other forgings, solid or otherwise, in any degree of manufacture, of a weight of 20 tons or over	Free
393	Tires, of steel, in the rough, not drilled or machined in any manner, for railway vehicles, including locomotives and tenders	Free
ex 394	Axles and axle bars, n.o.p., and axle blanks, and parts thereof, of iron or steel:— *(a)* For railway vehicles, including locomotives and tenders	7½ p.c.
396	Pipe, cast, of iron or steel, valued at not more than five cents per pound	per ton $5.00
396a	Pipe, cast, of iron or steel, n.o.p.	Free
ex 397	Pipes and tubes, of wrought iron or steel, plain or coated:— *(c)* Not joined, with plain ends, not more than 2½ inches in diameter, n.o.p.	5 p.c.
	(d) N.o.p.	12½ p.c.
ex 397(b) } 398a }	Pipes and tubes of iron or steel, seamless, cold drawn, plain ends, polished, valued at not less than five cents per pound; steel tubes, welded or seamless, more than 10½ inches in diameter, with plain ends, when imported for use exclusively in the manufacture or repair of rolls for papermaking machinery	Free
401	Wire, of iron or steel:— *(a)* Barbed fencing, coated or not	Free
	(b) Twisted, braided or stranded, including wire rope or cable, coated or not, n.o.p.	15 p.c.
	(c) Drawn flat or cold rolled flat after drawing, coated or not, n.o.p., not more than ·25 inch in width and less than ·1875 inch in thickness	7½ p.c.
	(d) Coated with zinc or spelter, curved or not, in coils, ·144, ·104, or ·092 inch in diameter, with tolerance not to exceed ·004 inch, and not for use in telegraph or telephone lines, n.o.p.	Free.
	(e) Coated with zinc or spelter, n.o.p.	10 p.c.
	(f) Single or several, coated, n.o.p., or covered with any material, including cable so covered	15 p.c.
	(g) N.o.p.	15 p.c.
402a	Woven or welded wire fencing, of iron or steel, coated or not, n.o.p.; wire cloth or wire netting, of iron or steel, coated or not	20 p.c.
402b	Woven netting, of iron or steel, coated, made from wire of 17 gauge or heavier, with meshes not smaller than one inch and not larger than two inches, with specially strengthened joints, when for use exclusively on fur farms, under regulations prescribed by the Minister	12½ p.c.
406	Coil chain, coil chain links, including repair links, and chain shackles, of iron or steel:— *(a)* One and one-eighth inches in diameter and over	Free.
	(b) Less than one and one-eighth inches in diameter	15 p.c.
407	Silent chain and finished roller chain, of iron or steel, and complete parts thereof, of a class or kind not made in Canada, n.o.p., either chain of the type which operates over gears or sprockets with machine cut teeth	Free.
407a	Chains, of iron or steel, n.o.p., and complete parts thereof	15 p.c.

SCHEDULE IV—*Continued*

No. of Canadian Tariff Item	Article	Rate of Duty on Goods the Growth, Produce or Manufacture of the United Kingdom
408	Malleable sprocket chain and link belting chain of iron or steel, including roller chain of all kinds for operating on steel sprockets or gears, when imported by manufacturers of agricultural implements for use exclusively in the manufacture of agricultural implements, in their own factories, under regulations prescribed by the Minister	Free.
409	Cream separators and complete parts therefor, including steel bowls	Free.
409m	Internal combustion traction engines; traction attachments designed to be combined with automobiles in Canada for use as traction engines; complete parts of all the foregoing	Free.
410b	Machinery and apparatus for use exclusively in washing or dry cleaning coal at coal mines or coke plants; machinery and apparatus for use exclusively in producing coke and gas; machinery and apparatus for use exclusively in the distillation or recovery of products from coal tar or gas; and complete parts of all the foregoing, not to include motive power, tanks for gas, nor pipes and valves 10½ inches or less in diameter	Free.
410l	Ore crushers, rock crushers, stamp mills, grinding mills, rock drills, percussion coal cutters, coal augers, rotary coal drills, n.o.p., and complete parts of all the foregoing, for use exclusively in mining, metallurgical or quarrying operations	5 p.c.
410n	Diamond drills and core drills, not including motive power, electrically operated rotary coal drills, and coal cutting machines, n.o.p., and integral parts of the foregoing, for use exclusively in mining operations	Free
410u	Blowers, of iron or steel, n.o.p., 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, n.o.p., for use in the roasting of ore, mineral, rock or clay; furnace slag trucks and slag pots, n.o.p.; and integral parts of all the foregoing	12½ p.c.
410z	Machinery and apparatus, n.o.p., and complete parts thereof, for the recovery of solid or liquid particles from flue or other waste gases at metallurgical or industrial plants, not to include motive power, tanks for gas, nor pipes and valves 10½ inches or less in diameter	5 p.c.
412b	Flat bed cylinder printing presses, to print sheets of a size 25 by 38 inches or larger, and complete parts thereof; machines designed to fold or sheet-feed paper or cardboard, and complete parts thereof	Free
412d	Offset presses; lithographic presses; printing presses and typemaking accessories therefor, n.o.p.; complete parts of the foregoing, not to include saws, knives and motive power	Free
414	Typewriters and complete parts thereof	Free
414c	Adding, bookkeeping, calculating and invoicing machines and complete parts thereof, n.o.p.	Free
415	Electric vacuum cleaners and attachments therefor; hand vacuum cleaners; and complete parts of all the foregoing, including suction hose, n.o.p.	5 p.c.
415d	Sewing machines, with or without motive power incorporated therein; complete parts of sewing machines	5 p.c.
422	Street or road rollers and complete parts thereof	Free
424	Fire engines and other fire extinguishing machines; chassis for same; complete parts other than chassis parts	Free
425	Lawn mowers	10 p.c.
427	All machinery composed wholly or in part of iron or steel, n.o.p., and complete parts thereof	10 p.c.
ex 427 ex 446a *et al.*	Motion picture projectors, arc lamps for motion picture work, motion picture or theatrical spot lights, light effect machines, motion picture screens, portable motion picture projectors complete with sound equipment; complete parts of all the foregoing, not to include electric light bulbs, tubes, or exciter lamps	Free

SCHEDULE IV—*Continued*

No. of Canadian Tariff Item	Article	Rate of Duty on Goods the Growth, Produce or Manufacture of the United Kingdom
427a	All machinery composed wholly or in part of iron or steel, n.o.p., of a class or kind not made in Canada; complete parts of the foregoing	Free
427b	Ball and roller bearings	Free
427c	Machinery for dairying purposes, viz:—power churns, power milk coolers, power fillers and cappers, power ice cream mixers, power butter printers, power cream savers, power bottle sterilizers, power brine tanks, power milk bottle washers, power milk can washers; ice-breaking machines, valveless or centrifugal milk pumps, sanitary milk and cream vats; none of the foregoing machinery to include motive power	Free
427d	Machines designed for making rigid composite box-ends of wood—consisting of a centre with separate nailing edges attached—from scrap or waste mill stock, and complete parts thereof, not to include motive power	Free
427e	Automatic machines for making and packaging cigarettes, not to includs tobacco preparing machines	Free
428d	Magnetos and complete parts thereof, when imported by manufacturers of internal combustion engines, for use exclusively in the manufacture of such internal combustion engines, in their own factories	Free
428e	Diesel and semi-diesel engines, and complete parts thereof, n.o.p.	Free
428f	Air-cooled internal combustion engines of not greater than 1½ h.p. rating, and complete parts thereof	Free
ex 429	Cutlery of iron or steel, plated or not:—	
	(b) Table knives and table forks	15 p.c.
	(c) Penknives, jack-knives and pocket knives of all kinds	Free
	(d) Knives, n.o.p.	Free
	(e) Spoons	15 p.c.
	(f) Scissors and shears, n.o.p.	Free
	(g) Razor blades; razors and complete parts thereof	Free
430	Nuts and bolts with or without threads, washers, rivets, of iron or steel, coated or not, n.o.p.; nut and bolt blanks, of iron or steel	
	per one hundred pounds	25 cts.
	and	7½ p.c.
430a	Hinges and butts, of iron or steel, coated or not, n.o.p.; hinge and butt blanks, of iron or steel	
	per one hundred pounds	75 cts.
	and	5 p.c.
ex 431b	Adzes, anvils, vises, cleavers, hatchets, saws, augers, bits, drills, screw-drivers, planes, spokeshaves, chisels, mallets, metal wedges, wrenches, sledges, hammers, crowbars, cantdogs, and track tools, picks, mattocks, and eyes or polls for the same	10 p.c.
ex 431b	Files and rasps	Free.
431c	Machinists' or metal workers' precision tools and measuring instruments, viz:—Calipers, micrometers, metal protractors and squares, bevels, verniers, gauges, gauge blocks, parallels, buttons, mercury plumb bobs, dividers, trammels, scribers, center punches, pocket speed indicators, straight edges, key seat clamps and other clamps and vises used by tool-makers for precision work, precision tools and measuring instruments, n.o.p.	Free
431d	Engineers', surveyors' and draughtsmen's precision instruments and apparatus, viz:—Alidades; altazimuth surveying instruments; aneroid barometers, engineering, military and surveying; angle prisms; boards, military sketching; box sextants; clinometers; compasses; cross staff heads; curves, adjustable, irregular, railroad and ship; curvimeters; drafting instruments of all kinds, including fitted cases containing the same; dipping needles; drafting machines; heliographs; integrators; levels, tripod and hand or pocket types; levelling rods; liners, section; meters, portable, for hydraulic engineering; pantographs; planimeters; protractors; parallel rulers; parallel ruling attachments; poles, ranging; pedometers and paceometers; plane tables, military and topographic; scales, flat and triangular; slide rules; splines; straight edges, steel and wooden; tacheometers; tallying machines, pocket; tee squares, steel and wooden; telemeters; theodolites; transits, tripod and hand or pocket types; triangles of all types; tripods for use with any of the foregoing instruments.	Free

SCHEDULE IV—*Continued*

No. of Canadian Tariff Item	Article	Rate of Duty on Goods the Growth, Produce or Manufacture of the United Kingdom
431e	Measuring rules and tapes of all kinds	15 p.c.
432	Hollow-ware, of iron or steel, coated or not, n.o.p	10 p.c.
432a	Kitchen and dairy hollow-ware of iron or steel, coated with tin, including cans for shipping milk or cream, not painted, japanned or decorated	15 p.c.
432b	Hollow-ware, of iron or steel, coated with vitreous enamel	17½ p.c.
432d	Manufactures of tinplate, painted, japanned, decorated or not, and manufactures of tin, n.o.p	15 p.c.
ex 432d ex 339	Collapsible tubes of lead or tin or lead coated with tin	10 p.c.
433	Baths, bathtubs, basins, closets, lavatories, urinals, sinks, and laundry tubs of iron or steel, coated or not	5 p.c.
ex 434 434a	Motor rail cars or units for use on railways, and chassis for same; complete parts of the foregoing	Free
434b ex 438	Steel wheels for use on railway rolling stock	7½ p.c.
ex 435	Locomotives and motor cars for railways, of a class or kind not made in Canada, and complete parts thereof, for use exclusively in mining or metallurgical operations	Free
ex 438a	Automobiles and motor vehicles of all kinds, n.o.p.; chassis for the foregoing.. Provided, that machines or other articles mounted on the foregoing or attached thereto for purposes other than for loading or unloading the vehicle shall be valued separately and duty assessed under the tariff items regularly applicable thereto.	Free
ex 438 ex 438a ex 711	Electric trackless trolley buses and chassis for same; complete parts of the foregoing	Free
438b	Bearings, clutch release; bearings, graphite; bearings, steel backed non-ferrous; bushings, graphited or oil impregnated; ceramic insulator spark plug cores, not further manufactured than burned and glazed, printed or decorated or not, without fittings; commutator copper segments; commutator insulating end rings; discs of hot rolled steel, spun or forged, with or withour center hole, for disc wheels; distributor rotors, cam assemblies and vacuum control assemblies; door bumper shoes; electric wiring terminals, sockets, fittings and connectors; gaskets of metal and asbestos, composite; ignition contact points; keys for shafting; lenses for head, tail, dome, signal and cowl or parking lamps; lock washers; piston ring castings in the rough, with or without gates and fins removed; steel bolts capped with stainless steel; switches for lamps, and parts thereof; vulcanized fibre in sheets, rods, strips and tubing; all the foregoing being of a class or kind not made in Canada, when for use in the manufacture of the automobiles, motor vehicles or chassis enumerated in tariff items 438*a* and 424, or for use in the manufacture of parts thereof, or for the replacement or repair of automobiles, motor vehicles or chassis enumerated in tariff items 438*a* and 424	Free
438c	Ammeters; arm rests and wheel housing lining of indurated fibre, pressed to shape; axle housings, one piece welded, machined or not; carburetors and parts thereof; chassis frames; cigar and cigarette lighters, including base and parts thereof; control ventilator gear box; cylinder lock barrels, with or without sleeves and keys thereof; dash heat indicators; fuel pumps and parts thereof; gasoline gauges and parts thereof; hinges, finished or not, for bodies; horns and parts thereof; instrument bezel assemblies and parts thereof; instrument board lamps; locks, electric ignition, steering gear, transmission, or combinations of such locks, and parts thereof; mouldings of metal, with nails set in position, lead filled or not; oil filters and parts thereof; oil gauges and parts thereof; pipe lines, bent to shape and equipped with fittings or not, and tubing therefor, for fuel, air, or liquid for actuating hydraulic brakes; purifiers for air, and parts thereof; purifiers for oil and parts thereof; radiator grills, assembled or not, but not polished or plated, and not to include finish or decorative moulding; radiator orna-	

SCHEDULE IV—*Continued*

No. of Canadian Tariff Item	Article	Rate of Duty on Goods the Growth, Produce or Manufacture of the United Kingdom
438c	ments, unplated; radiator shutter assemblies, automatic; radiator water gauges; radiator shells, not plated, nor metal finished in any degree; shackles, bearing spring and parts thereof; speedometers and parts thereof; spring covers of metal and closing strips or shapes therefor; stampings, body, cowl, hood, fender and instrument board, of metal, in the rough, trimmed or not, but not metal finished in any degree; starter switch assembly and parts thereof; steering wheels, and rims therefor; sun visor blanks of gypsum weatherboard; thermostats and parts thereof; throttle and spark buttons assemblies; vacuum tanks; windshield wipers and parts thereof; all the foregoing being of a class or kind not made in Canada, when imported for use in the manufacture of the automobiles, motor vehicles or chassis enumerated in tariff items 438a and 424 or for use in the manufacture of parts thereof, or for the replacement or repair of automobiles, motor vehicles or chassis enumerated in tariff items 438a and 424	Free
438d	Front and rear axles; brakes; clutches; internal combustion engines; steering gears; magnetos; rims for pneumatic tires larger than thirty inches by five inches; transmission assemblies; steel road wheels; and complete parts of the foregoing, all of a class or kind not made in Canada, when imported by manufacturers of automobiles, motor vehicles or chassis enumerated in tariff items 438a and 424 for use only in the manufacture of motor trucks or motor truck chassis	Free
438e	Parts, n.o.p., for automobiles, motor vehicles or chassis enumerated in tariff items 438a and 424, not to include wireless receiving sets, die castings of zinc, electric storage batteries, parts of wood, tires and tubes or parts of which the component material of chief value is rubber:—	
	(1) Brake linings, and clutch facings whether or not including metallic wires or threads:—	
	(*a*) when made from crude asbestos of Empire origin	Free
	(*b*) when made from crude asbestos of non-Empire origin	15 p.c.
	(2) Automobile and motor vehicle engines, stripped, n.o.p., and complete parts thereof, n.o.p.	Free.
	(3) Parts, n.o.p., not electro-plated, whether finished or not	Free
438f	Hot rolled strip of iron or steel with rolled or mill edge, not being of greater value than 2¾ cents per pound, of a class or kind not made in Canada, when imported by manufacturers of automobiles, motor vehicles or chassis enumerated in tariff items 438a and 424 or by manufacturers of parts of automobiles, motor vehicles or chassis enumerated in tariff items 438a and 424 to be used in the manufacture of such automobiles, motor vehicles or chassis, or parts thereof, in their own factories	Free
438g	Motor cycles or side cars therefor, and complete parts of the foregoing	Free
438h	Annular ball bearings and parts thereof, when imported for use only as original equipment in the manufacture of goods enumerated in tariff items 438a and 424, under regulations prescribed by the Minister	Free
439f	Children's carriages, sleds and other vehicles; complete parts of all the foregoing	15 p.c.
440j	Trawls, trawling spoons, fly hooks, sinkers, swivels, sportsmen's fishing reels, bait, hooks, and fishing tackle, n.o.p.	Free
440l	Aircraft and complete parts thereof, not including engines, under regulations prescribed by the Minister	Free
440m	Engines and complete parts thereof, when imported for use only in the equipment of aircraft	Free
440n	Complete parts for repair of engines enumerated in tariff item 440m	Free
441e	Guns and rifles of a class or kind not made in Canada	5 p.c.
445c	(i) Electric telegraph apparatus and complete parts thereof	Free
	(ii) Electric telephone apparatus and complete parts thereof	10 p.c.
445d	Electric wireless or radio apparatus and complete parts thereof	Free

SCHEDULE IV—*Continued*

No. of Canadian Tariff Item	Article	Rate of Duty on Goods the Growth, Produce or Manufacture of the United Kingdom
445f	Electric dynamos or generators and transformers, and complete parts thereof, n.o.p.	15 p.c.
445g	Electric motors, and complete parts thereof, n.o.p.	15 p.c.
ex 445k	Electrical instruments and apparatus of precision of a class or kind not made in Canada, viz:—meters or gauges for indicating and/or recording altitude, amperes, comparisons, capacity, density, depth, distance, electrolysis, flux, force, frequency, humidity, inductance, liquid levels, ohms, operation, power factor, pressure, space, speed, stress, synchronism, temperature, time, volts, volume, watts; complete parts thereof	Free
445 l	Electric storage batteries, composed of plates measuring not less than eleven inches by fourteen inches and not less than three-quarters inch in thickness; complete parts thereof	Free
445m	Flame proof electric switch gear, for use underground in coal mines, and complete parts thereof	Free
446	Electric steam turbo generator sets, 700 h.p. and greater, of a class or kind not made in Canada, and complete parts thereof	Free
446a	Manufactures, articles or wares, of iron or steel or of which iron or steel or both are the component materials of chief value, n.o.p.	10 p.c.
ex 446a	Cellulose acetate film reinforced with wire mesh	Free
ex 446a *et al.*	Electric welding apparatus, not including motors	10 p.c.
446b	Steel bicycle rims, not enamelled nor plated	Free
446c	Golf shafts of seamless steel, coated or not, but not chromium plated	Free
446d	Bottles or cylinders of seamless steel used as high-pressure containers for gas	Free
451	Buckles, clasps, eyelets, hooks and eyes, dome, snap or other fasteners of iron, steel, brass or other metal, coated or not, n.o.p. (not being jewellery)	15 p.c.
451a	(i) Spring-beard needles and latch needles (ii) Needles, of any material or kind, n.o.p.	10 p.c. 10 p.c.
451b	Pins manufactured from wire of any metal, n.o.p.	17½ p.c.
462	Philosophical, photographic, mathematical and optical instruments, n.o.p.; speedometers, cyclometers and pedometers, n.o.p.; complete parts of all the foregoing	7½ p.c.
465	Signs of any material other than paper, framed or not; letters and numerals of any material other than paper	10 p.c.
469	Machine card clothing	10 p.c.
471a	Pressed steel belt pulleys, for power transmission, and finished or unfinished parts thereof, including interchangeable bushings	Free
475b	Matrices for stereotypes, electrotypes and celluloids described in item 475a	Free
476	Surgical and dental instruments of any material; surgical needles; X-ray apparatus; microscopes valued at not less than $50 each, by retail; and complete parts of all the foregoing	Free
488	Nitrate and acetate of lead, not ground; platinum and black oxide of copper, for use in the manufacture of chlorates and colours	Free
506b	Wooden doors of a height and width not less than 6 feet and 2 feet, respectively	Free
ex 511	Fishing rods	Free
511a	Cricket bats, balls, gloves and leg guards	Free
512	Picture frames and photograph frames, of any material	17½ p.c.

SCHEDULE IV—*Continued*

No. of Canadian Tariff Item	Article	Rate of Duty on Goods the Growth, Produce or Manufacture of the United Kingdom
518	Billiard tables, with or without pockets, and bagatelle and other game tables or boards, cues, balls, cue-racks and cue-tips	17½ p.c.
519	House, office, cabinet or store furniture of wood, iron or other material, in parts or finished	15 p.c.
522	Rovings, yarns and warps, wholly of cotton, not more advanced than singles, n.o.p.	12½ 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, wholly or partially covered with metallic strip, generally known as tinsel thread	15 p.c.
522d	Yarns and warps, wholly of cotton, mercerized, number forty and finer, imported, under regulations prescribed by the Minister, for sale to manufacturers, to be further manufactured in their own factories	Free
522f	Yarns and warps, wholly of cotton, number forty and finer, when imported by manufacturers of mercerized cotton yarns, for use exclusively in the manufacture of mercerized cotton yarns, in their own factories	Free
523	Woven fabrics, wholly of cotton, not bleached, mercerized, nor coloured, n.o.p., and seamless cotton bags	15 p.c.
523a	Woven fabrics, wholly of cotton, bleached or mercerized, not coloured, n.o.p.	20 p.c.
523b	Woven fabrics, wholly of cotton, printed, dyed or coloured, n.o.p.	20 p.c.
ex 523b	Shadow cretonnes, wholly of cotton, with printed warp and plain weft	12½ p.c.
ex 523b	Gabardines, wholly of cotton, with not less than 280 ends and picks of ply yarn per square inch	12½ p.c.
ex 523 ex 523a ex 523b	Woven fabrics, wholly of cotton, composed of yarns of counts of not less than 80 and not more than 99, including all such fabrics in which the average count of the warp and weft yarns is not less than 80 and not more than 99.	12½ p.c.
523c	Woven fabrics, wholly of cotton, composed of yarns of counts of 100 or more, including all such fabrics in which the average of the count of warp and weft yarns is 100 or more	Free
523e	Woven fabrics wholly of cotton with cut pile, n.o.p.	15 p.c.
ex 523e ex 561	Fabrics with cut weft pile, wholly of cotton or of cotton and artificial silk	5 p.c.
523f	Woven fabrics of cotton, not coloured, when imported by manufacturers of typewriter ribbon for use exclusively in the manufacture of such ribbon in their own factories	Free
525	Woven fabric, wholly of cotton, specially treated and glazed, when imported by rubber manufacturers for use, in their own factories, exclusively as a detachable protective covering for uncured rubber sheeting	Free
528	White cotton bobinet, plain, in the web	Free
529	Embroideries, lace, nets, nettings, bobinet, n.o.p., fringes and tassels, wholly of cotton	20 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	7½ p.c.
530	Lace and embroideries, wholly of cotton, coloured, imported by manufacturers for use exclusively in the manufacture of clothing, in their own factories	7½ 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.	25 p.c.
ex 532	Handkerchiefs, wholly of cotton	15 p.c.

SCHEDULE IV—*Continued*

No. of Canadian Tariff Item	Article	Rate of Duty on Goods the Growth, Produce or Manufacture of the United Kingdom
ex 532	Woven fabric, wholly of cotton, for covering books	15 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.
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	17½ p.c.
537b	Linen thread, for hand or machine sewing	Free
537d	Rovings, yarns and warps, wholly of jute, not more advanced than singles, n.o.p., not to contain silk, artificial silk nor wool	Free
537e	Rovings, yarns and warps wholly of jute, including yarn twist, cords and twines generally used for packaging and other purposes, n.o.p.	25 p.c.
539	Cordage, exceeding one inch in circumference, wholly of vegetable fibres, n.o.p.	17½ p.c.
ex 540	*(a)* Woven fabrics, in the web, wholly of flax or hemp, not to include towelling and glass cloth of crash or huck, with or without lettering or monograms woven in, nor table cloths and napkins of crash with coloured borders	Free
	(b) Articles wholly of flax or hemp, such as sheets, pillow cases, table cloths and napkins, towels and handkerchiefs, but not to include towels or glass cloths of crash or huck, with or without lettering or monograms woven in, nor table cloths and napkins of crash with coloured borders	Free
541a	Woven fabrics, wholly of jute, n.o.p.	Free
541d	Canvas in the web, wholly of flax or hemp, or both, plain woven, not coloured, not further manufactured than impregnated with weather-proofing or preservative materials, suitable for manufacturing into tents, awnings, tarpaulins, hatch covers and similar articles, weighing not less than 18 ounces and not more than 26 ounces per square yard	15 p.c.
542	Woven 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.
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.	22½ p.c.
542b	Linen fire-hose, lined or unlined	15 p.c.
547	Bags or sacks of hemp, linen or jute	15 p.c.
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.	25 p.c.
ex 548	Woven dress linens containing not more than 15 p.c. by weight of cotton yarns for decorative effect	Free
549c	Haircloth, composed of horse hair in combination with any vegetable fibre.	17½ p.c.
551	Yarns, composed wholly or in part of wool or hair but not containing silk or artificial silk, n.o.p.	15 p.c.
	and, per pound	6 cts.
551a	Yarns and warps composed wholly of wool or in part of wool or hair, imported by manufacturers for use exclusively in their own factories, n.o.p.	10 p.c.
	and, per pound	5 cents
551c	Yarns and warps, composed wholly of hair, or of hair and any vegetable fibre, imported by manufacturers for use in their own factories	Free
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.
	and, per pound	5 cts.

SCHEDULE IV—*Continued*

No. of Canadian Tariff Item	Article	Rate of Duty on Goods the Growth, Produce or Manufacture of the United Kingdom
553	Blankets of any material, not to include automobile rugs, steamer rugs, or similar articles	20 p.c.
	and, per pound	5 cts.
554	Woven fabrics, composed wholly or in chief part by weight of yarns of wool or hair, not exceeding in weight six ounces to the square yard, n.o.p., when imported in the gray or unfinished condition, for the purpose of being dyed or finished in Canada	17½ p.c.
	and, per pound	7½ cts.
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.	Free
554b	Woven fabrics, composed wholly or in part of yarns of wool or hair, n.o.p.	22½ p.c.
	and, per pound	12 cts.
	Provided, however, that the sum of the specific and *ad valorem* duties imposed by this item on imports under the British Preferential Tariff shall not be in excess of 50 cents per pound.	
ex 554b	Filter press cloth of wool	20 p.c.
554c	Woven fabrics, composed wholly or in chief part by weight of yarns of wool or hair, not exceeding in weight four ounces to the square yard, when imported in the gray or unfinished condition, for the purpose of being dyed or finished in Canada	Free
554f	Woven fabrics, composed wholly or in part of yarns of wool or hair, commonly known as billiard cloth	Free
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 or similar animal fibres, 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 yarns of wool or hair, but not containing silk nor artificial silk, n.o.p.	30 p.c.
556a	Melton cloth, imported by manufacturers of tennis balls for use in the manufacture of tennis balls, in their own factories	Free
556b	Slipper cloth, woven, napped on one or both sides, wholly or in part of wool, not to contain silk or artificial silk, weighing not less than 22 ounces per square yard, when imported by manufacturers of indoor footwear, to be used exclusively in the manufacture of such articles in their own factories	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	Free
558b	Rovings, yarns and warps, wholly of artificial silk or similar synthetic fibres, produced by chemical processes, not more advanced than singles, not coloured, with not more than seven turns to the inch, under such regulations as the Minister may prescribe:—	
	(a) Produced from cellulose acetate	5 p.c.
	(b) N.o.p.	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	15 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; artificial silk yarns, wholly or partially covered with metallic strip, one pound of which shall contain not less than 10,000 yards; under such regulations as the Minister may prescribe:—	
	(a) Produced wholly from cellulose acetate	7½ p.c.
	(b) N.o.p.	25 p.c.

SCHEDULE IV—*Continued*

No. of Canadian Tariff Item	Article	Rate of Duty on Goods the Growth, Produce or Manufacture of the United Kingdom
558f	Rovings, yarns and warps, wholly of spun artificial silk or similar synthetic fibres, produced by chemical processes, not coloured, imported by manufacturers for use exclusively in the manufacture of cut-pile fabrics, in their own factories	Free
560a	Woven fabrics wholly or in part of silk, not to contain wool, not including fabrics in chief part by weight of artificial silk, n.o.p.	22½ p.c.
561	Woven fabrics wholly or in part of artificial silk or similar synthetic fibres, produced by chemical processes, not to contain wool, not including fabrics in chief part by weight of silk, n.o.p.	27½ p.c.
565	Embroideries, lace, braids, cords, chenille, gimp, fringes and tassels, whether containing tinsel or not, nets, nettings and bobinet, n.o.p.	22½ p.c.
ex 565	Plaited or braided lines and cords, non-elastic, whether of tubular or of solid construction, not exceeding one inch in circumference, wholly or in chief part by weight of vegetable fibres	17½ 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	27½ 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	25 p.c.
568	Knitted garments, knitted underwear and knitted goods, n.o.p.	20 p.c.
568a	Socks and stockings:—	
	(i) of wool	20 p.c.
	and, per dozen pairs	30 cts.
	(ii) n.o.p.	20 p.c.
568b	Gloves and mitts of all kinds, n.o.p.	20 p.c.
572	Oriental and imitation Oriental rugs or carpets and carpeting, carpets and rugs, n.o.p.	30 p.c.
573	Enamelled carriage, floor, shelf and table oil-cloth, linoleum, and cork matting or carpets	15 p.c.
578	Regalia, badges and belts of all kinds, n.o.p.	22½ p.c.
586	Coal, anthracite, n.o.p.	Free.
597a	Musical instruments of all kinds, n.o.p.; phonographs, graphophones, gramophones and finished parts thereof, including cylinders and records therefor; and mechanical piano and organ players	15 p.c.
598	Brass band instruments, n.o.p.; parts of pianofortes and parts of organs	Free.
598a	Brass band instruments, of a class or kind not made in Canada; bagpipes and complete parts	Free.
603	Fur skins, wholly or partially dressed, n.o.p.	10 p.c.
ex 604	Belting leather in butts or bends; and all leather further finished than tanned, n.o.p.	7½ p.c.
ex 604	Crust oil leather, for use in manufacturing chamois leather	Free.
ex 604	Sole leather	12½ p.c.
605	Leather produced from East India tanned kip, uncoloured or coloured other than black, when imported for use exclusively in lining boots and shoes; genuine reptile leathers	Free
605a	Genuine pig leathers and genuine Morocco leathers; so-called roller leathers	Free

SCHEDULE IV—*Continued*

No. of Canadian Tariff Item	Article	Rate of Duty on Goods the Growth, Produce or Manufacture of the United Kingdom
607	Leather, when imported by manufacturers of gloves or leather clothing, for use exclusively in manufacturing gloves or leather clothing, in their own factories	Free
607a	Leather, not further finished than tanned, in whole hides, in grains, or splits, when imported by manufacturers of upholstering leathers, for use exclusively in the manufacture of upholstering leathers, in their own factories	Free
608	Leather, not further finished than tanned, and skins, n.o.p	5 p.c.
610 *et al.*	Belting, n.o.p	15 p.c.
610a	Belting of camel's hair, for machinery	7½ p.c.
611a	Boots, shoes, slippers and insoles of any material, n.o.p	22½ p.c.
ex 612	English type saddles	10 p.c.
617	India-rubber boots and shoes	Free
619a	India-rubber clothing and clothing made from waterproofed cotton fabrics	25 p.c.
622	Trunks, valises, hat boxes, carpet bags, tool bags, and baskets of all kinds, n.o.p.	15 p.c.
623	Musical instrument cases and fancy cases or boxes of all kinds, portfolios and fancy writing desks, satchels, reticules, card cases, purses, pocket-books, fly books and parts thereof	15 p.c.
ex 624	Statues and statuettes of porcelain or earthenware	Free.
624a	(i) Dolls; toys of all kinds, n.o.p	10 p.c.
	(ii) Mechanical toys of metal	10 p.c.
	(iii) Juvenile construction sets of metal, consisting of various stampings, punched, and connections therefor; parts of the foregoing	Free
625	Caps, hats, muffs, tippets, capes, coats and cloaks of fur, and other manufactures of fur, n.o.p	15 p.c.
628	Braces or suspenders and finished parts thereof	15 p.c.
647	Jewellery of any material, for the adornment of the person, n.o.p	25 p.c.
653	Brushes of all kinds	15 p.c.
655	Pens, penholders and rulers, of all kinds	12½ p.c.
655a	Lead pencils and crayons	10 p.c.
656	Tobacco pipes of all kinds, pipe mounts, cigar and cigarette cases, cigar and cigarette holders, and cases for the same, smokers' sets and cases therefor, and tobacco pouches	17½ p.c.
ex 657a	Film of standard width (one and one-eighth of an inch and over) when imported for the sole purpose of having 16 millimetre reproductions made therefrom and provided that the original is re-exported within three months from date of importation	Free
659	Photographic dry plates	15 p.c.
663	Fertilizers, compounded or manufactured, n.o.p	Free
663e	Sea-weeds or sea-plants, charred, whether powdered or not, for use exclusively in the feeding of animals	Free
670	Grinding wheels, stones or blocks, manufactured by the bonding together of either natural or artificial abrasives; manufactures of emery or of artificial abrasives, n.o.p	10 p.c.
683	Barytes	Free

SCHEDULE IV—*Concluded*

No. of Canadian Tariff Item	Article	Rate of Duty on Goods the Growth, Produce or Manufacture of the United Kingdom
684	Rubber thread, not covered	Free
685	Pantagraphs and parts thereof, including diamond points, and engraving mills, for engraving copper rollers used in printing textiles and wallpapers; blankets, blanketing and lapping imported for use exclusively by textile manufacturers and wallpaper printers	Free
689	Charcoal, animal, for use in the refining of sugar	Free
ex 710	Coverings, inside and outside, used in covering or holding goods imported therewith, shall be subject to the following provisions, viz:—	
	(b) Usual coverings containing goods, not machinery, subject to any *ad valorem* duty, when not included in the invoice value of the goods they contain	10 p.c.
	(b b) Usual coverings containing machinery subject to any *ad valorem* duty, when not included in the invoice value of the goods they contain	5 p.c.
ex 711	Iodised mineral salts, for use exclusively in the feeding of animals	Free

SCHEDULE V

(*See* Article 8)

PART I

No. of Canadian Tariff Item	Article	Margin of Preference
203a	Chemical compounds composed of two or more acids or salts soluble in water, adapted for dyeing or tanning	10 p.c.
203b	Aniline and coal tar dyes, adapted for dyeing, in bulk, or in packages of not less than one pound	10 p.c.
208e	Cresylic acid and compounds of cresylic acid, used in the process of concentrating ores, metals or minerals, n.o.p.	15 p.c.
ex 208j	Sal Ammoniac	20 p.c.
208m	Sulphate of copper (blue vitriol)	10 p.c.
208o	Cream of tartar in crystals and tartaric acid crystals	10 p.c.
208r	Oxide of tin or of copper	15 p.c.
208s	Sulphate of zinc and chloride of zinc	20 p.c.
208t	All chemicals and drugs, when of a kind not produced in Canada, which were on August 20th, 1932, dutiable at rates of 15, 25, and 25 p.c., under Tariff item 711	20 p.c.
ex 210	Peroxide of soda; bichromate of soda; nitrate of soda or cubic nitre, n.o.p.; sulphide of sodium; nitrite of soda; arseniate, binarseniate, chlorate, bisulphite and stannate of soda; prussiate of soda and sulphite of soda	15 p.c.
212	Sulphate of alumina or alum cake; and alum in bulk, ground or unground, but not calcined	15 p.c.
215	Stearic acid, n.o.p.	17½ p.c.
216	Acids, n.o.p., of a kind not produced in Canada	20 p.c.
ex 219	(ii) Solutions of hydrogen peroxide containing 25 per centum or more by weight of hydrogen peroxide	20 p.c.
219d	Sulphuric ether; chloroform, n.o.p.; preparations of vinyl ether for anaesthetic purposes	20 p.c.
240	Ultramarine blue, dry or in pulp; whiting or whitening; Paris white and gilders' whiting; blanc fixé; satin white	10 p.c.
242	Dry red lead; orange mineral; antimony oxide, titanium oxide, and zinc oxide such as zinc white and lithopone; white pigments containing not less than 14 per cent. by weight of titanium dioxide	15 p.c.
246b	Stains and oxides, valued at not less than 20 cents per pound, for use exclusively as colouring constituents in the manufacture of vitreous enamels and pottery glazes; and liquid gold paint, for use exclusively in the manufacture of tableware of china, porcelain or semi-porcelain	20 p.c.
ex 247 247a	Artists' and schoolchildren's colours; fitted boxes containing the same; artists' brushes; pastels, of a value of one cent per stick, or over; artists' canvas, coated and prepared for oil painting	25 p.c.
264	Essential oils, n.o.p., including bay oil, otto of limes, and peppermint oil	7½ p.c.
276b	Cotton seed and crude cotton seed oil, when imported by manufacturers of cotton seed meal and refined cotton seed oil, for use exclusively in the manufacture of such commodities, in their own factories	10 p.c.
277	Palm and palm kernel oil, unbleached or bleached, not edible; shea butter	10 p.c.
278	Oils, viz:— cocoanut, palm and palm kernel, not edible, for manufacturing soap; carbolic or heavy oil	10 p.c.
278b	Crude peanut oil, for refining for edible purposes, used as materials in Canadian manufactures	10 p.c.

SCHEDULE V—*Continued*

No. of Canadian Tariff Item	Article	Margin of Preference
287	All tableware of china, porcelain, semi-porcelain, or white granite, but not to include tea-pots, jugs and similar articles of the type commonly known as earthenware	35 p.c.
300	Crucibles of clay, sand or plumbago	15 p.c.
318	Common and colourless window glass	15 p.c.
319	Glass, in sheets, and bent plate glass, n.o.p.	25 p.c.
320	Plate glass, not bevelled, in sheets or panes not exceeding seven square feet each, n.o.p.	20 p.c.
321	Plate glass, not bevelled, in sheets or panes, exceeding seven square feet each, and not exceeding twenty-five square feet each, n.o.p.	20 p.c.
339a	Lead capsules for bottles	25 p.c.
ex 353	Aluminum and alloys thereof, viz:—angles, channels, beams, tees and other rolled, extruded or drawn sections or shapes; pipes and tubes	25 p.c.
370	Copper rollers, and stones, used in the printing of textile fabrics or wallpaper	10 p.c.
407	Silent chain and finished roller chain, of iron or steel, and complete parts thereof, of a class or kind not made in Canada, n.o.p., either chain of the type which operates over gears or sprockets with machine-cut teeth	20 p.c.
409p	Pasteurizers for dairying purposes and complete parts thereof	15 p.c.
410a	Face loading machines, shaker trough or belt trough conveyors, air engines, flame proof enclosed driving motors, of a class or kind not made in Canada, and integral parts of all motive power or machinery mentioned in this item, for use exclusively at the face in mining operations	10 p.c.
410b	Machinery and apparatus for use exclusively in washing or dry cleaning coal at coal mines or coke plants; machinery and apparatus for use exclusively in producing coke and gas; machinery and apparatus for use exclusively in the distillation or recovery of products from coal tar or gas; and complete parts of all the foregoing, not to include motive power, tanks for gas, nor pipes and valves 10½ inches or less in diameter	10 p.c.
410n	Diamond drills and core drills, not including motive power, electrically operated rotary coal drills, and coal cutting machines, n.o.p., and integral parts of the foregoing, for use exclusively in mining operations	10 p.c.
412b	Flat bed cylinder printing presses, to print sheets of a size 25 by 38 inches or larger, and complete parts thereof; machines designed to fold or sheet feed paper or cardboard, and complete parts thereof	10 p.c.
412d	Offset presses; lithographic presses, printing presses and typemaking accessories therefor, n.o.p.; complete parts of the foregoing, not to include saws, knives and motive power	10 p.c.
413	Machinery and apparatus, of a class or kind not made in Canada, and parts thereof, specially constructed for preparing, manufacturing, testing or finishing yarns, cordage, and fabrics made from textile fibres or from paper, imported for use exclusively by manufacturers and scholastic or charitable institutions in such processes only	5 p.c.
ex 427 ex 446a *et al.*	Motion picture projectors, arc lamps for motion picture work, motion picture or theatrical spot lights, light effect machines, motion picture screens, portable motion picture projectors complete with sound equipment; complete parts of all the foregoing, not to include electric light bulbs, tubes, or exciter lamps	15 p.c.
427b	Ball and roller bearings	25 p.c.
428e	Diesel and semi-diesel engines, and complete parts thereof, n.o.p.	25 p.c.
428f	Air-cooled internal combustion engines of not greater than 1½ h.p. rating, and complete parts thereof	20 p.c.
ex 429	Cutlery of iron or steel, plated or not:— (c) Penknives, jack-knives and pocket knives of all kinds	25 p.c.
438g	Motor cycles or side cars therefor, and complete parts of the foregoing	20 p.c.

SCHEDULE V—*Continued*

No. of Canadian Tariff Item	Article	Margin of Preference
440j	Trawls, trawling spoons, fly hooks, sinkers, swivels, sportsmen's fishing reels, bait, hooks, and fishing tackle, n.o.p.	25 p.c.
440l	Aircraft and complete parts thereof, not including engines, under regulations prescribed by the Minister	17½ p.c.
ex 445k	Electrical instruments and apparatus of precision, of a class or kind not made in Canada, viz:—meters or gauges for indicating and/or recording altitude, amperes, comparisons, capacity, density, depth, distance, electrolysis, flux, force, frequency, humidity, inductance, liquid levels, ohms, operation, power factor, pressure, space, speed, stress, synchronism, temperature, time, volts, volume, watts; complete parts thereof	15 p.c.
445l	Electric storage batteries, composed of plates measuring not less than eleven inches by fourteen inches and not less than three-quarters inch in thickness; complete parts thereof	25 p.c.
446	Electric steam turbo generator sets, 700 h.p. and greater, of a class or kind not made in Canada, and complete parts thereof	20 p.c
ex 476	Dental instruments of any material; surgical needles; X-ray apparatus; microscopes valued at not less than $50 each, by retail; and complete parts of all the foregoing	10 p.c.
522f	Yarns and warps, wholly of cotton, number forty and finer, when imported by manufacturers of mercerized cotton yarns, for use exclusively in the manufacture of mercerized cotton yarns, in their own factories	15 p.c.
523c	Woven fabrics, wholly of cotton, composed of yarns of counts of 100 or more, including all such fabrics in which the average of the count of warp and weft yarns is 100 or more	27½ p.c.
523f	Woven fabrics of cotton, not coloured, when imported by manufacturers of typewriter ribbon for use exclusively in the manufacture of such ribbon in their own factories	12½ p.c
537b	Linen thread, for hand or machine sewing	22½ p.c.
ex 540	*(a)* Woven fabrics, in the web, wholly of flax or hemp, not to include towelling and glass cloth of crash or huck, with or without lettering or monograms woven in, nor table cloths and napkins of crash with coloured borders	30 p.c.
	(b) Articles wholly of flax or hemp, such as sheets, pillow cases, table cloths and napkins, towels and handkerchiefs, but not to include towels or glass cloths of crash or huck, with or without lettering or monograms woven in, nor tablecloths and napkins of crash with coloured borders	30 p.c.
541a	Woven fabrics, wholly of jute, n.o.p.	22½ p.c.
551c	Yarns and warps composed wholly of hair, or of hair and any vegetable fibre, imported by manufacturers for use in their own factories	12½ p.c. and per pound 15 cts.
553a	Stereotypers' and typecasters' blankets or blanketing and press blankets or blanketing used for printing presses, of a class or kind not made in Canada.	5 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	7½ p.c.
586	Coal, anthracite, n.o.p.	per ton 50 cts.
598a	Brass band instruments, of a class or kind not made in Canada; bagpipes and complete parts	25 p.c.
605	Leather produced from East India tanned kip, uncoloured or coloured other than black, when imported for use exclusively in lining boots and shoes; genuine reptile leathers	15 p.c.
605a	Genuine pig leathers and genuine Morocco leathers; so-called roller leathers	25 p.c.
689	Charcoal, animal, for use in the refining of sugar	25 p.c.

SCHEDULE V

PART II

No. of Canadian Tariff Item	Article	Margin of Preference
ex 377a *et al.*	Wrought iron in the form of billets, bars, rods, sheets, strips, plates or skelp..	20 p.c.
ex 378	Bars and rods, of iron or steel; billets, of iron or steel, weighing less than 60 pounds per lineal yard:—	
	(d) Hot rolled, valued at not less than 4 cents per pound, n.o.p.....	12½ p.c.
ex 379	Bars or rods, of iron or steel, including billets weighing less than 60 pounds per lineal yard, hot rolled, as hereunder defined, under regulations prescribed by the Minister:—	
	(f) Sash or casement sections of iron or steel, hot or cold rolled, not punched, drilled nor further manufactured, when imported by manufacturers of metal window frames, for use in their own factories.....per ton	$7.00
ex 380	Plates of iron or steel, hot or cold rolled:—	
	(b) More than 66 inches in width, n.o.p.....per ton	$6.00
ex 381	Sheets, of iron or steel, hot or cold rolled:—	
	(a) ·080 inch or less in thickness, n.o.p.....	12½ p.c.
ex 383	Sheets, plates, hoop, band or strip, of iron or steel:—	
	(a) Coated with tin, of a class or kind not made in Canada, n.o.p.....	15 p.c.
	(b) Coated with tin, n.o.p.....	20 p.c.
	(c) Coated with zinc, n.o.p.....	12½ p.c.
385a	Sheets, plates, hoop, band or strip, of rust, acid or heat resisting steels, hot or cold rolled, polished or not, valued at not less than five cents per pound..	20 p.c.
ex 386	Sheets, plates, hoop, band or strip, of iron or steel, as hereunder defined, under regulations prescribed by the Minister:—	
	(a) Plates, when imported by manufacturers for use exclusively in the manufacture or repair of the pressure parts of boilers, pulp digesters, steam accumulators and vessels for the refining of oil, in their own factories.....per ton	$5.00
	(k) Sheets, hot or cold rolled, when imported by manufacturers of hollow-ware coated with vitreous enamel or of apparatus designed for cooking or for heating buildings, for use exclusively in the manufacture of hollow-ware coated with vitreous enamel or of vitreous enamelled sheets for apparatus designed for cooking or for heating buildings.....	10 p.c.
	(m) (i) Sheets of iron or steel, cold rolled, when imported by manufacturers for use exclusively in the manufacture of sheets coated with tin.....	15 p.c.
	(ii) Sheets, hoop, band or strip, of iron or steel, hot rolled, when imported by manufacturers for use exclusively in the manufacture of sheets, hoop, band or strip, coated with zinc or other metal or metals, not including tin, in their own factories.....	15 p.c.
	(q) Hoop steel, hot or cold rolled, plain or coated, ·064 inch or less in thickness, not more than three inches in width, when imported by manufacturers of barrels or kegs or by manufacturers of flat hoops for barrels and kegs, for use exclusively in their own factories.....	12½ p.c.
387c	Steel grooved (or girder) rails for electric tramway use, weighing not less than 75 pounds per lineal yard, punched, drilled, or not, of shapes and lengths not made in Canada.....per ton	$7.00
388	Iron or steel angles, beams, channels, columns, girders, joists, tees, zees and other shapes or sections, not punched, drilled or further manufactured than hot rolled, weighing not less than 35 pounds per lineal yard, n.o.p.; piling of iron or steel, not punched or drilled, weighing not less than 35 pounds per lineal yard, including interlocking sections, if any, used therewith, n.o.p.....per ton	$3.00
ex 392 392a	Forgings of iron or steel, in any degree of manufacture, hollow, machined or not, not less than 12 inches in internal diameter; and all other forgings, solid or otherwise, in any degree of manufacture, of a weight of 20 tons or over	20 p.c.
393	Tires, of steel, in the rough, not drilled or machined in any manner, for railway vehicles, including locomotives and tenders.....	10 p.c.

SCHEDULE V—*Concluded*

No. of Canadian Tariff Item	Article	Margin of Preference
ex 394	Axles and axle bars, n.o.p., and axle blanks, and parts thereof, of iron or steel:—	
	(a) For railway vehicles, including locomotives and tenders	17½ p.c.
ex 397b 398a	Pipes and tubes of iron or steel, seamless, cold drawn, plain ends, polished, valued at not less than five cents per pound; steel tubes, welded or seamless, more than 10½ inches in diameter, with plain ends, when imported for use exclusively in the manufacture or repair of rolls for papermaking machinery	15 p.c.
ex 401	Wire, of iron or steel:—	
	(a) Barbed fencing, coated or not	10 p.c.
	(b) Twisted, braided or stranded, including wire rope or cable, coated or not, n.o.p.	10 p.c.
ex 403	Wire, of steel:—	
	(c) Valued at not less than 2¾ cents per pound, when imported by manufacturers of wire rope for use exclusively in the manufacture of wire rope, in their own factories, under regulations prescribed by the Minister	5 p.c.

SCHEDULE VI

(*See* Article 15)

—	Commodity	Margin of Preference
(1) The Bahamas, Barbados, Bermuda, British Guiana, British Honduras, Jamaica (including the Turks and Caicos Islands and the Cayman Islands), the Leeward Islands, Trinidad and Tobago, the Windward Islands, Fiji, the Federated and Unfederated Malay States, Mauritius and Northern Rhodesia.	Rubber boots and shoes and canvas boots and shoes, rubber-soled.	1*s.* per pair (or the equivalent in the local currency), that is to say, the General Rate to be the Preferential *ad valorem* rate, if any, plus 1*s.* per pair specific duty.
(2) All the Colonies and Protectorates, except Bermuda (so long as the importation of motor vehicles is prohibited), Northern Rhodesia, and Trinidad, mentioned in (1) above, and also Ceylon, Hong Kong, Malta and the Straits Settlements.	Motor vehicles.....	20 per cent. *ad valorem*.
(3) All the Colonies and Protectorates mentioned in (2) above except the Straits Settlements and Hong Kong.	Parts of motor vehicles, including rubber tyres.	20 per cent. *ad valorem*.
(4) All the Colonies and Protectorates mentioned in (1) above except Fiji, the Federated and Unfederated Malay States, Mauritius and Northern Rhodesia.	Hosiery of cotton or artificial silk.	6*d.* per pair, that is to say, the General Rate to be the Preferential *ad valorem* rate, if any, plus 6*d.* per pair specific duty.
	Hosiery of silk.....	9*d.* per pair, that is to say, the General Rate to be the Preferential *ad valorem* rate, if any, plus 9*d.* per pair specific duty.
	Butter.....	1½*d.* per lb.
(5) The Bahamas.....	.....	The preferential drawback of 25 per cent. of certain Customs duties to be increased to 50 per cent. of those Customs duties.
(6) Barbados, Bermuda and Trinidad.....	Electrical appliances and apparatus.	15 per cent. *ad valorem*.
	Bacon and ham.....	½*d.* per lb.
(7) Barbados, British Guiana, the Leeward Islands (Antigua only) and Trinidad.	The tariff treatment of pitch pine to be assimilated to that of other wood and timber and a margin of preference of not less than 10*s.* per 1,000 feet to be established.	
(8) Barbados, Jamaica and Trinidad.....	Condensed milk.....	10 per cent. *ad valorem* (or the equivalent specific rate).
	Shooks.....	10 per cent. *ad valorem*.
(9) Barbados and British Honduras.....	Potatoes and onions.....	2*s.* per 100 lbs.
(10) Barbados.....	Oats.....	9*d.* per 100 lbs.
(11) Bermuda, Jamaica (including the Turks and Caicos Islands, and the Cayman Islands), the Leeward Islands and the Windward Islands.	Hardware.....	10 per cent. *ad valorem*.
(12) Bermuda.....	Eggs.....	2*d.* per dozen.
	Canned meat.....	10 per cent. *ad valorem*.
	Canned fruit and canned vegetables.	15 per cent. *ad valorem*.
	Furniture.....	10 per cent. *ad valorem*.

SCHEDULE VI—*Concluded*

—	Commodity	Margin of Preference
(13) Jamaica	Apparel of all kinds (other than hosiery).	10 per cent. *ad valorem*.
	Wood and timber	10 per cent. *ad valorem*.
(14) Ceylon	Bacon and ham	10 per cent. *ad valorem*.
	Canned fruit and vegetables.	15 per cent. *ad valorem*.
	Canned fish	15 per cent. *ad valorem*.
(15) Cyprus	Butter, cheese, tinned fish, and timber.	One-third of the duty in lieu of one-sixth.
(16) The Federated and Unfederated Malay States	Condensed milk	10 per cent. *ad valorem*.
	Printing and wrapping paper.	10 per cent. *ad valorem*.
	Canned fruit and canned vegetables.	15 per cent. *ad valorem*.
	Canned fish	15 per cent. *ad valorem*.
	Electric batteries for use in motor cars.	15 per cent. *ad valorem*.
	Confectionery	10 per cent. *ad valorem*.
(17) Fiji	Timber, dressed and undressed.	2*s*. per 100 super. feet.
(18) Malta	Wheat flour	2*s*. per 100 kilog.
(19) Mauritius	Bacon and ham	5 rupees per 100 kilog.
	Cheese	10 per cent. *ad valorem*.
	Canned fish	15 per cent. *ad valorem*.
	Electric stoves and household appliances.	15 per cent. *ad valorem*.
(20) Northern Rhodesia	Electrical batteries and accumulators.	15 per cent. *ad valorem*.
	Boxes, wooden, empty, or in shooks.	10 per cent. *ad valorem*.
	Wood, unmanufactured, including ceiling and flooring boards.	10 per cent. *ad valorem*.
	Newsprint paper; wrapping paper; unspecified plain or composite paper.	10 per cent. *ad valorem*.
	Motor trucks, etc., as specified in Tariff Items 130 *(a)* and *(b)*.	10 per cent. *ad valorem*.
	Motor cars, chassis and rubber pneumatic tyres and tubes of Canadian origin.	To be admitted at the same rates as those of United Kingdom origin under Tariff Items 129 *(a)* and *(c)* and 260.
(21) Sarawak	Condensed milk	10 per cent. *ad valorem*.

SCHEDULE VII

(*See* Article 15)

Number of Canadian Tariff Item	Article	Margin of Preference
ex 39a	Sago and tapioca flour.....per pound	½ ct.
77b	Vanilla beans, crude only.....	10 p.c.
ex 87	*(n)* Tomatoes.....per pound	2 cts.
143	Cigars.....per pound	50 cts.
ex 254	Gums, viz:—copal, damar, gum chicle or sappato gum, crude.....	10 p.c.
264	Essential oils, n.o.p., including bay oil, otto of limes and peppermint oil.....	7½ p.c.
267b	Petroleum tops; blends of petroleum tops or petroleum products with crude petroleum; all the foregoing ·7249 specific gravity (63·7 A.P.I.) or heavier, at 60 degrees Fahrenheit, when imported by oil refiners to be refined in their own factories.....per gallon	1 ct.
ex 273	Asphalt or asphaltum, solid.....	10 p.c.
277	Palm and palm kernel oil, unbleached or bleached, not edible; shea butter..	10 p.c.
278	Oils, viz:—cocoanut, palm and palm kernel, not edible, for manufacturing soap; carbolic or heavy oil.....	10 p.c.
278c	Cocoanut oil, not edible, when imported for use in the manufacture of refined cocoanut oil.....	10 p.c.
616a	Balata, crude, unmanufactured.....	10 p.c.
616b	Gutta percha, unmanufactured.....	10 p.c.
	In item 106 (b), fruits, prepared . . . pineapples, British Preferential rate not to exceed 1 cent per pound.	

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 80.

An Act to assist in the alleviation of Unemployment and Agricultural Distress.

First reading, March 29, 1937.

THE MINISTER OF LABOUR.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

34205

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 80.

An Act to assist in the alleviation of Unemployment and Agricultural Distress.

Preamble.

WHEREAS it is in the national interest that Canada should co-operate with its provinces and with certain organizations and individuals in their endeavours to expand employment in primary and secondary production, to conserve and develop natural resources, to assist in the establishment and re-establishment of unemployed persons and to construct and assist in the construction of public works, for the purposes, amongst other things, of further accelerating the expansion of trade, industry and gainful occupation and thereby lessening the present governmental burdens consequent upon unemployment and agricultural distress; 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 Unemployment and Agricultural Assistance Act, 1937.*

Administration.

"Minister."

2. This Act shall be administered by the Minister of Labour and whenever used in this Act, the word "Minister" shall mean the Minister of Labour.

Works and undertakings.

3. (1) The Governor in Council may out of moneys appropriated by Parliament authorize the execution of such works and undertakings as the Governor in Council may determine to be in the general interest of Canada and requisite for the purposes of this Act, and for such purposes may authorize the performance of such acts and the execution of such agreements and contracts as he may deem necessary and expedient.

Employment of persons on relief.

(2) In the execution of any such work or undertaking provision shall be made, so far as it may be in the opinion of the Governor in Council practicable and consistent with

reasonable efficiency and economy to do so, for the employment of persons who being available and competent are necessarily and properly in receipt of relief and registered with the Employment Service of Canada for employment in the province in which such work or undertaking is to be performed.

Contracts to be approved.

(3) Where any such work or undertaking to which the Dominion Government is contributing is under provincial jurisdiction, all contracts entered into with respect thereto shall be approved by the Minister and the work thereunder supervised by an officer in the service of the Dominion Government.

Minister may take action.

(4) The Minister may take such action as he may deem necessary and proper to ensure compliance with the provisions of subsections two and three of this section.

Agreements with provinces.

4. The Governor in Council may enter into agreements with any of the provinces respecting the alleviation of unemployment conditions and of agricultural distress therein and providing for payments for such purposes to be made out of moneys appropriated by Parliament for the fiscal year, 1937-38 and where necessary the Governor in Council may grant financial assistance to any province by way of loan, advance or guarantee for the purpose of assisting the province to pay its share of the expenditure for such purposes to an amount not exceeding in the aggregate the maximum amount which may be payable by the province for its share of the expenditures for such purposes under any agreement between the Dominion and the province entered into under the authority of this Act as well as the amount for which the province may be obligated by way of loan in connection with the cost of any undertaking for which commitments were made under *The Unemployment Relief and Assistance Act, 1936*, and which may be continued under agreements entered into under authority of this Act. The Governor in Council may also enter into agreements with corporations, partnerships or individuals engaged in industry respecting the expansion of industrial employment.

Aggregate amount of Dominion grant.

Agreements with corporations, etc.

Renewals of loans, advances or guarantees.

5. The Governor in Council may renew or consolidate, for such periods and upon such terms as the Governor in Council may determine, loans, advances or guarantees made, given or renewed under the authority of this Act and may accept such Treasury bills, bonds, debentures or other securities as may be approved by the Governor in Council as security for the payment of any indebtedness due by a province to the Dominion arising out of expenditures, advances or loans heretofore or hereafter made for the alleviation of unemployment conditions and of agricultural distress.

Conditions of financial assistance.

6. No financial assistance shall be granted to any province under this Act unless the province furnishes the Dominion, from time to time as required, with certified statements as to its financial position in such detail and in such form as the Dominion may require and shall also furnish such other information and permit such examination and audit to be made as the Dominion may deem necessary.

Orders and regulations.

7. The Governor in Council may make all such orders and regulations as may be deemed necessary or desirable to carry out the purposes and intentions of this Act.

Orders and regulations to have the force of law.

8. All orders and regulations of the Governor in Council made hereunder shall have the force of law and may be varied, extended or revoked by any subsequent order or regulation; but if any order or regulation is varied, extended or revoked, neither the previous operation thereof nor anything duly done thereunder shall be affected thereby, nor shall any right, privilege, obligation or liability acquired, accrued, accruing or incurred thereunder be affected by any such variation, extension or revocation.

Laid before the House of Commons.

9. All orders in council and regulations made under the provisions of this Act shall be laid before the House of Commons forthwith after the making thereof if Parliament is then sitting, or if not, said orders in council or regulations or an abstract thereof disclosing their essential provisions shall be published in the next following issue of the *Canada Gazette*.

Appointment of officers, clerks and employees.

10. Subject to the approval of the Governor in Council the Minister may appoint such officers, clerks and employees as may be necessary to carry out the purposes of this Act.

Report to Parliament.

11. A report shall be laid before Parliament within thirty days after the expiration of this Act, or if Parliament is not then in session shall be published and made available for distribution by the Department of Labour, containing a full and correct statement of the moneys expended or loaned, guarantees given and obligations contracted under this Act.

Duration of Act.

12. All the provisions of this Act except such as are contained in section five and in this section shall expire on the thirty-first day of March, 1938, but any obligation or liability incurred or created under the authority of this Act may be paid and discharged notwithstanding the expiration of the aforesaid provisions of this Act on the said date.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 81.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1938.

AS PASSED BY THE HOUSE OF COMMONS, 30th MARCH, 1937.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937.

35376

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 81.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1938.

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS it appears by messages from His Excellency the Right Honourable Baron Tweedsmuir of Elsfield, 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 thirty-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 Commons of Canada, that:—

Short title.

1. This Act may be cited as *The Appropriation Act, No. 1, 1937.*

$37,395,179.14 granted for 1937-38.

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, three hundred and ninety-five thousand, one hundred and seventy-nine dollars and fourteen cents towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and thirty-seven, to the thirty-first day of March, one thousand nine hundred and thirty-eight, not otherwise provided for, and being one-sixth of the amount of each of the several items to be voted, set forth in the Main Estimates for the fiscal year ending the thirty-first day of March, one thousand nine hundred and thirty-eight, as laid before the House of Commons at the present session of Parliament.

$16,010,551.17 granted for 1937-38.

3. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole sixteen million, ten thousand, five hundred and fifty-one dollars and seventeen cents towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and thirty-seven, to the thirty-first day of March, one thousand nine hundred and thirty-eight, not otherwise provided for, and being one-sixth of the amount of each of the several items to be voted, set forth in the Special Supplementary Estimates for the fiscal year ending the thirty-first day of March, one thousand nine hundred and thirty-eight, as laid before the House of Commons at the present session of Parliament.

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.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 82.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1937.

AS PASSED BY THE HOUSE OF COMMONS, 30th MARCH, 1937.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

35238

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 82.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1937.

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS it appears by message from His Excellency the Right Honourable Baron Tweedsmuir of Elsfield, etc., etc., Governor General of Canada, and the estimates accompanying the said message that the sums hereinafter mentioned are required to defray certain expenses of the public service of Canada, not otherwise provided for, for the financial year ending the thirty-first day of March, one thousand nine hundred and thirty-seven, and for other purposes connected with the public service: May it therefore please Your Majesty, that it may be enacted and be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:—

Short title.

1. This Act may be cited as *The Appropriation Act, No. 2, 1937.*

$40,903,880.76 granted for 1936–37.

2. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole forty million, nine hundred and three thousand, eight hundred and eighty dollars and seventy-six cents towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and thirty-six, to the thirty-first day of March, one thousand nine hundred and thirty-seven, not otherwise provided for, set forth in the Schedule to this Act.

Amounts chargeable to year ending 31st March, 1937.

3. Notwithstanding the provisions of *The Consolidated Revenue and Audit Act, 1931*, the amounts appropriated

by this Act may be paid at any time on or before the thirtieth day of April, one thousand nine hundred and thirty-seven, and such payments shall be deemed to have been made in and be chargeable to the fiscal year ending the thirty-first day of March, one thousand nine hundred and thirty-seven.

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

Based on Further Supplementary Estimates, 1936-37. The amount hereby granted is $40,903,880.76, being the amount of each of the items in the Estimates as contained in this Schedule.

SUMS granted to His Majesty by this Act for the financial year ending 31st March, 1937, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	ADMINISTRATION OF JUSTICE		
	YUKON TERRITORY		
366	Miscellaneous expenditure, including salaries and allowances of court officers, etc.—Further amount required	.....	2,300 00
	LEGISLATION		
	SENATE		
367	Salaries and contingent expenses—Further amount required	3,500 00	
	HOUSE OF COMMONS		
368	Clerical assistance, etc.—Further amount required	46,204 25	
	Expenses of Committees, etc.—Further amount required	8,000 00	
	Contingencies—Further amount required	12,067 61	
	Publishing debates, including salaries of amanuenses, etc.—Further amount required	26,051 41	
	Estimates of the Sergeant-at-Arms—Further amount required	13,858 50	109,681 77
	NATIONAL DEFENCE		
	NAVAL SERVICE		
369	To provide for the purchase and refitting of two destroyers for the Royal Canadian Navy—Further amount required	.....	2,201,000 00
	TRANSPORT—CHARGEABLE TO INCOME		
	MARINE SERVICE		
370	Miscellaneous services relating to navigation and shipping—Further amount required	3,000 00	
371	Life saving service, including rewards for saving life—Further amount required	2,500 00	
372	Marine signal service—Further amount required	3,500 00	
	RAILWAY SERVICE		
373	Maritime Freight Rates Act:— Additional amount, in excess of the sum of $1,740,000 already appropriated, to authorize and provide for the payment from time to time during the fiscal year 1936-37 to the Canadian National Railway Company of the difference (estimated by the auditors of the said Company and certified by the said auditors to the Minister of Transport as and when required by the said Minister) occurring on account of the application of the Maritime Freight Rates Act, between the tariff tolls and the normal tolls (upon the same basis as set out in section 9 of the said Act with respect to companies therein referred to) on all traffic moved during the year 1936, under the tariffs approved, on the Eastern Lines (as referred to in section 1 of the said Act) of the Canadian National Railways	76,014 46	85,014 46

SCHEDULE—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—CHARGEABLE TO INCOME		
	PUBLIC BUILDINGS		
	British Columbia		
374	Victoria Public Building—Restoration	9,800 00	
	Rents, Repairs, Furniture, Heating, Etc.		
375	Ottawa Public Buildings and Grounds—Telephone Service—Further amount required	3,000 00	12,800 00
	MAIL SUBSIDIES AND STEAMSHIP SUBVENTIONS		
376	British Columbia and China and/or Australia—Further amount required	27,750 00	
	Prince Edward Island and Boston—Further amount required	10,000 00	37,750 00
	MINES AND RESOURCES		
	SURVEYS AND ENGINEERING BRANCH		
377	Hydrographic and Tidal and Current Surveys, and to provide for the operation, maintenance and repair of Hydrographic Steamers—Further amount required	12,000 00	
	INDIAN AFFAIRS BRANCH		
378	To provide for expenses connected with the administration of Indian Affairs—Further amount required	140,000 00	152,000 00
	LABOUR		
379	Conciliation and Labour Act—Further amount required	8,000 00	
380	Industrial Disputes Investigation Act—Further amount required	11,000 00	
381	Employment Offices Co-ordination Act—Further amount required	500 00	
382	International Labour Conference—Further amount required	600 00	20,100 00
	PUBLIC PRINTING AND STATIONERY		
383	Canada Gazette—Further amount required	.....	1,200 00
	MISCELLANEOUS		
384	Expenses of litigated matters—Department of Justice—Further amount required	23,000 00	
385	To provide for payments in connection with the movements of coal under conditions prescribed by the Governor in Council and for the cost of administration thereof—Further amount required	300,000 00	
386	Battlefields Memorials—Further amount required	10,000 00	
387	Royal Commission on Anthracite Coal—Further amount required	8,500 00	341,500 00

SCHEDULE—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	POST OFFICE—OUTSIDE SERVICE		
388	Salaries and allowances—Further amount required		185,000 00
	Total Ordinary Expenditure		3,148,346 23
	TRANSPORT—CHARGEABLE TO CAPITAL		
389	River St. Lawrence Ship Channel Dredging— (a) To provide for contract dredging in the St. Lawrence River and Montreal Harbour—Further amount required		117,563 21
			3,265,909 44
	ITEMS SUPPLEMENTING VOTES BASED ON THE SPECIAL SUPPLEMENTARY ESTIMATES		
	LABOUR		
	GRANTS IN AID		
390	Amount required to provide for monthly Grants-in-Aid to the Provinces—Further amount required	2,929,773 97	
	GOVERNMENT OWNED ENTERPRISES		
	DEFICIT OF CANADIAN NATIONAL RAILWAY COMPANY		
391	Additional amount, in excess of the sum of $39,900,000 already appropriated to be paid from time to time under such conditions as the Minister of Finance may prescribe, to the Canadian National Railway Company (hereinafter called "the National Company") and to be applied by the National Company in payment of the net income deficits arising in the calendar year 1936, including such supplementary contribution to The Intercolonial and Prince Edward Island Railways Employees' Provident Fund as may be necessary to provide for payment in full of monthly allowances under the provisions of The Intercolonial and Prince Edward Island Railways Employees' Provident Fund Act, notwithstanding the limitation contained in section four of the said Act, and including such supplementary contribution to the Grand Trunk Railway of Canada Superannuation and Provident Fund as may be necessary to enable payment to be made of monthly allowances under the rules and regulations of the Fund, notwithstanding the limitation contained in section thirteen of chapter sixty-five of the Statutes of Canada 1874, and including profit and loss but not including non-cash items and interest on Dominion Government advances, of the National Company or of any other or others of the Companies comprised in the Canadian National Railways (as defined in Chap. 10 of the Statutes of Canada, 1929) or any Company controlled by stock ownership or otherwise by any Company comprised in the Canadian National Railways or by the National Company in respect of any of the Canadian Government Railways entrusted to the National Company	3,403,393 82	
			6,333,167 79

SCHEDULE—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	WRITE DOWN OF ASSETS		
392	To authorize—as the Dominion's contribution to a programme of adjusting the indebtedness of farmers living in the drought area of the province of Manitoba which program has been sponsored by the Government of that province and involves appropriate adjustments in debt or tax claims on the part of the Provincial Government, the municipalities and certain mortgage lending institutions—the writing off and cancellation of certain Treasury Bills of the province held by the Dominion, provided (1) that said Treasury Bills be transferred in the books of the Department of Finance from "Active Assets" to "Non-active Assets" as at March 31, 1937; (2) that final writing off and cancellation of said Treasury Bills be subject to the approval of the Governor in Council and in accordance with such terms and conditions as he may approve, including the nature of the evidence to be submitted as to the adjustments made by the Provincial Government, the municipalities and the mortgage lending institutions aforesaid; and (3) that the amount of Treasury Bills to be written off and cancelled shall not exceed the amount advanced by the Dominion Government to the Provincial Government by way of loan to assist in financing expenditures incurred for relief, seed grain and seeding purposes in the said drought area during the period from May 1, 1931, to January 1, 1935, and shall not in any case exceed in the aggregate the sum of.....	804,897 02	
393	To authorize—as the Dominion's contribution to a program of adjusting the indebtedness of farmers living in the drought area of the province of Saskatchewan which program has been sponsored by the Government of that province and involves appropriate adjustments in debt or tax claims on the part of the Provincial Government, the municipalities and certain mortgage lending institutions—the writing off and cancellation of certain Treasury Bills of the province held by the Dominion, provided (1) that said Treasury Bills be transferred in the books of the Department of Finance from "Active Assets" to "Non-active Assets" as at March 31, 1937; (2) that final writing off and cancellation of said Treasury Bills be subject to the approval of the Governor in Council and in accordance with such terms and conditions as he may approve, including the nature of the evidence to be submitted as to the adjustments made by the Provincial Government, the municipalities and the mortgage lending institutions aforesaid; and (3) that the amount of Treasury Bills to be written off and cancelled shall not exceed the amount advanced by the Dominion Government to the Provincial Government by way of loan to assist in financing expenditures incurred for relief, seed grain and seeding purposes in the said drought area during the period from May 1, 1931 to January 1, 1935, plus such accrued interest thereon as has been capitalized, and shall not in any case exceed in the aggregate the sum of.....	17,959,606 51	18,764,503 53

SCHEDULE—*Concluded*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	GOVERNOR GENERAL'S WARRANTS 1936-37		
394	To provide additional amount for Stewart and Yukon Rivers—Improvements (Governor General's Warrant of July 23, 1936)	4,500 00	
395	To provide for the cost of fighting forest fires in the National Parks of Canada (Governor General's Warrant of September 17, 1936)	40,000 00	
396	To provide for direct relief expenditures in the drought areas of the Provinces of Manitoba, Saskatchewan and Alberta (Governor General's Warrant of October 7, 1936)	7,300,000 00	
397	To provide for expenditures for feed and fodder, freight charges on shipment of cattle, etc., in the drought areas of the Provinces of Manitoba, Saskatchewan and Alberta (Governor General's Warrant of October 7, 1936)	4,940,000 00	
398	To provide for the construction of a barn at the Experimental Station, Fredericton, N.B. (Governor General's Warrant of October 23, 1936)	15,000 00	
399	Expenses of the Royal Grain Inquiry Commission (Governor General's Warrant of November 18, 1936)	103,000 00	
400	Expenses of the Office of the High Commissioner for Canada in London, England (Governor General's Warrant of November 20, 1936)	10,000 00	
401	Expenses of the Royal Commission on the Textile Industry (Governor General's Warrant of November 26, 1936)	45,000 00	
402	To provide an additional amount for the administration of the Annuities Act (Governor General's Warrant of January 6, 1937)	82,800 00	
			12,540,300 00
	Total		40,903,880 76

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 83.

An Act to amend the Royal Canadian Mounted Police Act.

First reading, March 31, 1937

THE MINISTER OF JUSTICE.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
35183 1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 83.

An Act to amend the Royal Canadian Mounted Police Act.

R.S., c. 160; 1930, c. 39; 1931, c. 11; 1932, c. 37; 1932-33, c. 29; 1934, cc. 8, 40; 1935, c. 25.

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

Definitions.

1. Section two of the *Royal Canadian Mounted Police Act*, chapter one hundred and sixty of the Revised Statutes of Canada, 1927, as enacted by section one of chapter eight of the statutes of 1934, is amended by adding thereto the following paragraphs:—

"Rank".

"*(h)* "rank" means substantive rank or appointment, but does not include acting rank.

"Pay".

(i) "pay", for pension purposes, means the pay of the substantive rank or appointment, but not that of acting rank, and does not include extra pay for staff and similar temporary appointments."

Explanatory Notes

1. The amendments desired to section 2 of the *Royal Canadian Mounted Police Act* are considered necessary to show clearly that "acting rank" cannot be considered for pension purposes for either officers or men, and to more clearly define what "pay" may or may not be included for the same purpose.

In the case of an officer the Act at present states that upon retirement he shall be entitled to a pension for life not exceeding one-fiftieth of the pay and allowances of his rank or permament appointment. See section 44.

In the case of a constable, under paragraphs *(a)*, *(b)* and *(c)* of subsection 3 of section 66, he is entitled to, if less than twenty-one years' service, one-fiftieth of his annual pay and allowances for every year of service; if he has completed twenty-one but less than twenty-five years' service an annual sum equal to twenty-fiftieths of his annual pay and allowances, with an addition of two-fiftieths of such pay and allowances for every completed year of service above twenty years; if he has completed twenty-five years' service, an annual sum equal to thirty-fiftieths of his annual pay and allowances, with an addition of one-fiftieth of such pay and allowances for every completed year of service above twenty-five years: Provided, that the pension shall not exceed two-thirds of his annual pay and allowances at his retirement.

"Rank" and "Appointment" are closely interwoven, and as the pay and allowances of each vary, it is considered that the new definitions will remove any doubts for the future as to what may or may not be included for purposes of pension.

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

R.C.M.P. Reserve.

"**28.** (1) The Governor in Council may authorize the Commissioner to appoint by warrant under his hand such number of men as reserve constables as the Governor in Council thinks proper, to be known as the "Royal Canadian Mounted Police Reserve", and to appoint from among such constables, reserve non-commissioned officers of different grades.

Calling for duty.

(2) Such Reserve, or any portion or member thereof, may be called up for training or duty by the Commissioner when he deems it necessary.

Rank.

(3) When such men of the Reserve shall have been called up for training or duty, they shall hold the rank assigned to them by the Commissioner and shall receive such pay as is authorized by the Governor in Council for such rank.

Powers.

(4) When a member of such Reserve is called up for training or duty, he shall exercise all the powers of a member of the Force as prescribed in this Act.

Limit of time and oaths.

(5) Every member of such Reserve shall be appointed or enlisted for a period of three years, and shall take the oath of allegiance and oath of office as prescribed under section fifteen of this Act.

Act and regulations applicable.

(6) Every member of such Reserve on being called up for duty or training will be subject to this Act, and all rules and regulations made thereunder from the date of his being called up, which date shall be the day on which he is advised by registered letter to report himself for duty.

Resignation.

(7) A reserve constable desirous of resigning from the Force before the expiration of the period for which he has undertaken to serve, must apply to the Commissioner in writing for permission to resign, disclosing sufficient reasons and giving at least one month's notice. Such permission to resign is subject to the consent of the Commissioner. A reserve constable desirous of resigning on the grounds of ill health must furnish a medical certificate, certifying that ill health prevents him from continuing to carry out his duties as a reserve constable. The application must be accompanied by the applicant's warrant of appointment.

Discharge.

(8) Any member of such Reserve may be discharged therefrom by the Commissioner without notice.

Training.

(9) Any member of such reserve may be called up for training for a period not exceeding three months in any one year.

2. Section 28 of the Royal Mounted Police Act as it stands at present reads as follows:—

28. The Governor in Council may from time to time authorize the Commissioner to appoint by warrant under his hand, such officers and men who have served in the Force as a Reserve to be known as the "Royal Canadian Mounted Police Reserve".

2. Such Reserve, or any portion or member thereof, may be called up for duty by the Commissioner when he deems it necessary.

3. When such officer or man of the said Reserve shall have been called up for duty he shall hold the rank which he held on the date of his retirement or discharge from the Force, and shall receive the current rate of pay for such rank.

4. When such member is called up for duty, he shall exercise all powers and jurisdiction of a regular member of the Force holding the same rank.

5. Every member of such Reserve may be appointed for a term not exceeding one year, and shall take the oath of office and allegiance.

6. Every member of the Force on being called up for duty will be subject to this Act and all rules and regulations made thereunder from the date of his being called up, which date shall be the day on which he is advised by registered letter to report himself for duty.

7. Any member of the Reserve may retire therefrom on giving two months' notice in writing to the Commissioner.

8. Any member of the Reserve may be discharged therefrom by the Commissioner without notice.

9. Any member of the Reserve may be called up for training for a period not exceeding seven days in any one year, and while so called up will receive the same rate of pay as when called up for duty and during such training shall be subject to this Act.

10. No member of the Reserve Force shall be entitled to count the period served in such Reserve Force toward pension.

11. The Governor in Council may prescribe arms and equipment and the uniform to be worn by the Reserve.

12. No person over the age of sixty-five years shall be appointed to or continue in the Reserve.

Conditions for appointment.

(10) No constable or man shall be appointed to such reserve unless he is of sound constitution, active, able-bodied, of good character and education, and between the ages of eighteen and forty years. Provision in this section as to age, at the discretion of the Commissioner, shall not apply to commissioned officers, non-commissioned officers or constables appointed to the reserve from the Royal Canadian Mounted Police Force for purposes of command or instruction, or to the re-engagement of former members of the Royal Canadian Mounted Police, or the Royal Canadian Mounted Police Reserve, who are physically fit and otherwise suitable for duty in the Reserve."

Officers' pensions

3. Section forty-eight of the said Act, as amended by section twelve of chapter thirty-seven of the statutes of 1932 and by section eight of chapter eight of the statutes of 1934, is further amended by adding thereto the following subsection:—

Time in permanent forces included.

"(8) *(a)* Time served in the permanent forces of Canada may also be included in the term of service of an officer for the purposes of pension under this Part.

Deduction reduced.

(b) In such cases the yearly deduction of five per cent upon average pay under this Act from any pension shall be reduced by the average yearly deduction from the officer's salary or pay as a member of the Permanent Forces made under the Militia Pensions Act."

Constables' pensions.

4. Section sixty-seven of the said Act, as amended by section fourteen of chapter thirty-seven of the statutes of 1932 and by section twelve of chapter eight of the statutes of 1934, is amended by adding thereto the following subsection:—

Time served in permanent forces, included.

"(5) Time served in the permanent forces of Canada may also be included in the term of service of a constable for the purposes of pension under this Part."

5. Section eighty-three of the said Act, as enacted by section one of chapter forty of the statutes of 1934, is repealed and the following substituted therefor:—

Status after ceasing to be constable.

"**83.** If the service of any person to whom this Part applies terminates, or if he is promoted to a commissioned rank—

Rights and status continued.

(a) he may continue to pay any instalments of contributions being paid by him under the provisions of

Section 28, above quoted, was inserted in the Mounted Police Act in the year 1919, but it has never been acted upon, and at the present time is considered to be inadequate as it confines the Reserve to such officers and men who have already served in the Royal Canadian Mounted Police. This would not make available a Reserve of young men, which is what is required, and therefore it has been considered necessary to reconstruct the whole section in order to provide for men from which the Force may draw some of its recruits.

The object of creating a "Reserve" Force is two-fold, viz.:—

(1) To train suitable young men annually in order that thay may later become members of the Royal Canadian Mounted Police Force, if they so desire.

(2) To have a "reserve" strength upon which to draw in times of emergency.

3. The new subsection 8 is to provide authority for service in the permanent forces of Canada to count for pension purposes under the Act in the same way as police service does for officers of the permament Militia under section 7 of the *Militia Pensions Act,* chapter 133 of the Revised Statutes of Canada.

Furthermore, it may be added that service in the civil service counts for pension purposes under the Police Act, and service in the R.C.M. Police may be counted under the *Civil Service Superannuation Act, 1924,* and regulations.

4. The purpose of this amendment is to do for "constables" the same as is proposed for officers under section 48—(see section 3 of this Bill), except that the pension for "constables" under the Mounted Police Act is a "free" pension, and, therefore, it is proposed to allow service in the Permanent Forces of Canada to count for pension purposes under the Police Act—free of cost.

5. Section 83. As a result of correspondence between the Department of Insurance and the Commissioner of the Royal Canadian Mounted Police, it is proposed that all persons shall have the right to continue the payment of instalments or the right of withdrawal of all contributions without exception and it is therefore proposed to delete the words "otherwise than by death or by grant of a pension"

section eighty-one or eighty-two of this Act and in event of his death there shall become payable benefits determined in accordance with section seventy-nine of this Act, but if payment of any such instalment of contributions is discontinued before completion thereof a reduction shall be made in the value of the prospective benefits so determined as of the date of discontinuance of the instalment payments equivalent to the value of the instalments unpaid as of the said date, or

Refund of contributions in certain cases.

(b) he may, at the date of such termination of service or at the date of termination of service after promotion as aforesaid, or, in either case, at any time thereafter, in satisfaction of all other rights, benefits and equities under this Act, withdraw in one sum the amount of his contributions made under the provisions of this Part without interest, less the value of the instalment payments of contribution, if any, at the date of discontinuance thereof, being made by him under the provisions of sections eighty-one and eighty-two of this Act."

in the second and third lines of section 83 as underlined below:

"**83.** If the service of any person to whom this Part applies terminates otherwise than by death or by grant of a pension, or if he is promoted to a commissioned rank—

. . . . . ."

There is no other change in the section.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 84.

An Act to amend the Customs Act.

First reading, March 31, 1937.

The MINISTER OF NATIONAL REVENUE.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
33304 1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 84.

An Act to amend the Customs Act.

R.S., c. 42; 1928, c. 16; 1930 (2nd Session), c. 2; 1931, c. 29; 1932-33, cc. 7, 38; 1934, c. 48; 1936, cc. 19, 30.

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

1. Section thirty-six A of the *Customs Act*, chapter forty-two of the Revised Statutes of Canada, 1927, as enacted by section two of chapter forty-eight of the statutes of 1934, is repealed, and the following substituted therefor:—

Governor in Council may order that import, excise and other duties and taxes be disregarded.

"**36A.** The Governor in Council, whenever it is deemed expedient to do so, may order that import, excise and other duties and taxes, in whole or in part, shall be disregarded in estimating the value for duty of goods of any kind imported into Canada from any specified country."

2. Section forty-three of the said Act, as enacted by section four of chapter two of the statutes of 1930, (Second Session), and as amended by section one of chapter seven of the statutes of 1932-33, and by section six of chapter nineteen of the statutes of 1936, is further amended by adding the following subsections thereto:—

Basis of value.

"(4) The value for duty shall be deemed to have been duly fixed by the Minister pursuant to subsection one of this section if the same is fixed on a basis or by a method prescribed by the Minister.

Suspension of application.

(5) The operation of the value for duty of any fruit or vegetable fixed pursuant to this section may be suspended by the Minister in the case of such fruit or vegetable imported into any specified region or part of Canada."

3. The said Act is further amended by inserting the following section immediately after section forty-three thereof:—

Certain values for duty deemed lawfully fixed.

"**43A.** (1) All values for duty heretofore fixed by, or on a basis or by a method prescribed by the Minister or the Commissioner of Customs or the Assistant Commissioner of Customs, acting or purporting to act pursuant

Explanatory Notes.

New matter is indicated on the opposite page by underlining, or by vertical lines in the margin, and the corresponding changes, or words deleted, by underlining in the explanatory notes.

1. This section at present reads as follows:—

"**36A.** The Governor in Council, whenever it is deemed expedient to do so, may order that excise duties and excise taxes in whole or in part shall be disregarded in estimating the value for duty of goods of any kind imported into Canada from any specified country and may vary or rescind such order."

Making further provision for arriving at the fair value for duty where owing to unusual marketing conditions existing in some countries the actual selling price of some kinds of goods for home consumption is due to special or emergency duties or taxes not representative of the true value.

2. Subsection 4. To remove any possible doubt.

Subsection 5. This power is necessary for equitable administration.

3. Ratifying past administration, goods having been imported and sold on basis of duties and taxes collected.

R.S., 1906, c. 48, s. 47A.

R.S., 1927, c. 42, s. 43.

to the provisions of section forty-seven A of the *Customs Act*, chapter forty-eight of the Revised Statutes of Canada, 1906, as enacted by section three of chapter eighteen of the statutes of 1922, or of section forty-three of the *Customs Act*, chapter forty-two of the Revised Statutes of Canada, 1927, or of section forty-three of the said *Customs Act*, as enacted by section four of chapter two of the statutes of 1930 (Second Session), or of subsection one of section forty-three of the said *Customs Act*, as enacted by section one of chapter seven of the statutes of 1932-33, shall, notwithstanding any alleged defect or omission or want of authority in respect thereof, be deemed to have been lawfully fixed pursuant to the aforesaid provisions and all things required by statute to be done to fix such values shall be deemed to have been done, and the said values for duty and the levy and collection of all duties or taxes based or purporting to be based on such values are hereby confirmed and ratified.

Values for duty, levy and collection of duties confirmed and ratified.

Acts respecting terms of currency confirmed and ratified.

(2) Without restricting the generality of the next preceding subsection, any act heretofore done by the Minister or the Commissioner of Customs or the Assistant Commissioner of Customs, directing that the value for duty in any case or class of cases should be considered as fixed in terms of the currency of the country of export, is hereby confirmed and ratified and any value for duty determined in accordance with such direction shall be deemed to have been duly fixed pursuant to section forty-three of this Act and the levy and collection of all duties or taxes based or purporting to be based on such values shall be deemed to have been duly levied and collected.

Rights saved.

(3) Nothing in this section shall affect any legal proceedings by way of Petition of Right in respect of which a fiat of the Governor General had been granted on or before the first day of October, 1936."

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

Collector to cause one package in every ten to be opened.

"**106.** The collector shall cause at least one package in every invoice or entry and at least one package in ten, if there are more than ten in any invoice or entry, and so many more as he or any appraiser deems it expedient to examine for the protection of the revenue, to be sent to the examining warehouse, and there to be opened, examined and appraised, the packages so to be opened being designated by the collector.

Proviso.

If a single invoice covers more than ten packages.

Provided that where a single invoice covers more than ten packages, each package containing similar goods of the same quantity and value, fewer packages than one in ten, at the discretion of the collector, may be sent to the examining warehouse."

4. The present section reads as follows:—

"**106.** The collector shall cause at least one package in every invoice or entry and at least one package in ten, if there are more than ten in any invoice or entry, and so many more as he or any appraiser deems it expedient to examine for the protection of the revenue, to be sent to the examining warehouse, and there to be opened, examined and appraised, the packages so to be opened being designated by the collector."

The only change is the addition of the paragraph underlined on the opposite page. In practice it often happens that an invoice will cover several hundred packages of the same kind, as for instance, raisins or canned fruit, and in such case it is only necessary that one case be examined.

Importation of firearms and munitions.

5. Section one hundred and twenty-two of the said Act is repealed.

6. Subsection three of section two hundred and seventeen of the said Act as enacted by section eighteen of chapter twenty-nine of the statutes of 1931, is repealed, and the following substituted therefor:—

When goods of the value of one hundred dollars or over.

"(3) Where the goods so had in possession, harboured, kept, concealed, purchased, sold or exchanged, are of the value for duty of two hundred dollars or over, such person shall be guilty of an indictable offence and liable on conviction to a penalty not exceeding one thousand dollars and not less than two hundred dollars, or to imprisonment for a term not exceeding four years and not less than one year, or to both fine and imprisonment."

Offence.

7. Section two hundred and eighty-two of the said Act is repealed, and the following substituted therefor:—

Minimum penalty.

"**282.** Notwithstanding the provisions of the *Criminal Code* or of any other statute or law, the court shall, in any prosecution, suit or proceeding under this Act, have no power to impose less than the minimum penalty prescribed by this Act, and the court shall have no power to suspend sentence."

8. Section two hundred and eighty-six of the said Act is repealed, and the following substituted therefor:—

Regulations.

"**286.** (1) The Governor in Council may, under regulations made by him for that purpose,—

Drawback on duty-paid goods exported.

(a) allow, on the exportation of goods which have been imported into Canada and on which a duty of Customs has been paid, a drawback equal to the duty so paid with such deduction therefrom as is provided in such regulations;

Although manufactured into goods in Canada.

(b) allow a drawback equal to the duty paid, with such deduction therefrom as is provided in such regulations, or a specific sum in lieu of such drawback, in respect of materials used in, wrought into or attached to goods exported, or in respect of materials (not to include fuel or plant equipment) consumed in the manufacture or production of any such goods.

5. See section ten of this Bill replacing section 290 and providing regulation of imports and exports of arms.

The present section 122 reads as follows,—

"**122.** Firearms and munitions of war shall not be imported unless upon application to, and permission given by, the Minister."

6. The only change is the addition of the words underlined on the opposite page.

This is required in order that the subsection providing the penalty shall conform to the subsection describing the offence which is subsection 1 of section 217, which 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, has in possession, 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."

7. The only change is the addition of the words underlined.

There is a similar provision in section 119 of the *Excise Act*, which reads as follows:—

"Notwithstanding the provisions of the *Criminal Code* or any other statute or law, the court shall in any prosecution, suit or proceeding under this Act, have no power to impose less than the minimum penalty prescribed by this Act, and the court shall have no power to suspend sentence."

This amendment is necessary to remove a doubt. In the case of Rex v. Morrell, 61-C.C.C., p. 247, Judges of the Nova Scotia Supreme Court divided equally on the question as to whether under the present section of the *Customs Act* the Magistrate had jurisdiction to suspend sentence.

8. The present section reads as follows:—

"**286.** The Governor in Council may, under regulations made for that purpose, allow, on the exportation of goods which have been imported into Canada, and on which a duty of Customs has been paid, a drawback equal to the duty so paid with such deduction therefrom as is provided in such regulations.

2. In cases mentioned in such regulations, and subject to such provisions as are therein made, such drawback, or a specific sum in lieu thereof, may be allowed on duty-paid goods manufactured or wrought in Canada into goods exported therefrom.

Time for drawback limited.

(2) The period within which such drawback may be allowed, after the time when the duty was paid, shall be limited in such regulations.

9. Subsection one of section two hundred and eighty-seven of the said Act is repealed, and the following substituted therefor:—

Drawback on exported goods manufactured of imported materials and of materials of domestic manufacture of the same class.

Proviso.

"**287.** (1) The Governor in Council may, under regulations made by him for that purpose, allow, on the exportation of goods manufactured in Canada and in the manufacture of which both imported materials and materials of domestic manufacture or production of the same class are used, a drawback equal to the duty paid, less such deduction therefrom as is provided in such regulations, on all such materials imported and used by the manufacturer in the manufacture of the goods exported and other goods; provided that such drawback shall not be allowed unless a like quantity of materials of the same class, whether imported or of domestic manufacture or production was used in, wrought into or attached to articles manufactured in Canada and exported."

3. The period within which such drawback may be allowed, after the time when the duty was paid, shall be limited to such regulations."

This new section is a rearrangement of the old, adding right to drawback in respect of consumable materials.

Paragraph *(a)* provides for goods imported and afterwards exported without change.

Paragraph *(b)* provides for goods imported and used in manufacture of goods exported.

This is made to cover goods imported and consumed in the manufacture of goods exported though not present in the goods as exported, e.g., alcohol, liquid chlorine for bleaching, chemicals for fluxing metals.

Section 94 of the *Special War Revenue Act* contains a similar provision for drawback of taxes and reads as follows:—

"**94.** A drawback of ninety-nine per cent of the taxes imposed by this Part paid in respect of materials used in, wrought into or attached to goods exported, or in respect of materials (not to include fuel or plant equipment) consumed in the manufacture or production of any such goods, may be granted; provided that payment of a specific sum in lieu of such drawback may be authorized by the Governor in Council in cases where specific rates of drawback of customs duties are granted under the provisions of section two hundred and eighty-six of the *Customs Act*."

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

"**287.** The Governor in Council may, under regulations made for the purpose, allow, on the exportation of goods manufactured in Canada, and into the manufacture of which pig-iron imported into Canada mixed with pig-iron made in Canada has entered, a drawback, equal to the duty paid, less such deduction therefrom as is provided in such regulations, on all the pig-iron imported and used by the manufacturer of such goods in manufacturing the goods exported and other goods, and the drawback may be computed on the total quantity of pig-iron, including the pig-iron made as aforesaid, entering into such exported goods."

The change consists in striking out the words underlined above and substituting the words underlined on the opposite page.

The effect is to extend to other goods the provisions contained in the present subsection as to pig-iron.

This practice has been followed heretofore under authority of regulations made by the Governor in Council.

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

Regulations of imports and exports of arms, etc.

"**290.** (1) The Governor in Council may, from time to time,—

(a) for the purpose of acquiring information, or for the purposes of sub-paragraphs *(b)* and *(c)* of this subsection, require that no person shall export or carry coastwise or by inland navigation any of the articles designated in the said sub-paragraph *(b)*, or import any of the articles designated in the said sub-paragraph *(c)*, without first having obtained a permit, and prescribe such fees, regulations and conditions as may be deemed proper respecting the granting of such permits;

(b) prohibit, restrict or control the exportation, generally or to any destination, directly or indirectly, or the carrying coastwise or by inland navigation, of arms, ammunition, implements or munitions of war, military, naval or air stores, or any articles deemed capable of being converted thereinto or made useful in the production thereof, or provisions or any sort of victual which may be used as food by man or beast;

(c) prohibit, restrict or control the importation of arms, ammunition, implements or munitions of war, military, naval or air stores, or any articles deemed capable of being converted thereinto or made useful in the production thereof;

(d) provide for the registration or licensing of persons engaged in the business of manufacturing, exporting or importing arms, ammunition or implements of war and prescribe fees, regulations, conditions and exceptions in respect thereof;

(e) provide for the compilation and publication of information and statistics respecting the exportation, importation or manufacture of arms, ammunition or implements of war;

(f) make regulations or prescribe conditions or exceptions deemed necessary for the effective carrying out of the object and intention of this section of any prohibition, restriction or control of exportations or importations which may be imposed under this section, including regulations, conditions or exceptions respecting re-exportations, transhipments or shipments in transit, whether within Canada or elsewhere.

Penalties.

(2) Any goods imported or exported contrary to the provisions of this section or of any Order of the Governor in Council hereunder or regulation established thereunder shall be seized and forfeited; and any person importing or exporting the same or causing or permitting them to be imported or exported shall be guilty of an offence and for

10. Recommendation of Interdepartmental Committee on arms, exports and imports.

The present section 290 reads as follows,—

"**290.** The Governor in Council may, from to time, prohibit the exportation or the carrying coastwise or by inland navigation, of arms, ammunition and gunpowder, military and naval stores, and any articles which the Governor in Council deems capable of being converted into or made useful in increasing the quantity of military or naval stores, provisions or any sort of victual which may be used as food by man."

each such offence be liable on summary conviction before two justices of the peace to a penalty not exceeding two hundred dollars and not less than fifty dollars, or to imprisonment for a term not exceeding one year and not less than one month or to both fine and imprisonment. If the value of such goods is two hundred dollars or over, the person so offending shall be guilty of an indictable offence and be liable on conviction, in addition to any other penalty to which he is subject for such offence, to a penalty not exceeding one thousand dollars and not less than two hundred dollars, or to imprisonment for a term not exceeding four years and not less than one year or to both fine and imprisonment."

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 85.

An Act to revive and amend The Business Profits War Tax Act, 1916.

First reading, March 31, 1937.

THE MINISTER OF NATIONAL REVENUE.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

34211

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 85.

THE HOUSE OF COMMONS OF CANADA.

1916, c. 11; 1917, c. 6; 1918, c. 10; 1919, c. 39; 1920, c. 36; 1923, c. 34; 1924, cc. 10, 37; 1926-27, c. 34;

An Act to revive and amend The Business Profits War Tax Act, 1916.

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

Act revived. Administration validated.

1924, c. 65.

1916, c. 11.

1. Notwithstanding the provisions of sections two and five of chapter sixty-five of the statutes of 1924, entitled "An Act respecting the Revised Statutes of Canada", and the inclusion in Schedule A to the certified printed roll of the Revised Statutes of Canada, 1927, of *The Business Profits War Tax Act, 1916*, and of the amendments thereto, the said *The Business Profits War Tax Act, 1916*, and all amendments thereto, are hereby revived and shall have the same force and effect to all intents as if the said Revised Statutes of Canada, 1927, had not come into force and taken effect as law; and all proceedings, transactions, matters or things, had, done, made or completed, or purporting to have been had, done, made or completed under and in accordance with the provisions of *The Business Profits War Tax Act, 1916*, and the amendments thereto, on or after the first day of February, one thousand nine hundred and twenty-eight, are hereby validated.

Certain provisions repealed.

2. The provisions of *The Business Profits War Tax Act, 1916*, relating to the procedure for appeals from assessments made thereunder, the appointment and powers of a Board of Referees to hear and determine such appeals, and to appeals from the decisions of the Board, namely, paragraph *(b)* of section two, section nine, the words "or from the decision of the Board", at the end of sub-section three of section thirteen, sections fifteen, seventeen, eighteen, nineteen, twenty and twenty-one, and Forms I, L and M of the schedule of the said Act, are hereby repealed.

Explanatory Notes.

Sec. **1.** *The Business Profits War Tax Act, 1916*, and amendments thereto are noted as being spent in the Revised Statutes of Canada, 1927, Volume 5, Appendix 1, which is a copy of Schedule A appended to the attested roll of the Revised Statutes of Canada. By subsection 2 of section 5 of chapter 65 of the 1924 statutes, all enactments in the said Schedule A shall stand and be repealed on, from and after the date of the coming into force of the Revised Statutes, to the extent mentioned in the said Schedule A. As various matters have been dealt with from time to time under The Business Profits War Tax Act since the coming into force of the Revised Statutes of Canada, 1927, on the first day of February, 1928, it becomes necessary to revive the said Acts in order that they may continue in full force and effect as if they had not been included in the said Schedule A as being spent and also to validate any actions which may have been taken since the coming into force of the Revised Statutes of Canada, 1927. The Act will, of course, only be effective in respect of those periods in respect of which it had effect prior to the Revised Statutes of Canada 1927.

Sec. **2.** The provisions of The Business Profits War Tax Act regarding appeals from assessments thereunder provide for the setting up of a board of Referees to hear the appeals. Such Boards of Referees entail considerable expense which it is felt should be eliminated inasmuch as the appeal can be transmitted to the Exchequer Court of Canada for trial and hearing. Accordingly, all sections of The Business Profits War Tax Act dealing with the Board of Referees or the hearing of an appeal by such a Board are being repealed and machinery is being set up in the next section of this Bill to provide that appeals shall be dealt with in the same manner as appeals under the Income War Tax Act.

Procedure on appeals.

3. The provisions of the *Income War Tax Act*, chapter ninety-seven of the Revised Statutes of Canada, 1927, relating to appeals from assessments thereunder and the procedure connected therewith, namely, sections fifty-nine, sixty, sixty-one, sixty-two, sixty-three, sixty-four, sixty-five, sixty-six, sixty-seven and sixty-nine shall apply, *mutatis mutandis*, to and in respect of appeals from assessments made under *The Business Profits War Tax Act, 1916*, and to the hearing and determination of such appeals; and *The Business Profits War Tax Act, 1916*, shall be construed and applied as if it contained the sections of the *Income War Tax Act* aforementioned, with any necessary substitutions or adaptations of the terms thereof.

Application.

4. The provisions of sections two and three of this Act shall be deemed to have come into force on the first day of January, 1937, and shall be applicable to and in respect of all appeals under *The Business Profits War Tax Act, 1916*, then pending or thereafter instituted.

SEC. **3.** This provides a procedure for dealing with appeals under The Business Profits War Tax Act in the same manner as appeals are dealt with under The Income War Tax Act, namely by the appeal being forwarded to the Minister of National Revenue who, after consideration, will affirm or amend the assessment appealed against and notify the appellant of his decision by registered post. If the appellant is still dissatisfied, he shall forward a Notice of Dissatisfaction to the Minister and give security for costs of his appeal to the Exchequer Court of Canada in a sum not less than four hundred dollars. Upon receipt of the Notice of Dissatisfaction and the security for costs, the Minister will issue a Reply by registered post to the taxpayer and will then transmit copies of the return, the assessment notice and the notices in connection with the appeal to the Exchequer Court of Canada. Thereafter the Exchequer Court will hear and determine the appeal.

SEC. **4.** The provisions of this section are to make it clear that any appeals under The Business Profits War Tax Act which have been filed since 1936 or may be filed thereafter, shall be dealt with in accordance with the procedure referred to in section three of this Bill instead of the procedure which is being repealed in section two of this Bill.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 86.

An Act respecting a certain Trade Agreement between Canada and Uruguay.

First reading, April 1, 1937.

THE MINISTER OF TRADE AND COMMERCE.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

35179

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 86.

An Act respecting a certain Trade Agreement between Canada and Uruguay.

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 Canada-Uruguay Trade Agreement Act, 1937.*

Trade Agreement approved.

2. The Trade Agreement entered into between the Government of Canada and the Government of Uruguay, copy of which is set forth in the Schedule to this Act, is hereby approved and shall have the force of law notwithstanding the provisions of any law in force in Canada.

Orders in Council and regulations.

3. The Governor in Council may, notwithstanding the provisions of any law in force in Canada, make such orders and regulations and do such acts and things as are deemed necessary to carry out the provisions and intent of the said Trade Agreement.

Coming into force.

4. This Act shall come into force on a day to be fixed by Proclamation of the Governor in Council.

Explanatory Note.

The Trade Agreement signed on August 12, 1936, between Canada and Uruguay, provides for exchange of most-favoured-nation treatment in tariff matters and the allocation of Uruguayan exchange for commercial transactions and purchase of goods subject to import quota control. Preferences which Canada accords to other parts of the Empire and tariff advantages which Uruguay grants exclusively to the neighbouring states of Argentina, Bolivia, Brazil and Paraguay are excluded from the scope of the agreement. At the time of signing the agreement, Notes were exchanged obtaining for Canada the trading facilities provided in the agreement and granting Uruguayan goods the benefits of the Canadian Intermediate tariff.

SCHEDULE.

Trade Agreement between Canada and Uruguay.

The Government of Canada and the Government of Uruguay, desiring to facilitate the commercial relations existing between Canada and Uruguay, have resolved to conclude a Trade Agreement and for this purpose have agreed upon the following Articles:—

Article I.

Canada and Uruguay will grant each other unconditional and unrestricted most-favoured-nation treatment in all matters concerning customs duties and subsidiary charges of every kind and in the method of levying duties, and, further, in all matters concerning the classification and interpretation of the tariffs, and the rules, formalities and charges imposed in connection with the clearing of goods through the customs.

Accordingly, natural or manufactured products having their origin in either country shall in no case be subject, in regard to the matters referred to above, to any duties, taxes or charges other or higher, or to any rules or formalities other or more burdensome, than those to which the like products having their origin in any third country are or may hereafter be subject.

Similarly, natural or manufactured products exported from the territory of Canada or Uruguay and consigned to the territory of the other country shall in no case be subject with respect to exportation and in regard to the above-mentioned matters, to any duties, taxes or charges other or higher, or to any rules or formalities other or more burdensome, than those to which the like products when consigned to the territory of any third country are or may hereafter be subject.

Any advantage, favour, privilege or immunity which has been or may hereafter be granted by Canada or Uruguay in regard to the above-mentioned matters, to a natural or manufactured product originating in any third country or consigned to the territory of any third country shall be accorded immediately and without compensation to the like product originating in or consigned to the territory of Uruguay or Canada, respectively.

Article II.

The Contracting Governments will grant each other in all matters pertaining to the allocation of exchange made available for commercial transactions or in the allocation of quotas either in respect of exchange or in respect of quantitative control of imports, treatment not less favourable than is granted to any other country.

The Government of each country shall give sympathetic consideration to any representations which the other Government may make in respect of the application of the provisions of this Article.

ARTICLE III.

The advantages now granted or which may hereafter be granted, in order to facilitate border traffic, in a zone which usually does not exceed 15 kilometres on each side of the border, and, further, the advantages resulting from any customs union now existing or which may hereafter come into existence and affecting either of the Contracting Governments, shall be excepted from the operation of this Agreement.

ARTICLE IV.

The advantages now granted, or which may hereafter be granted, by Uruguay exclusively to Argentina, Bolivia, Brazil and Paraguay shall likewise be excepted from the operation of this Agreement.

The advantages now accorded, or which may hereafter be accorded, by Canada exclusively to other territories under the sovereignty of His Majesty the King of Great Britain, Ireland, and the British dominions beyond the Seas, Emperor of India, or under His Majesty's suzeranity or protection, shall be excepted from the operation of this Agreement.

ARTICLE V.

The present Agreement shall be ratified and the instruments of ratification shall be exchanged at Montevideo as soon as possible. The Agreement shall come into force thirty days after the exchange of ratifications.

ARTICLE VI.

This Agreement shall remain in force for a period of three years. Unless at least six months before the expiration of the said period one of the Contracting Governments gives to the other notice of intention to terminate the Agreement, it shall remain in force until six months from such time as one of the Contracting Governments shall have given notice to the other.

In witness whereof, the undersigned, duly authorized to that effect, have signed the present Agreement and have affixed their seals hereto.

Done at Ottawa this twelfth day of August, nineteen hundred and thirty-six, in duplicate, in English and Spanish, both texts being equally authentic.

[L.S.] W. L. MACKENZIE KING.

[L.S.] MATEO MARQUES CASTRO.

Second Session, Eighteenth Parliament, 1 George VI, 1937

THE HOUSE OF COMMONS OF CANADA.

BILL 87.

An Act to amend the Judges Act.

First reading, April 1, 1937.

Mr. CHURCH.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

3584i

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 87.

An Act to amend the Judges Act.

R.S., c. 105; 1930, c. 27; 1931, c. 37; 1932, c. 16; 1932, c. 48.

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

1. The *Judges Act*, chapter one hundred and five of the Revised Statutes of Canada, 1927, is amended by adding thereto the following section:—

Judges to be bound by decision of court of final appeal.

"**39.** Notwithstanding the provisions of any law, statute, usage, custom or doctrine to the contrary, a judge of any of the courts referred to in this Act, whether appointed prior to or after the date of the coming into force of this section, shall, when rendering decisions or pronouncing judgment in respect to any question of law competent for such judge to decide or pronounce upon, take judicial notice of and be bound by the then last decision or judgment of the Judicial Committee of the Privy Council or other court of final appeal rendered by such court upon or in respect to the application of the same question of law."

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 88.

An Act respecting Department of Transport Stores.

First reading, April 1, 1937.

THE MINISTER OF TRANSPORT.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

35539

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 88.

An Act respecting Department of Transport Stores.

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 *Department of Transport Stores Act.*

Department of Transport Stores Account.

2. The Minister of Transport may as at April first, 1937, consolidate the control of and the accounting for all materials, supplies and equipment commonly known as "Stores" acquired by the various services comprised in the Department of Transport prior to that date and may charge the value of such stores, at cost, together with all stores subsequently acquired under the authority of this Act, to an account to be known as the "Department of Transport Stores Account," hereinafter called "Stores Account," and shall not thereafter be required to maintain records with respect to the source of acquisition of the stores acquired prior to April first, 1937.

"Stores Account."

Inventory accounting.

3. As and when an inventory of the stores stocks on hand as at April first, 1937, is determined by the Department of Transport and approved by the Comptroller of the Treasury, the value of same may be credited in Public Accounts to Consolidated Revenue Fund and a corresponding asset account may be established.

Advances from C.R. Fund for purchase of stores.

4. The Minister of Finance may from time to time authorize the advance to the Minister of Transport out of the Consolidated Revenue Fund of Canada of such sums of money as the Minister of Transport may require to enable him to acquire, subject to the provisions of any statute in that behalf, all materials, supplies and equipment required for the construction, renewal, maintenance or operation of the properties, works and undertakings of the Department of Transport including replenishment of

Explanatory Notes.

Clause 1. The purposes of this Bill are to provide the Department of Transport with facilities for the consolidation of stores and stores depots and a simplified stores and purchasing control similar in effect to the facilities provided the King's Printer under section 38 of the *Public Printing and Stationery Act*, as amended by chapter 5, Statutes of Canada, 1928, which reads as follows:—

"**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. 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. 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."

Clause 2. Provides for the consolidation of existing stores and enables the Department to utilize conveniently surplus stocks, now existing at various points, for any of the requirements of the Department.

Clause 3. Provides for the establishment of a control account in Public Accounts of the stores stocks of the Department of Transport.

Clause 4. Provides working capital for the purpose of simplifying the acquisition of stores, which will be repaid as stores are issued and charged against the departmental appropriations.

stores stocks required for such purposes. All expenditures made under such advances shall be accounted for in like manner as other moneys expended for the public service. From time to time as such stores (including those on hand at April first, 1937) are thereafter utilized in the works or undertakings of the Department of Transport the cost of same shall be credited to the Stores Account concurrently with payment out of the appropriate item or items of the appropriations of the Department of Transport of equivalent amounts to the Minister of Finance, to be applied by him against the outstanding advances.

Repayment of advances.

Outstanding advances not to exceed $1,000,000.

5. The amount of advances to the Minister of Transport shall be based upon the amounts provided for the acquisition of stores in the appropriations of the Department of Transport as certified to the Minister of Finance by the Department of Transport and as reduced from time to time by the issue of stores against such appropriations but the outstanding balance of such advances shall at no time exceed $1,000,000.00.

6. The inventory of stores at the end of each fiscal year after 1936-37 shall not exceed the amount of the stores inventory established as of April first, 1937, under section three of this Act.

C.R. Act to apply.

1931, c. 27.

7. All transactions affecting the accounts herein provided for shall be subject to all the provisions and regulations of the *Consolidated Revenue and Audit Act* except as otherwise herein provided.

Stores accounting limited to actual purchase cost and transportation charges.

8. All accounting transactions affecting the advances and the stores stocks shall be limited to the actual cost of purchase and any relative transportation charges.

CLAUSE 5. Limits and controls the amount of working capital to be made available to the Department.

CLAUSE 8. Supervisory and handling expense have been provided for in the appropriations for the major services or in the general administration of the Department.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 89.

An Act respecting a certain Provisional Trade Agreement between Canada and Germany.

First reading, April 1, 1937.

The MINISTER OF TRADE AND COMMERCE.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
35837 1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 89.

An Act respecting a certain Provisional Trade Agreement between Canada and Germany.

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 Canada-Germany Provisional Trade Agreement Act 1937.*

Trade Agreement approved.

2. The Provisional Trade Agreement between Canada and Germany set out in the Schedule to this Act is hereby approved and shall have the force of law notwithstanding any inconsistent provisions of any law in force in Canada.

Orders and regulations by O. in C.

3. The Governor in Council may, notwithstanding any inconsistent provisions of any law in force in Canada, make such orders and regulations and do such acts and things as are deemed necessary to carry out the provisions and intent of the said Provisional Trade Agreement.

Coming into force.

4. This Act shall come into force on a day to be fixed by Proclamation of the Governor in Council.

SCHEDULE.

Provisional Trade Agreement between Canada and Germany Signed at Ottawa, October 22nd, 1936.

The Government of Canada and the Government of the German Reich, being desirous of further facilitating and extending the commercial relations existing between Canada and Germany, have concluded the following Agreement:—

Article I.

In all matters concerning rates of customs duties and subsidiary charges of every kind and in the method of levying duties, and, further, in all matters concerning the rules, formalities and charges imposed in connection with the clearing of goods through the customs, articles, produced or manufactured in the territory of either of the Contracting Parties, on importation into the territory of the other Party, shall not be treated less favourably than like articles produced or manufactured in any third country, or on exportation from the territory of either of the Contracting Parties to the territory of the other Party, shall not be treated less favourably than like articles exported to any third country.

Accordingly, any advantage which is or hereafter may be extended, in regard to the above mentioned matters, by either of the Contracting Parties to any third country shall be accorded immediately and without compensation to the other Party.

Article II.

The provisions of Article I shall not extend to:—

(a) special privileges which either of the Contracting Parties grants or may hereafter grant to neighbouring countries for the facilitation of frontier traffic within a zone not extending as a rule beyond fifteen kilometres on either side of the frontier;

(b) privileges which either of the Contracting Parties may hereafter accord to a State by virtue of a Customs Union with that State;

(c) advantages now accorded or which may hereafter be accorded by Canada exclusively to other territories under the sovereignty of His Majesty the King of Great Britain, Ireland, and the British dominions beyond the Seas, Emperor of India, or under His Majesty's suzerainty or protection;

(d) special agreements, concluded or which may hereafter be concluded, conforming to the recommendations of the Conference of Stresa.

ARTICLE III.

The Government of Canada shall give due consideration to German interests with regard to the importation of articles, produced or manufactured in Germany.

The German Government shall give due consideration to Canadian interests with regard to the importation of articles, produced or manufactured in Canada.

ARTICLE IV.

In the event of either of the Contracting Parties prohibiting or restricting the importation or exportation of goods, that Party undertakes to give due consideration to the interests of the other Party.

ARTICLE V.

In the event of the economic benefits anticipated by both Contracting Parties on concluding the present Agreement not being attained or in the event of either of the Contracting Parties considering itself at a disadvantage through developments unfavourable to its interests or through the adoption by the other Party of measures of an economic nature, either of the Contracting Parties may request that negotiations be commenced without delay with a view to effecting a mutually satisfactory adjustment of the matter. If such negotiations should not lead to a satisfactory settlement within four weeks from the date of receipt of the request, the Party which considers itself at a disadvantage shall have the right to terminate the present Agreement six weeks from the date of the receipt by the other Party of notification of termination.

ARTICLE VI

The Contracting Parties agree that it is their intention to replace the present Provisional Agreement as soon as possible with a General Convention of Commerce and Navigation.

ARTICLE VII.

The present Agreement shall be ratified and the ratifications shall be exchanged at Berlin as soon as practicable.

The Agreements shall come into force fourteen days after the exchange of ratifications and shall remain in force until November 14, 1937, subject to the provisions of Article V. In case neither of the Contracting Parties shall have given notice to the other two months before the said date of its

intention to terminate the present Agreement, it shall remain in force thereafter until the expiration of two months 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 Agreement.

Done in duplicate at Ottawa, in English and German texts, both authentic, this twenty-second day of October, 1936.

W. D. EULER. HEMMEN.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 90.

An Act respecting a certain Convention between Canada and the United States of America, for the preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea, signed at Ottawa on the 29th day of January, 1937.

First reading, April 1, 1937.

THE PRIME MINISTER.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

35677

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA

BILL 90.

An Act respecting a certain Convention between Canada and the United States of America, for the preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea, signed at Ottawa on the 29th day of January, 1937.

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 Northern Pacific Halibut Fishery (Convention) Act, 1937.*

INTERPRETATION.

Definitions.

"Closed season."

2. In this Act, unless the contrary intention appears,—

(a) "closed season" means, in respect of fishing for halibut in the convention waters, the period from the 1st day of November in any year to the 15th day of February in the next following year, both days inclusive, or any other period which may be substituted therefor either as to part or all of the convention waters by the International Fisheries Commission, with the approval of the Governor in Council and of the President of the United States of America;

"Convention."

(b) "Convention" means the convention between Canada and the United States of America for the preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea, signed at Ottawa on the 29th day of January, 1937;

"Convention waters."

(c) "convention waters" comprises and means the territorial waters and the high seas off the western coasts of Canada and of the United States of America, including the southern as well as the western coasts of Alaska;

Explanatory Notes.

The purpose of this Bill is to confirm the Convention between Canada and the United States designated in the title and set out in the Schedule; to provide for the necessary legislation to make the Convention effective as agreed in Article IV thereof; and to replace the Northern Pacific Halibut Fishery Protection Act (R.S.C., 1927, c. 75).

'Halibut."

(*d*) "halibut" means the species of fish known as *hippoglossus*;

"International Fisheries Commission."

(*e*) "International Fisheries Commission" means the commission established by the Convention for the preservation of the halibut fishery aforesaid concluded on May 2, 1923, and, under the authority of the Northern Pacific Halibut Fishery Protection Act and continued by the Convention for the preservation of the said fishery concluded on May 9, 1930, and which is further continued under the Convention and under the provisions of this Act;

"Regulations."

(*f*) "regulations" means orders or regulations of the Governor in Council;

"Territorial waters of Canada."

(*g*) "territorial waters of Canada" means Canadian waters as defined for the purposes of the Customs Act which are contiguous to the western coast of Canada.

Convention confirmed and sanctioned.

3. The Convention, which is set out in the Schedule to this Act, is hereby confirmed and sanctioned.

Suspension of inconsistent laws.

4. In the event of any inconsistency between the provisions of this Act and of the Convention, and the operation of any other law, the provisions of this Act and of the Convention shall to the extent of such inconsistency prevail.

Customs and Fisheries Protection Act to apply.

5. Section five and all of the following sections, except sections ten and twenty-nine, of the *Customs and Fisheries Protection Act*, chapter forty-three of the Revised Statutes of Canada, 1927, shall be deemed to apply in so far as applicable for all the purposes of this Act, and shall have effect as if enacted herein.

Appointments, etc., by Governor in Council.

6. The Governor in Council may make such appointments, establish such offices, and do such things as may be deemed necessary for carrying out the Convention, and for giving effect to any of its provisions.

Salaries and expenses of the International Fisheries Commission.

7. Canada shall pay the salaries and expenses of the members of the International Fisheries Commission appointed by the Governor in Council and one-half of the joint expenses incurred by the Commission out of moneys provided by Parliament.

Fishing, etc., in territorial or convention waters in closed season.

8. Every person who at any time in the closed season fishes for, or catches, or attempts to catch, halibut in the territorial waters of Canada; and every national or inhabitant of Canada who at any time in the closed season fishes for, or catches, or attempts to catch, halibut in convention waters, is guilty of an offence against this Act.

5. The sections of the Customs and Fisheries Protection Act (R.S.C. 1927, c. 43) mentioned in this section empower officers employed in the protection of the fisheries to board and search vessels in certain circumstances, define certain offences respecting fishing, and provide for penalties and forfeitures and for the procedure to be observed in these connections.

8. Section eight of this Bill is substantially identical with section six of the Northern Pacific Halibut Fishery Protection Act.

Orders and Regulations by Governor in Council.

9. (1) The Governor in Council may make orders and regulations to give effect to any permission, limitation, regulation, prohibition, or other action of the International Fisheries Commission, pursuant to the provisions of the Convention..

For carrying out the Convention.

(2) The Governor in Council may make such orders and regulations as may be deemed necessary for the purpose of carrying out the Convention or for giving effect to any of its provisions.

To prevent the use of territorial waters by others.

(3) The Governor in Council may make such orders and regulations as appear to him to be necessary to prevent the use of the territorial waters of Canada or of Canadian ports or of any other Canadian facilities, whether directly or indirectly, by any vessel, national or inhabitant of any country not a party to the Convention employed or intended to be employed either directly or indirectly in the halibut fishery in Convention waters.

Repeal and amendment.

(4) The Governor in Council may rescind, revoke, amend or vary any order or regulation made under the authority of this section.

Offence.

(5) Every person who at any time contravenes any order or regulation made under the provisions of this section shall be guilty of an offence against this Act.

Publication of orders and regulations.

(6) Every order or regulation made under the authority of this section shall be published in the *Canada Gazette* and shall, as on the date of such publication or any later date mentioned therein, have force and effect as if it were enacted by parliament.

Outfitting for the purpose of engaging in prohibited fishing.

10. (1) The owner or master of any vessel, or any other person, who,—

(a) makes use of any port or place within Canada for the purpose of furnishing, providing, preparing or outfitting in any manner, whether in whole or in part, any vessel for the purpose of engaging in the halibut fishery within convention waters or within any specified area thereof in contravention of any provision of this Act, or of any regulation; or

Vessel departing with the intention of fishing.

(b) causes or permits any vessel to depart from any such port or place with the intention of fishing for halibut within convention waters or within any specified area thereof in contravention of any provision of this Act, or of any regulation;

shall be guilty of an offence against this Act.

9. (3) The purpose of this subsection is to enable measures to be taken, if they should appear expedient, to insure the preservation of the halibut fishery and to prevent the object of the Convention being thwarted by the activities of persons and vessels other than those provided for in other sections of the Bill.

10. This section re-enacts section 7 of the Northern Pacific Halibut Fishery Protection Act with the necessary consequential amendments.

Entry into Canada while on voyage to fish, or with halibut on board.

(2) The owner or master of any vessel shall, if the said vessel enter or come to any port or place in Canada while upon or in the prosecution of any voyage at any time during which the said vessel fished or was used in fishing for halibut as aforesaid, or have on board the said vessel any halibut caught while so fishing, be guilty of an offence against this Act.

Landing or attempting to land, etc.

11. The owner or master of any vessel or any person who lands or attempts to land, or knowingly has in his possession, in any port or place within Canada any halibut caught in convention waters or within any specified area thereof in contravention of any provision of this Act, or of any regulation, shall be guilty of an offence against this Act.

Vessel, etc., liable to seizure and forfeiture.

12. (1) Every ship, vessel or boat, including all furniture, apparel, appliances, gear, tackle and rigging and all cargo and stores found on board thereof, which is in any manner operated or used for the commission of any offence against this Act, or for fishing for halibut in convention waters in contravention of any regulation, or for aiding or facilitating the commission of any such offence, or of any such contravention, may be seized by any officer authorized by the *Customs and Fisheries Protection Act* to board and search and shall, save as herein otherwise provided, be forfeited.

R.S., c. 43.

Nationals or inhabitants of Canada or United States may be detained.

(2) Every national or inhabitant of Canada or of the United States engaged in fishing for halibut in convention waters in contravention of any provision of this Act or of any regulation, or in aiding or facilitating fishing as aforesaid, may be taken into custody and detained by any officer authorized by the *Customs and Fisheries Protection Act* to board and search.

Persons, ships, etc., delivered to United States.

(3) Whenever any such person is a national or inhabitant of the United States, or any such ship, vessel, boat or other property is registered in the United States or belongs to a national or an inhabitant of the United States, and is taken into custody and seized and detained for an offence against any provision of this Act or for a contravention of any regution committed in convention waters other than the territorial waters of Canada, such person, ship, vessel, boat or other property shall be delivered as soon as practicable to an authorized official of the United States to be dealt with in accordance with the law of the United States.

Having halibut unlawfully caught or retained.

13. Every person who knowingly has in his possession any halibut unlawfully caught within convention waters or unlawfully retained shall be guilty of an offence against this Act.

12. This section substantially represents a re-enactment and re-arrangement of the provisions of sections 8 and 9 of the Northern Pacific Halibut Fishery Protection Act.

13. This section substantially re-enacts section 10 of the Northern Pacific Halibut Fishery Act with the addition of the reference to the unlawful retention of halibut.

Penalty for violation.

14. (1) Every person guilty of an offence against this Act or of a contravention of any regulation shall be liable upon summary conviction to a fine of not less than one hundred dollars and not more than one thousand dollars, or to imprisonment for a term not exceeding one year, or to both fine and imprisonment.

Halibut forfeited to the Crown.

(2) The justice making the conviction shall adjudge and order as forfeited to the Crown for the public uses of Canada any halibut in the possession of the person convicted which is found to have been unlawfully caught in convention waters or unlawfully retained: Provided that if the conviction be quashed on an appeal or on a stated case, the person aggrieved shall be recouped the reasonable market value of the halibut so forfeited as of the date the forfeiture was so adjudged and ordered.

Proviso.

Act repealed.

15. *The Northern Pacific Halibut Fishery Protection Act,* chapter seventy-five of the Revised Statutes of Canada, 1927, is hereby repealed.

Commencement and duration of Act.

16. This Act shall come into force on a day to be fixed by Proclamation of the Governor in Council and shall continue in force until a day which may be fixed by Proclamation of the Governor in Council following upon the termination of the Convention, and no longer.

14. (1) This subsection re-enacts section 11 of the Northern Pacific Halibut Fishery Protection Act, with the addition of the reference to contraventions of regulations.

Subsection (2) provides for procedure in cases of forfeiture.

16. This section corresponds to section 12 of the Northern Pacific Halibut Fishery Protection Act. In the present case, however, it appears desirable to delay the coming into force of the new legislation until after the proposed exchange of ratifications of the new Convention; while, for reasons of administrative necessity, it might be expedient that the legislation should continue in force for a brief period after the termination of the Convention, if it should be terminated.

SCHEDULE.

Convention Between Canada and the United States of America for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea Signed at Ottawa January 29th, 1937.

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 United States of America,

Desiring to provide more effectively for the preservation of the halibut fishery of the northern Pacific Ocean and Bering Sea, have resolved to conclude a convention revising the convention for the preservation of that fishery signed on their behalf at Ottawa on May 9, 1930, and have named as their plenipotentiaries for that purpose,

His Majesty, for the Dominion of Canada:
The Right Honourable William Lyon Mackenzie King, Prime Minister and Secretary of State for External Affairs; and

The President of the United States of America:
Norman Armour, Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Canada;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following articles:—

Article I.

The nationals and inhabitants and fishing vessels and boats of the United States of America and of Canada, respectively, are hereby prohibited from fishing for halibut (Hippoglossus) both in the territorial waters and in the high seas off the western coasts of the United States of America, including the southern as well as the western coasts of Alaska, and of Canada, from the first day of November next after the date of the exchange of ratifications of this Convention to the fifteenth day of the following February, both days inclusive, and within the same period yearly thereafter.

The International Fisheries Commission provided for by Article III is hereby empowered, subject to the approval of the President of the United States of America and of the Governor General of Canada, to suspend or change the closed season provided for by this Article, as to part or all of the convention waters, when it finds after investigation such suspensions or changes are necessary, and to permit, limit, regulate and prohibit in any area or at any time when fishing for halibut is prohibited, the taking, retention and landing of halibut caught incidentally to fishing for other species of fish, and the possession during such fishing of halibut of any origin.

It is understood that nothing contained in this Convention shall prohibit the nationals or inhabitants or the fishing vessels or boats of the United States of America or of Canada, from fishing in the waters hereinbefore specified for other species of fish during the season when fishing for halibut in such waters is prohibited by this Convention or by any regulations adopted in pursuance of its provisions.

It is further understood that nothing contained in this Convention shall prohibit the International Fisheries Commission from conducting fishing operations for investigation purposes at any time.

ARTICLE II.

Every national or inhabitant, vessel or boat of the United States of America or of Canada engaged in halibut fishing on the high seas in violation of this Convention or of any regulation adopted under the provisions thereof may be seized by the duly authorized officers of either High Contracting Party and detained by the officers making such seizure and delivered as soon as practicable to an authorized official of the country to which such person, vessel or boat belongs, at the nearest point to the place of seizure, or elsewhere, as may be agreed upon. The authorities of the nation to which such person, vessel or boat belongs alone shall have jurisdiction to conduct prosecutions for the violation of the provisions of this Convention, or any regulations which may be adopted in pursuance of its provisions, and to impose penalties for such violations; and the witnesses and proofs necessary for such prosecutions, so far as such witnesses or proofs are under the control of the other High Contracting Party, shall be furnished with all reasonable promptitude to the authorities having jurisdiction to conduct the prosecutions.

Each High Contracting Party shall be responsible for the proper observance of this Convention, or of any regulation adopted under the provisions thereof, in the portion of its waters covered thereby.

ARTICLE III.

The High Contracting Parties agree to continue under this Convention the Commission as at present constituted and known as the International Fisheries Commission, established by the Convention for the preservation of the halibut fishery, signed at Washington, March 2, 1923, and continued under the Convention signed at Ottawa, May 9, 1930, consisting of four members, two appointed by each Party, which Commission shall make such investigations as are necessary into the life history of the halibut in the convention waters and shall publish a report of its activities from time to time. Each of the High Contracting Parties shall have power to fill, and shall fill from time to time, vacancies which may occur in its representation on the Commission. Each of the High Contracting Parties shall pay the salaries and expenses of its own members, and joint expenses incurred by the Commission shall be paid by the two High Contracting Parties in equal moieties.

The High Contracting Parties agree that for the purposes of protecting and conserving the halibut fishery of the Northern Pacific Ocean and Bering Sea, the International Fisheries Commission, with

the approval of the President of the United States of America and of the Governor General of Canada, may, in respect of the nationals and inhabitants and fishing vessels and boats of the United States of America and of Canada, from time to time,

(a) divide the convention waters into areas;

(b) limit the catch of halibut to be taken from each area within the season during which fishing for halibut is allowed;

(c) prohibit departure of vessels from any port or place, or from any receiving vessel or station, to any area for halibut fishing, after any date when in the judgment of the International Fisheries Commission the vessels which have departed for that area prior to that date or which are known to be fishing in that area shall suffice to catch the limit which shall have been set for that area under section *(b)* of this paragraph;

(d) fix the size and character of halibut fishing appliances to be used in any area;

(e) make such regulations for the licensing and departure of vessels and for the collection of statistics of the catch of halibut as it shall find necessary to determine the condition and trend of the halibut fishery and to carry out the other provisions of this Convention;

(f) close to all halibut fishing such portion or portions of an area or areas, as the International Fisheries Commission find to be populated by small, immature halibut.

ARTICLE IV.

The High Contracting Parties agree to enact and enforce such legislation as may be necessary to make effective the provisions of this Convention and any regulations adopted thereunder, with appropriate penalties for violations thereof.

ARTICLE V.

The present Convention shall remain in force for a period of five years and thereafter until two years from the date when either of the High Contracting Parties shall give notice to the other of its desire to terminate it.

This Convention shall, from the date of the exchange of ratifications be deemed to supplant the convention for the preservation of the halibut fishery signed at Ottawa, May 9, 1930.

ARTICLE VI.

This Convention shall be ratified in accordance with the constitutional methods of the High Contracting Parties. The ratifications shall be exchanged at Ottawa as soon as practicable, and the Convention shall come into force on the day of the exchange of ratifications.

In faith whereof, the respective plenipotentiaries have signed the present Convention in duplicate, and have hereunto affixed their seals.

Done at Ottawa on the twenty-ninth day of January, in the year one thousand nine hundred and thirty-seven.

(L.S.) W. L. MACKENZIE KING
(L.S.) NORMAN ARMOUR

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 100.

An Act to amend the Civil Service Act.

First reading, April 5, 1937.

MR. POULIOT.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

36016

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 100.

An Act to amend the Civil Service Act.

R.S. c. 22; 1929, cc. 38, 52; 1932, c. 40.

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

1. Section twenty-eight of the *Civil Service Act*, chapter twenty-two of the Revised Statutes of Canada, 1927, is repealed, and the following substituted therefor:—

Appointments of civil servants who resigned and went on active service overseas.

"**28.** Any person who formerly held a permanent position in the Civil Service but resigned and proceeded on active service overseas in the military or naval forces of His Majesty during the war, may have his name placed on the list of eligible persons for the class of position from which he resigned, or for any other position for which he may have qualified, in the order, as respects other persons, provided by the regulations of the Commission, and his salary on appointment shall be the salary he was receiving at the time of his resignation, or the minimum salary of the class in which the position is classified, whichever be the higher."

2. Subsection four of section twenty-nine of the said Act is repealed and the following substituted therefor:—

Preference for persons on list of pensioners.

"**29.** (4) In all examinations for entrance into the civil service the persons named on such special list who are found to possess the necessary qualifications shall be named, in the order of merit, on the list of successful candidates above all other candidates; and all other persons who have been on active service overseas on the military forces or who have served on the high seas in a seagoing ship of war in the naval forces of His Majesty, during the war, who have left such service with an honourable record or who have been honourably discharged, or when any persons who have served as aforesaid have died owing to such service, the

Preference for persons who served in war.

Explanatory Notes.

The amendment is designed to confine the preference in respect to *(a)* pensioners, *(b)* the list of eligible persons formerly holding permanent positions in the civil service who resigned and proceeded on active service overseas, in the military or naval forces of His Majesty, and *(c)* the list of successful candidates at an examination of entrance to the civil service, to be in all such cases, Canadian Nationals who have been on active service overseas on the military or naval forces of His Majesty during the war.

This amendment is effected by omitting the words "or of any of the allies of His Majesty" from sections 28 and 29.

widows of such persons, and who, in either case, obtain sufficient marks to pass such examinations, shall, irrespective of the marks they have obtained, be named in the order of merit, on the list of successful candidates next after any candidates who are on the special list mentioned in sub-section two of this section and above all other candidates."

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 101.

An Act to assist the Provinces of Alberta, Manitoba and Saskatchewan in financing the cost of seed and seeding operations for the crop year 1937.

First reading, April 5, 1937.

THE MINISTER OF FINANCE.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

35851

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 101.

An Act to assist the Provinces of Alberta, Manitoba and Saskatchewan in financing the cost of seed and seeding operations for the crop year 1937.

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 Seed Grain Loans Guarantee Act, 1937.*

Dominion guarantee of bank loans in respect to Alberta.

2. The Governor in Council, subject to the provisions hereof, may authorize the guarantee of the principal and interest of any loans made by any chartered bank and guaranteed by the province of Alberta under the authority of *The Agricultural Relief Advances Act*, of Alberta and any amendments thereto, for purchasing seed grain and providing other assistance to farmers in connection with seeding operations during the spring of 1937; provided however that the aggregate principal amount of loans guaranteed under the authority of this section shall not exceed one million six hundred thousand dollars.

Not to exceed $1,600,000.

Dominion guarantee of bank loans in respect to Manitoba.

3. The Governor in Council, subject to the provisions hereof, may authorize the guarantee of the principal and interest of any loans made by any chartered bank and guaranteed by the province of Manitoba under the authority of *The Treasury Act* of Manitoba and any amendments thereto, for purchasing seed grain and providing other assistance to farmers in connection with seeding operations during the spring of 1937; provided however that the aggregate principal amount of loans guaranteed under the authority of this section shall not exceed seven hundred and fifty thousand dollars.

Not to exceed $750,000.

Dominion guarantee of bank loans in respect to Saskatchewan.

4. The Governor in Council, subject to the provisions hereof, may authorize the guarantee of the principal and interest of any loans made by any chartered bank and guaranteed by the province of Saskatchewan under the authority of *The Municipalities Seed Grain and Supply Act*, 1935 of Saskatchewan, *The Local Improvement Districts Act*, 1936 of Saskatchewan or of *The Local Improvement Districts Relief Act* of Saskatchewan, and any amendments thereto, for purchasing seed grain and providing other assistance to farmers in connection with seeding operations during the spring of 1937, provided however that the aggregate principal amount of loans guaranteed under the authority of this section shall not exceed six million six hundred thousand dollars.

Not to exceed $6,600,000.

Governor in Council to approve form and terms of guarantees.

5. The guarantee or guarantees given under the authority of this Act may be in such form and on such terms and conditions as the Governor in Council may approve and may be signed on behalf of His Majesty by the Minister of Finance or the Acting Minister of Finance or by such other person as the Governor in Council may from time to time designate.

Terms of guarantee.

6. No guarantee shall be given under the authority of this Act,

(i) unless provision is made that the liability of such a province and the Government of Canada in respect of any such loan guaranteed by them shall be separate and successive and not joint and that the Government of Canada shall only be liable to fulfil its guarantee in respect of any loan to the amount that the province is unable to fulfil its guarantee in respect of the same loan;

(ii) unless the guarantee given by such a province contains a condition providing that the province shall not be required to fulfil its guarantee before the expiration of three years after the date any such loan was made by a chartered bank;

(iii) unless provision is made that if the Government of Canada is required to pay any amount in respect of any such guarantee, such a province will deliver to the Minister of Finance treasury bills or other obligations of the province in such form and subject to such terms and conditions as the Minister of Finance may approve, equal in principal amount to the amount which the Government of Canada is so required to pay.

Payment out of Consolidated Revenue Fund.

7. The Minister of Finance may pay out of any unappropriated moneys in the Consolidated Revenue Fund the amounts necessary to fulfil any guarantee given under the authority of this Act.

Orders and regulations.

8. The Governor in Council may make all such orders and regulations as may be deemed necessary or desirable to carry out the purposes and intention of this Act.

Orders and regulations to be laid before House of Commons or published in *Canada Gazette*.

9. All Orders in Council and regulations made under the provisions of this Act shall be laid before the House of Commons forthwith after the making thereof, if Parliament is then sitting or if not such Orders in Council or regulations or any abstract thereof disclosing their essential provisions shall be published in the next following issue of the *Canada Gazette*.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 102.

An Act to amend the Immigration Act.

First reading, April 7, 1937.

THE MINISTER OF MINES AND RESOURCES.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

31643

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 102.

An Act to amend the Immigration Act.

R.S., c. 93; 1928, c. 29.

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

Definitions.

1. Section two of the *Immigration Act*, chapter ninety-three of the Revised Statutes of Canada 1927, is amended by adding thereto immediately after paragraph *(d)* the following as paragraph *(dd)*:

"Director".

"*(dd)* 'Director' means the Director of the Immigration Branch of the Department of Mines and Resources."

"Domicile".

2. Paragraph *(e)* of section two of the said Act is amended by adding at the end thereof the following proviso:—

Domicile preserved.

"Provided further that any person while absent from Canada as a representative or employee of a firm, company or organization, religious or otherwise, established in Canada, and any person while absent from Canada in the service of His Majesty's Government in Canada, shall not by such absence be held to have lost Canadian domicile."

Non-immigrant classes.

3. Paragraph *(h)* of section two of the said Act is amended by adding thereto as sub-paragraph (viii) the following:—

Persons deported through Canada.

"(viii) persons passing in transit through Canada under escort or guard from one port or place out of Canada to another port or place out of Canada."

Definitions.

4. Paragraph *(o)* of section two of the said Act is repealed and the following substituted therefor:—

"Officer".

"*(o)* 'officer' means any person appointed under this Act, for any of the purposes of this Act, and any officer of customs; and includes the Deputy Minister, Director, immigration commissioners, district superintendents, medical officers and inspectors and every person recognized by the Minister as an immigration

Explanatory Notes.

The purpose of this Bill is to make such amendments to the Immigration Act as are called for by the formation of the Department of Mines and Resources and the amalgamation with the new Department of what was formerly the Department of Immigration and Colonization, and to make some other changes that are now considered necessary.

1. "Director" being a new office defined.

2. The proviso is added for the purpose of protecting the Canadian domicile of certain persons who may be absent from Canada for prolonged periods, without any intention of making their permanent home out of Canada. As the Act stands provision is made for the protection of Canadian domicile for a period of six years only. Many requests have been received from missionary societies and business concerns for the protection of Canadian domicile for longer periods. These requests have been based on the fact that periods of service abroad between furloughs, frequently extend beyond six years. This amendment will protect Canadian domicile in such cases.

3. The added sub-paragraph is to permit the transit through Canada under escort and as non-immigrants, of persons being deported from the United States through Canadian ports. Such persons under the law as it stands are neither immigrants nor non-immigrants and the object is to define their status and prevent their release in Canada.

The first six lines of paragraph *(h)* read as follows:—

> "*(h)* "immigrant" means a person who enters Canada with the intention of acquiring Canadian domicile, and for the purposes of this Act every person entering Canada shall be presumed to be an immigrant unless belonging to one of the following classes of persons, hereinafter called "non-immigrant classes,"

4. The changes in this paragraph are required by the creation of the office of "Director", the change in title of Division Commissioners (what were formerly named Division Commissioners are now designated District Superintendents) and the inclusion of medical officers.

The words underlined on the opposite page are new.

agent or officer with reference to anything done or to be done under this Act, whether within or outside of Canada, and whether with or without formal appointment;"

Prohibited classes of immigrants.

5. Paragraph *(b)* of section three of the said Act is amended by adding thereto the following proviso:—

Diseased persons. Tranchoma.

"And provided further that a person certified by the examining medical officer as being afflicted with trachoma, shall not be admitted to Canada until a period of at least six months has elapsed from the date a medical officer certifies such person as being apparently cured of such disease."

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

Appointment of officers.

"**5.** Commissioners of Immigration, District Superintendents and such other officers, with such designations or titles as are deemed necessary, may be appointed for carrying out the provisions of this Act."

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

Duties of police to execute orders of Minister and departmental officers.

"**11.** All constables and other peace officers in Canada, whether appointed under Dominion, provincial, or municipal authority, shall, when so directed by the Minister or by any officer under this Act, receive and execute according to the tenor thereof any written order of the Minister, or of the Minister of Justice, or of a Board of Inquiry or officer acting as such, and any warrant of the Deputy Minister, the Director or the Commissioner of Immigration for the arrest, detention or deportation of any immigrant, alien or other person in accordance with the provisions of this Act.

Evidence to be received.

8. Section sixteen of the said Act is amended by adding as subsection two thereof the following:—

Reopening of Board of Inquiry.

"(2) A Board of Inquiry may be re-opened by a majority vote of the said Board to that effect, or by the order of the Minister, the Deputy Minister or the Director for the hearing and receiving of any additional relevant evidence or testimony, and the said Board of Inquiry shall have authority upon such hearing and receiving to alter, amend, or reverse the decision previously rendered."

5. This amendment is required to authorize a procedure found by experience to be necessary for the protection of Canada against the importation of trachoma and has been strongly urged by examining medical officers. Trachoma is described by competent medical officers as one of the most loathsome diseases of middle Europe, a most intractable affliction, in many instances impossible of cure and very liable to recurrence soon after apparent complete subsidence. The six months probationary period is intended to prevent apparently cured cases arriving in Canada until their cure is assured.

6. The change in this paragraph, underlined on the opposite page, is due to the change in the title of Division Commissioners who are now called District Superintendents.

7. The changes in this section are necessitated by the reorganization of the Department. It consists in the addition of the underlined words "the Director or the Commissioner of Immigration."

8. This amendment is required to provide authority for the reopening of Boards of Inquiry. It frequently becomes necessary in the interests of the immigrant or of the Department, to reopen a Board of Inquiry in order to introduce new evidence which may call for a revised decision. The amendment provides the needed machinery which has hitherto not existed.

Section sixteen reads as follows:—

"**16.** In all such cases, a Board of Inquiry may at the hearing, receive and base its decision upon any evidence considered credible or trustworthy by such Board in the circumstances of each case; and in all cases where the question of the right to enter or land in Canada under this Act is raised the burden of proof shall rest upon the immigrant, passenger or other person claiming such right."

Landing of passengers.

9. Subsection four of section thirty-three of the said Act is repealed and the following substituted therefor:—

Examination in doubtful cases.

"(4) Every passenger or other person as to whose right to enter or land the examining officer has any doubt, shall be detained for further examination by an officer in charge, or by a Board of Inquiry and such examination shall forthwith be conducted separate and apart from the public, and upon the conclusion thereof such passenger or other person shall be immediately allowed to enter, landed or shall be rejected and kept in custody or released under such bond or security as may be approved by the officer in charge, pending his deportation."

10. Section thirty-four of the said Act is repealed and the following substituted therefor:—

Medical treatment.

"**34.** (1) A passenger or other person seeking to enter Canada or who has been rejected or is detained for any purpose under this Act, who is suffering from sickness or physical or mental disability, may whenever it it so directed by the Deputy Minister, Director or officer in charge be afforded medical treatment on board ship or in an immigrant station, or may be removed to a suitable hospital for treatment, according as the officer in charge decides is required by existing circumstances and the condition of the person's health as reported upon by the examining medical officer, and the cost of his hospital treatment and medical attention and maintenance shall be paid by the transportation company which brought such person to Canada.

Cost of attendant or dependent.

(2) The Deputy Minister, Director or officer in charge, may, whenever it is considered necessary or advisable for the proper care of such person, direct that a suitable attendant, or someone upon whom such person is dependent, or someone who is dependent upon such person, as the case may be, shall be kept with such person during his medical treatment on board ship or at an immigrant station or hospital, or, in case of deportation from any place within Canada, shall accompany such person to his port of embarkation from Canada; and the cost thereof shall be paid by the said transportation company."

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

Duty of companies to re-convey rejected immigrants to country of birth or citizenship.

"**39.** When any immigrant or other person is rejected or ordered to be deported from Canada, and such person has not come to Canada by continuous journey from the country of which he is a native or naturalized citizen, but has come indirectly through another country which refuses to allow such person to return or be returned to it, then the transportation company bringing such person to such other

9. The words "or released under such bond or security as may be approved by the officer in charge" are added to give authority for the release from custody of persons who in the opinion of the officer-in-charge do not require to be kept in custody and where such confinement might not be in the interests of either the person concerned or the Department.

10. The changes in this section are necessitated by the reorganization of the Department.

11. Two changes have been made in this section, the first one being the substitution of the word "convey" for the word "deport". The second change is the addition of the words "or the Director" necessitated by the reorganization of the Department.

country shall convey such person from Canada to the country of which he is a native or naturalized citizen whenever so directed by the Minister, Deputy Minister or the Director, and at the cost of such transportation company, and in case of neglect or refusal so to do, such transportation company shall be guilty of an offence against this Act, and shall be liable to a fine of not more than five hundred dollars and not less than twenty dollars for each such offence."

12. Subsection one of section forty-two of the said Act is repealed and the following substituted therefor:—

Investigation of complaints concerning undesirable classes.

"**42.** (1) Upon receiving a complaint from any officer, or from any clerk or secretary or other official of a municipality against any person alleged to belong to any prohibited or undesirable class, the Minister, the Deputy Minister, the Director or the Commissioner of Immigration may order such person to be taken into custody and detained at an immigrant station for examination and an investigation of the facts alleged in the said complaint to be made by a Board of Inquiry or by an officer acting as such."

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

Detention of certain persons for deportation.

"**43.** (1) Whenever any person other than a Canadian citizen, or a person having Canadian domicile, has become an inmate of a penitentiary, gaol, reformatory or prison, the Minister of Justice may, upon the request of the Minister of Mines and Resources, issue an order to the warden or governor of such penitentiary, gaol, reformatory or prison, which order may be in the form F in the schedule to this Act, commanding him after the sentence or term of imprisonment of such person has expired to detain such person for, and deliver him to, the officer named in the warrant issued by the Director or the Commissioner of Immigration, which warrant may be in the form G in the schedule to this Act, with a view to the deportation of such person.

Order of Minister of Justice and warrant of Director or Commissioner.

(2) Such order of the Minister of Justice shall be sufficient authority to the warden or governor of the penitentiary, gaol, reformatory or prison, as the case may be, to detain and deliver such person to the officer named in the warrant of the Director or the Commissioner of Immigration as aforesaid, and such warden or governor shall obey such order, and such warrant shall be sufficient authority to the officer named therein to detain such person in his custody, or in custody at any immigrant station, until such person is delivered to the authorized agent of the transportation company which brought such person into Canada, with a view to deportation as herein provided.

12. The changes in this section are necessitated by the reorganization of the Department.

13. The changes in section 43, subsections (1) and (2), are necessitated by the reorganization of the Department. Subsection (3) is added to allow the release under security of persons when they cannot be deported within reasonable time after completion of sentence. Delay in determining nationality and in securing passports, frequently results in the delay of deportation for considerable periods after completion of sentence. The continued detention of immigrants either in prison or at an immigrant station, is not always justified, besides which it entails unnecessary burdens upon Provinces, municipalities or upon the Dominion Government.

Release on bond.

(3) Notwithstanding the provisions of the preceding subsection, whenever any inmate of a penitentiary, gaol, reformatory, or prison, whose deportation has been ordered, cannot be deported within a reasonable period after the sentence has expired such person may be released under bond or deposit of money as may be approved by the Director or the Commissioner of Immigration, upon condition that such person shall surrender himself for deportation at such time and place as shall be named in the bond, and the warrant in the form G in the schedule to this Act shall be sufficient authority to the officer named therein to detain such person in his custody, or in custody at an immigrant station, until such person is delivered to the authorized agent of the transportation company which brought him to Canada, with a view to his deportation."

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

Penalty on transportation company refusing to return person ordered to be deported.

"**47.** Every transportation company which refuses or neglects to comply with the order of the Director, Commissioner of Immigration, Board of Inquiry, or officer acting as such Board, to take on board, guard safely, and return to the place in the country whence he came, or to the country of his birth or citizenship, as may be directed by such order, any passenger or other person brought to Canada by such transportation company, and ordered to be deported under the provisions of this Act, shall be liable to a fine of not more than five hundred dollars and not less than fifty dollars, in each case."

15. Subsections two and three of section forty-nine of the said Act are repealed and the following substituted therefor:—

Duty to notify immigration officer when such person escapes.

"(2) In the event of such person escaping from the custody of a transportation company, it shall be the duty of the master of the vessel, conductor of the train, dockmaster, special constable or other official or employee of the transportation company in whose custody such person then was, to immediately report such escape to the nearest available immigration officer; and it shall also be the duty of the said company forthwith to report such escape to the Commissioner of Immigration, and such report shall state when, and from whom such person was received, and the time and mode of escape.

Penalty.

(3) Failure on the part of such master, conducter, or other official so to report to the nearest available immigration officer shall render him liable to a penalty of not more than twenty dollars and not less than ten dollars for each offence, and failure on the part of the transpor-

14. The changes in this section are necessitated by the reorganization of the Department.

15. The change in this section is the substitution of the Commissioner of Immigration for the Deputy Minister, and is advisable for the reason that immediate action must be taken where an escape occurs; the report of an escape should therefore be made direct to the officer who must take such action.

Subsection one of section 49 reads as follows:—

"**49.** Every transportation company which, through the connivance or negligence of any of its officials or employees, permits the escape of any person delivered into the custody of such transportation company by any officer for deportation under this Act shall, on conviction, be punished by a fine of not more than five hundred dollars and not less than fifty dollars for each offence."

tation company to so report to the Commissioner of Immigration shall render such company liable to a fine of not more than one hundred dollars and not less than twenty dollars for each offence."

Deposit as security for return of deserters.

16. Section fifty-three of the said Act is amended by adding as subsection nine thereof the following:—

Disposal of deposit.

"(9) In case such deserter fails to return to the vessel or is not deported under the provisions of this Act within a period of three years from the date such deposit was made, the Minister may, in his discretion, direct that such deposit be forfeited to His Majesty or that it be returned to the depositor; provided that no such deposit shall be so returned until the depositor has furnished such security as the Minister considers necessary to insure that any expense incurred by His Majesty in the detention, maintenance, transportation, subsistence, medical or hospital treatment or deportation in case such deserter shall be found in Canada after the return of such deposit, shall be paid by the depositor."

Proviso.

16. As the law now stands a deposit can be disposed of only by the deserter returning to his vessel or being apprehended and deported. This amendment provides authority for the refund of a deposit, when the deserter has not returned to his vessel or has not been deported, where the Minister is satisfied that the need for such deposit has disappeared. In some cases deserters have been granted a landing in Canada.

Form C.

17. Form C in the schedule to the said Act is repealed and the following substituted therefor:—

"FORM C.

ORDER FOR DEPORTATION

Canada

The Immigration Act, section 33.

To.....
(transportation company)
and to.....
(person rejected)
Port of Entry.....
Province of.....
This is to certify that.....
(name in full)
of.....
(last place of residence)
a person seeking to enter Canada at this port, ex.....
.....from..... which arrived
(mode of travel)
at this port on.....at.....
o'clock has this day been examined by the Board of Inquiry (or officer in charge) at this port, and has been rejected for the following reasons:—

.....
.....

And the said.....is hereby ordered to be deported to the place from whence he came to Canada or to the country of his birth or citizenship. Such conveyance shall be by the transportation company which brought the said.....to Canada.

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

Chairman of the Board of Inquiry
or Immigration Officer in Charge

NOTICE TO PERSON ORDERED TO BE DEPORTED.

If you claim to be a Canadian citizen or to have acquired Canadian domicile, you have the right to consult counsel and appeal to the courts against deportation.

In all other cases you may appeal to the Minister of Mines and Resources against any decision of the Board of Inquiry or officer in charge whereby you are ordered to be deported unless such decision is based upon a certificate of the examining medical officer that you are affected with a loathsome disease or a disease which may become dangerous to the public health. The formal notice of appeal will be supplied to you by the immigration officer in charge upon request."

17. Two changes are made in Form C, the first being the substitution of Mines and Resources for Immigration and Colonization and the second, the omission of the following words from the end of the Form "and upon deposit of the sum of $20.00 for the cost of your maintenance, and the sum of $10.00 for the maintenance of each person dependent upon you, until the Minister has decided upon your case." Section 19 which formerly called for these deposits was amended by 14-15 George V, chapter 45, assented to 19th July, 1924 and through an oversight Form C was not corrected at that time.

Form F.

18. Form F in the schedule to the said Act is repealed and the following substituted therefor:—

"FORM F.

ORDER OF THE MINISTER OF JUSTICE.

Canada.

The Immigration Act, section 43.

To.....
(Governor *or* Warden of gaol, prison, reformatory or penitentiary)
Whereas.....of.....
has become an inmate of.....having been convicted of the crime of.....
And whereas, under the provisions of the *Immigration Act*, I have been requested by the Minister of Mines and Resources to issue an order to you, the said.....
.....to detain the said....
(Warden *or* Governor, *as the case may be*)
.....after expiry of his sentence, or term of imprisonment, and to deliver him to the officer named in the warrant of the Director or the Commissioner of Immigration with a view to the deportation of the said
.....

Now know you that I, the Minister of Justice of Canada, do hereby, under the provisions of the said Act, order you, the said.....to detain and deliver the said.....to.....
(Warden *or* governor)
.....the officer authorized by warrant aforesaid to receive the said.....
from you with a view to his deportation under the provisions of the said Act.

For which this shall be your sufficient warrant.

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

.....
Minister of Justice."

[*Seal of the Department of Justice.*]

18. Two changes have been made in Form F, the first one being the substitution of Mines and Resources for Immigration and Colonization, and the second, the substitution of Director or the Commissioner of Immigration for the Deputy Minister of Immigration and Colonization.

Form G.

19. Form G in the schedule to the said Act is repealed and the following substituted therefor:—

"FORM G.

WARRANT OF THE DIRECTOR

Canada.

The Immigration Act, section 43.

By the Director of the Immigration Branch, Department of Mines and Resources.

To.....of.....
Whereas.....of.....
has become an inmate of.....
(Gaol, prison, reformatory *or* penitentiary.)

And whereas, under the provisions of the *Immigration Act*, an order has been issued for the deportation of the said .....and application has been made to the Minister of Justice for an order addressed to the .....
(governor *or* warden)
of the said.....
(Gaol, prison, reformatory *or* penitentiary)
commanding him to detain and deliver the said.....
.....into your custody after expiry of his sentence of term of imprisonment in the said.....
.....
(Gaol, prison, reformatory *or* penitentiary)
with a view to his deportation under the provisions of the said Act.

Now know you that I.....
Director as aforesaid (or Commissioner of Immigration)
do hereby order you to receive the said.....
(name of prisoner)
and him safely to keep and to convey through any part of Canada, and him to deliver to the transportation company which brought him to Canada, with a view to his deportation to the port from which he came to Canada.

For which this shall be your sufficient warrant.

Dated at Ottawa this.....day of .....19 ...
Director of the Immigration Branch
Department of Mines and Resources."

19. Two changes have been made in Form G, the first one being the substitution of the Director of the Immigration Branch, Department of Mines and Resources for the Deputy Minister of Immigration and Colonization, and the second, the substitution of the Director or the Commissioner of Immigration, for the Deputy Minister of Immigration and Colonization.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 103.

An Act respecting Gold Clause Obligations.

First reading, April 7, 1937.

The MINISTER OF FINANCE.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937.

31139

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 103.

An Act respecting Gold Clause Obligations.

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 Gold Clauses Act, 1937.*

"Gold clause obligation," defined.

2. The expression "gold clause obligation" in this Act means any obligation heretofore or hereafter incurred (including any such obligation which has, at the date of the commencement of this Act, matured) which purports to give to the creditor a right to require payment in gold or in gold coin or in an amount of money measured thereby, and includes any such obligation of the Government of Canada or of any province.

Legal tender when payable in money of Canada.

3. In the case of any gold clause obligation payable in money of Canada, tender of currency of Canada, dollar for dollar of the nominal or face amount of the obligation, shall be a legal tender and the debtor shall, on making payment in accordance with such a tender, be entitled to a discharge of the obligation.

Legal tender when payable in Canada or elsewhere.

4. In the case of any gold clause obligation governed by the law of Canada payable in Canada or elsewhere, in money other than money of Canada, tender of the nominal or face amount of the obligation in currency which is legal tender for the payment of debts in the country in the money of which the obligation is payable shall be a legal tender and the debtor shall, on making payment in accordance with such a tender, be entitled to a discharge of the obligation.

Payments made before the commencement of this Act.

5. Any payment in respect of a gold clause obligation made before the commencement of this Act, which, if made hereafter, would entitle the debtor to a discharge, shall be deemed to have discharged the obligation.

Gold clause obligation declared to be contrary to public policy.

6. Every gold clause obligation is hereby declared to be contrary to public policy and no such provision shall hereafter be contained in, or made in respect of, any obligation.

Force and effect of provisions.

7. The provisions of this Act shall have full force and effect notwithstanding anything contained in any other statute or law.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 111.

An Act to amend the Customs Tariff.

AS PASSED BY THE HOUSE OF COMMONS, 8th APRIL, 1937.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937.

36253

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

R.S., c. 44, 1928, c. 17; 1929, c. 39; 1930 (1st Sess.) c. 13; 1930 (2nd Sess.), c. 3; 1931, c. 30; 1932, c. 41; 1932-33, cc. 6, 37; 1934, cc. 32, 49; 1935, c. 28; 1936, c. 31.

BILL 111.

An Act to amend the Customs Tariff.

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

1. Section six of the *Customs Tariff*, chapter forty-four of the Revised Statutes of Canada, 1927, as enacted by section one of chapter thirty of the statutes of 1931, and as amended by section one of chapter thirty-seven of the statutes of 1932-33, by section one of chapter forty-nine of the statutes of 1934, and by sections one and two of chapter thirty-one of the statutes of 1936, is further amended by adding thereto the following subsection:—

Rate of exchange on appreciated currency in computing value for duty of imported goods.

"(11) *(a)* Notwithstanding the provisions of any other law, the Governor in Council may, from time to time and as occasion requires, and without having regard to the requirements of section fifty-five of the *Customs Act*, order and direct, subject to such exceptions as may be made, what shall be the rate of exchange fixed for any currency in computing the value for duty of goods imported into Canada from any place or country, the currency of which is appreciated in terms of the Canadian dollar.

Special or dumping duty.

"*(b)* In cases where, under the power granted by this subsection, the Governor in Council shall have fixed the rate of exchange for any currency in computing the value for duty of goods imported into Canada, special or dumping duty shall not apply when the export or actual selling price is equal to or greater than the value for duty so computed and where the same is less than the value for duty so computed, special or dumping duty applicable shall not be greater than the difference between the said export or actual selling price and the value for duty so computed."

Explanatory Note.

Owing to abnormal economic conditions existing in some countries the current exchange rate of their currencies may not represent the internal value thereof. It is found that adherence to the current exchange rate in computing the va ue for duty purposes of goods imported from such countries may undesirably affect and restrict trade. This supplementary provision will enable such action to be taken as is deemed expedient in such cases.

Similar authority with regard to depreciated currencies is now contained in subsection 9 of this section.

Second Session, Eighteenth Parliament, 1 George VI, 1937

THE HOUSE OF COMMONS OF CANADA.

BILL 118.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1938.

AS PASSED BY THE HOUSE OF COMMONS, 10th APRIL, 1937.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

31722

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 118.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1938.

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS it appears by messages from His Excellency, the Right Honourable Baron Tweedsmuir of Elsfield, 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 thirty-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 Commons of Canada, that:—

Short title.

1. This Act may be cited as *The Appropriation Act, No. 3, 1937.*

$186,975,895.69 granted for 1937-38.

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-six million, nine hundred and seventy-five thousand, eight hundred and ninety-five dollars and sixty-nine cents towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and thirty-seven to the thirty-first day of March, one thousand nine hundred and thirty-eight, not otherwise provided for, and being five-sixths of the amount of each of the items to be voted set forth in Schedule A to this Act.

$80,052,755.83 granted for 1937-38.

3. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole eighty million, fifty-two thousand, seven hundred and fifty-five dollars and eighty-three cents towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and thirty-seven, to the thirty-first day of March, one thousand nine hundred and thirty-eight, not otherwise provided for, and being five-sixths of the amount of each of the several items to be voted set forth in Schedule B to this Act.

$11,339,955.98 granted for 1937-38.

4. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole eleven million, three hundred and thirty-nine thousand, nine hundred and fifty-five dollars and ninety-eight cents towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and thirty-seven, to the thirty-first day of March, one thousand nine hundred and thirty-eight, not otherwise provided for, set forth in Schedule C to this Act.

Power to raise loan of $200,000,000.00 for public works and general purposes.

1931, c. 27.

5. (1) The Governor in Council may, in addition to the sums now remaining unborrowed and negotiable of the loans authorized by Parliament by any Act heretofore passed, raise by way of loan, under the provisions of *The Consolidated Revenue and Audit Act, 1931*, 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, not to exceed in the whole the sum of two hundred million dollars as may be required for public works and general purposes, and in addition such sum or sums of money as may be required to pay and redeem treasury bills maturing from time to time.

Chargeable to Consolidated Revenue Fund.

(2) 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.

Lapse of prior borrowing powers.

(3) All borrowing powers authorized by section ten of chapter fifty of the statutes of 1936 which are outstanding and unused shall expire on the date of the coming into force of this Act.

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, 1937-38. The amount hereby granted is $186,975,895.69, being five-sixths of the amount of each of the items in the Estimates as contained in this Schedule.

SUMS granted to His Majesty by this Act for the financial year ending 31st March, 1938, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	CHARGES OF MANAGEMENT		
1	Printing, advertising, inspection, express, etc.	45,549 50	
	Commission for payment of interest on Public Debt, purchase of sinking funds, auditing, bill stamps and postage, etc.	163,481 00	
	To provide for temporary clerical work in connection with the transfer and registration of bonds, etc., and the flotation of loans, and authority to employ a temporary staff, fix their rates of remuneration and otherwise wholly regulate their services without reference to and notwithstanding anything in the Civil Service Act	14,000 00	223,030 50
	CIVIL GOVERNMENT		
2	Office of the Secretary to the Governor General—		
	Salaries	31,240 50	
	Contingencies, including allowance of $2,500 per annum to the Secretary to the Governor General	69,500 00	
3	Agriculture—		
	Salaries	791,784 50	
	Contingencies	114,700 00	
4	Auditor General's Office—		
	Salaries	335,234 00	
	Contingencies	87,500 00	
5	Civil Service Commission—		
	Salaries	215,649 00	
	Contingencies	80,000 00	
6	External Affairs—		
	Salaries	104,051 00	
	Contingencies	69,500 00	
7	Finance—		
	Salaries	367,197 75	
	Contingencies	38,560 00	
	Inspector General of Banks—		
	Salaries and Contingencies	25,000 00	
8	Fisheries—		
	Salaries	111,426 00	
	Contingencies	22,000 00	
9	Insurance—		
	Salaries	105,275 00	
	Contingencies	60,000 00	
10	Justice—		
	Salaries	230,047 25	
	Contingencies	45,000 00	
11	Labour—		
	Salaries	212,685 75	
	Contingencies	30,000 00	
12	Mines and Resources—		
	Salaries	1,423,443 75	
	Contingencies	74,000 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	CIVIL GOVERNMENT—*Concluded*		
13	National Defence—		
	Salaries	409,847 00	
	Contingencies	55,500 00	
14	National Revenue—		
	Salaries	916,375 00	
	Contingencies	110,000 00	
15	Office of the Prime Minister—		
	Salaries, including appointment of A. Tunwell as a Clerk, Grade 3, at $1,620	42,487 00	
16	Post Office—		
	Salaries, including the Assistant Deputy Postmaster General and General Superintendent of Postal Service at $7,500 a year from April 1, 1937; amounts required to pay allowances to Office Appliance Operators, Grade 2, operating mechanical audit card punching machines in accordance with the terms of Order in Council P.C. 280/383, dated February 17, 1930; to pay allowances to Typists, Grade 1, employed in cutting stencils in accordance with regulations approved by Order in Council; and to pay allowances to Office Appliance Operators, Grade 2, in the Revenue Division employed as Key Punch Operators, schedules and rates to be decided upon by the Civil Service Commission and the Post Office Department and approved by the Governor in Council	1,318,488 00	
	Contingencies	215,000 00	
17	Privy Council Office—		
	Salaries	46,724 25	
	Contingenices	5,000 00	
18	Public Archives—		
	Salaries, and to provide for the continuance in office of J. B. Noble, Senior Bookbinder, from April 1, 1937	88,722 25	
	Contingencies	11,900 00	
19	Public Printing and Stationery—		
	Salaries	35,017 00	
	Contingencies	9,000 00	
20	Public Works—		
	Salaries	509,450 00	
	Contingencies	56,000 00	
21	Royal Canadian Mounted Police—		
	Salaries	17,499 00	
	Contingencies	13,300 00	
22	Secretary of State—		
	Salaries	299,264 00	
	Contingencies	86,760 00	
23	Trade and Commerce—		
	Salaries	640,248 00	
	Contingencies	42,088 70	
24	Transport—		
	Salaries	279,059 75	
	Contingencies	55,000 00	
			9,906,524 45
	ADMINISTRATION OF JUSTICE		
25	Miscellaneous expenditure, including remuneration to members of the Mounted Police Force (to be expended under Order-in-Council, and not to exceed $1,600.00) for assistance in the Remission Service of the Department of Justice, and an amount of $10,900.00 to reimburse the Royal Canadian Mounted Police Force the amounts disbursed by them in ordinary pay and allowances to their men on loan to this Service	25,900 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	ADMINISTRATION OF JUSTICE—*Concluded*		
	Supreme Court of Canada		
26	Contingencies and disbursements, including books, magazines, etc., for judges, not exceeding $350.00	5,000 00	
	Law books and books of reference for Library, and binding of same	7,000 00	
	Printing, binding and distributing Supreme Court Reports	7,500 00	
	Exchequer Court of Canada		
27	Contingencies—Judges' and Court officials' travelling expenses; remuneration to sheriffs, etc., printing, stationery, etc., and $150.00 for judges' books	6,200 00	
	Printing, binding and distributing Court Reports	2,000 00	
	Yukon Territory		
28	Miscellaneous expenditure, including salaries and allowances of court officers, etc	8,000 00	61,600 00
	PENITENTIARIES		
29	Amount required for branch administration, and cost of administration, construction, purchase of land, supplies and equipment, maintenance and discharge of inmates at Kingston, St. Vincent de Paul, Dorchester, Manitoba, British Columbia, Saskatchewan and Collin's Bay Penitentiaries	2,662,460 00	2,662,460 00
	LEGISLATION		
	SENATE		
30	Salaries and contingent expenses	185,207 50	
	HOUSE OF COMMONS		
31	Salaries	134,236 25	
	Expenses of committees, etc	15,000 00	
	Clerical assistance, etc	124,146 87	
	Contingencies	53,369 50	
	Publishing debates, including salaries of amanuenses, etc	70,000 00	
	Estimates of the Sergeant-at-Arms	206,191 63	
	LIBRARY OF PARLIAMENT		
32	Salaries	44,859 00	
	Books for the General Library, including binding	17,000 00	
	Books for the Library of American History	1,000 00	
	Contingencies	12,800 00	
	To provide for the cost of printing reports	1,000 00	
	GENERAL		
33	Printing, printing paper and binding, including salaries of staff in joint distribution office	75,000 00	939,810 75
	AGRICULTURE		
34	Dairying	290,000 00	
35	Subsidies for Cold Storage Warehouses under the Cold Storage Act	44,896 65	
36	Fruit, including grant of $4,750 to Canadian Horticultural Council	460,000 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	AGRICULTURE—*Concluded*		
37	Seed, feed and fertilizer control, including grants to seed fairs, etc., also grant of $18,900 to Canadian Seed Growers' Association	422,000 00	
38	Live Stock, including assistance to Fairs and Exhibitions	1,540,000 00	
39	Experimental Farms, including investigations concerning plant diseases	2,025,000 00	
40	Health of Animals, administration of Animal Contagious Diseases Act and Meat and Canned Foods Act	1,819,700 00	
41	Entomology, including investigations and inspections relating to destructive insects and pests	407,000 00	
42	Publicity and Extension	70,400 00	
43	Farm Economics	40,000 00	
44	International Institute of Agriculture	12,000 00	
45	Contributions to Empire Bureaux	21,535 00	
46	Advisory Committee on Agricultural Services	5,000 00	
47	Marketing of Agricultural products	300,000 00	7,457,531 65
	SOLDIER AND GENERAL LAND SETTLEMENT		
48	To provide for the cost of administration of Soldier Settlement and General Land Settlement, and for the cost of Administration of Soldier Settlement Staff performing investigations for the War Veterans' Allowance Board, Department of Pensions and National Health, and Farmers' Creditors Arrangement Act, and to authorize the extension of the provisions of Section 73 of the Soldier Settlement Act to parties to tripartite agreements with the Board made prior to January 1, 1933, and payment of bonus and surplus refunds.	737,390 00	
49	To provide for the payment to the British Government on account of ascertained losses sustained under the 3,000 British Family Agreement of August 20, 1924	13,172 02	750,562 02
	PENSIONS		
50	Annuity to Sir Frederick G. Banting	7,500 00	
51	Annuity to Sir Charles E. Saunders	5,000 00	
	Pensions to—		
52	The unmarried sister of the late Col. Harry Baker, M.P.	700 00	
53	J. Langlois Bell	600 00	
54	James Elliott	672 00	
53	Alice Morson Smith	600 00	
56	Elizabeth Swinford	600 00	
57	Mounted Police, Prince Albert Volunteers and Police Scouts on account of the Rebellion of 1885	587 65	
58	Families and members of the Mounted Police Force who lost their lives while on duty—		
	Mrs. Mary Emma Bossange	456 25	
	Mrs. Margaret Johnson Brooke	821 25	
	Mrs. Margaret Cox	470 63	
	Mrs. Elizabeth Fitzgerald	525 00	
	Mrs. Georgina Harrison	676 50	
	Mrs. Letitia Kennedy	423 50	
	Mrs. Nora Jean Massan	300 00	
	Mrs. Mary Miller	667 38	
	Mrs. Margaret Nicholson	596 83	
	Mrs. Catharine Mildred Ralls	788 23	
	Mrs. Myrtle L. Richards	799 50	
	Mrs. Doris Freda Sampson	816 00	
	Mrs. Amy Lillian Searle	406 98	
	Mrs. Madeleine Mary Shoebothom	810 00	
	Mrs. Eunice Wainwright	602 50	25,420 20

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	SUPERANNUATION		
59	To provide for retiring allowances to former employees of the Department of Public Printing and Stat onery	6,432 00	6,432 00
	NATIONAL DE ENCE		
	MILITIA SERVICES		
60	Cadet Services	140,000 00	
61	Contingencies	28,800 00	
62	Engineer Services and Works	2,816,950 00	
63	General Stores	6,060,699 00	
64	Non-Permanent Active Militia	2,578,740 00	
65	Permanent Force	5,848,039 00	
66	Royal Military College	377,200 00	
	NAVAL SERVICES		
67	Naval Services—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	4,486,810 00	
	GENERAL		
68	Civil Pensions—		
	Life pension to Robert Allen	269 52	
	Life pension to Walter Pettipas	515 90	
	Life pension to Florence Walker	360 00	
	Life pension to Arnold Truman Townsend	420 00	
	Life pension to Michael Mountain	420 00	22,339,223 42
	AVIATION		
69	Royal Canadian Air Force—Expenses in connection with the general maintenance and training of the Permanent and Non-Permanent Active Air Force, and provision of facilities therefor	11,391,650 00	
70	Civil Government Air Operations—For air survey photography and contingencies which may arise in other air operations	361,000 00	11,752,650 00
	TRANSPORT		
	(Chargeable to Capital)		
	AIR SERVICE		
71	Civil Aviation: Construction of airways, airports and radio stations	761,355 00	
	MARINE SERVICE		
72	River St. Lawrence Ship Channel Dredging: To provide for contract dredging in St. Lawrence River and Montreal Harbour, including provision for the maintenance and operation of the Government Ship Channel Fleet and the Government Shipyard while engaged in the deepening and improvement of the St. Lawrence Ship Channel, including all necessary repairs and reconditioning	2,700,000 00	
	RAILWAY SERVICE		
73	Hudson Bay Railway: Construction and betterments	71,500 00	3,532,855 00

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	TRANSPORT		
	(Chargeable to Income)		
	AIR SERVICE		
	Civil Aviation Division:		
74	To provide for the maintenance and operation of airways, Government and public airports, the general administration of the provisions of the Aeronautics Act and Regulations throughout the Dominion, and for grants to aeroplane clubs	1,222,917 75	
	Meteorologiacl Division:		
75	Meteorological Service, including Magnetic Observatory, grants of $500.00 each to Kingston and Montreal Observatories, and allowance of $380.00 to L. F. Gorman, Observer at Ottawa	417,800 00	
	Radio Division:		
76	To provide for the maintenance and construction of Radio Direction Finding Stations, Radio Beacons and Radiotelegraph Stations and general administration of the provisions of the Radio Act and Regulations throughout the Dominion	608,784 00	
77	To provide for the suppression of local electrical interferences and for the issue of radio receiving licences	282,215 00	
	CANALS SERVICE		
	Canals:		
78	Administration, operation and maintenance	2,108,960 00	
79	Improvements	266,800 00	
	MARINE SERVICE		
	Nautical Services:		
80	Maintenance and repairs to Dominion Steamers and Icebreakers	1,338,280 00	
81	Miscellaneous services relating to navigation and shipping	46,783 50	
82	Life Saving Service, including rewards for saving life	44,300 00	
83	Marine Signal Service	96,000 00	
84	Administration of Pilotage	98,904 00	
85	To provide subsidies for wrecking plants—Quebec and British Columbia	45,000 00	
	Aids to Navigation:		
86	Construction, maintenance and supervision of aids to navigation, including salaries and allowances to lightkeepers	1,782,241 00	
87	Maintenance and repairs to wharves	7,500 00	
88	To provide for breaking ice in Thunder Bay, Lake Superior, and other points deemed advisable in the interests of navigation	30,000 00	
89	Steamboat Inspection	172,625 75	
90	Agencies, Rents and Contingencies	231,300 00	
91	River St. Lawrence Ship Channel Dredging: To provide for the maintenance and operation of the Government Ship Channel Fleet and the Government Shipyard while engaged in the ordinary maintenance of the existing Ship Channel, including all necessary repairs and reconditioning.	438,400 00	
92	Amount required to pay pensions to pilots: Alphonse Asselin, John I. Irvine, Adjutor Baillergeon, J. Alphonse Lachance, Joseph Pouliot, Raoul Lachance, Phileas Lachance, Arthur Baillergeon, J. H. Talbot, Jules Asselin, Joseph Vezina	3,300 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	TRANSPORT—*Continued*		
	(Chargeable to Income)—Continued		
	MARINE SERVICE—*Concluded*		
93	Compassionate allowance to John Davidson, formerly lightkeeper at Cape Mudge, B.C.	500 00	
94	Compassionate allowance to Lawrence Larson, formerly employed as caretaker at the Esquimalt Workshop of the Radiotelegraph Service	500 00	
95	Compassionate allowance to recoup the Workmen's Compensation Board of British Columbia in continuation of a pension granted and to be paid by that Board up to the 31st March, 1938, in the sum of $35.00 per month, to the widow of the late E. J. McCoskrie, who was formerly employed as Port Warden at Prince Rupert, B.C., and who was killed while in the performance of his duties	420 00	
	RAILWAY SERVICE		
	Maritime Freight Rates Act:		
96	To hereby authorize and provide for the payment from time to time during the fiscal year 1937-38 to the Canadian National Railway Company of the difference (estimated by the auditors of the said Company and certified by the said auditors to the Minister of Transport as and when required by the said Minister) occurring on account of the application of the Maritime Freight Rates Act, between the tariff tolls and the normal tolls (upon the same basis as set out in section 9 of the said Act with respect to companies therein referred to) on all traffic moved during the year 1937, under the tariffs approved, on the Eastern Lines (as referred to in section 1 of the said Act) of the Canadian National Railways	1,800,000 00	
97	Amount required to provide for payment from time to time during the fiscal year 1937-38 of the difference, estimated by the Board of Railway Commissioners and certified by the said Board to the Minister of Transport 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 1937 under the tariffs approved by the following companies: Canada & Gulf Terminal Railway. Canadian Pacific Railway, including: Fredericton & Grand Lake Coal & Railway Company, New Brunswick Coal & Railway Company, Cumberland Railway & Coal Company, Dominion Atlantic Railway, Maritime Coal, Railway & Power Company, Sydney & Louisburg Railway, Temiscouata Railway Company	700,000 00	
98	Hudson Bay Railway: Amount to provide for the difference between expenditure for operation and maintenance, and revenue accruing from operation during the year ending March 31, 1938, not exceeding	336,500 00	
99	Board of Railway Commissioners for Canada: Maintenance and operation, including provision for the appointment of F. F. Burpee as Secretary to the Chief Commissioner and Registrar of the Board at a salary of $3,240 per annum (less statutory deduction) notwithstanding anything in the Civil Service Act	239,987 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	TRANSPORT—*Concluded*		
	(Chargeable to Income)—Concluded		
	RAILWAY SERVICE—*Concluded*		
100	Railway Employees' Provident Fund: To supplement pension allowances 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 January 1, 1937, to March 31, 1938, the sum of $30 per month instead of $20 as fixed by the said Act.....	26,500 00	
101	Interest on rails rolled for Canadian National Railways: To provide for payments of interest under the terms and conditions of Orders in Council P.C. 1462 and P.C. 1533 of June 7, 1935, respecting orders of steel rails for the Canadian National Railway Company (Revote $10,000).....	30,000 00	
	CANADIAN TRAVEL BUREAU SERVICE		
102	To assist in promoting tourist business in Canada.....	250,000 00	
	MISCELLANEOUS AND UNFORSEEN		
103	Miscellaneous Services.....	63,500 00	
104	Printing and Stationery.....	5,000 00	
105	To provide for expenses in connection with St. Lawrence Ship Canal surveys and investigations.....	3,000 00	
			12,698,018 00
	PUBLIC WORKS		
	(Chargeable to Income)		
	PUBLIC BUILDINGS		
	Nova Scotia		
106	Berwick—Public building.....	16,000 00	
	Halifax—Maintenance of immigration quarters.....	25,000 00	
	Oxford—Public building.....	4,500 00	
		45,500 00	
	New Brunswick		
107	Moncton—Old Post Office Building—Improvements and repairs	11,100 00	
	Saint John Quarantine Station—Partridge Island—Improvements, alterations and repairs.....	7,000 00	
		18,100 00	
	Maritime Provinces Generally		
108	Dominion Public Buildings—Improvements and repairs.....	50,000 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	(Chargeable to Income)—Continued		
	PUBLIC BUILDINGS—*Continued*		
	Quebec		
109	Bedford—Public building	27,000 00	
	Dominion Public Buildings—Improvements and repairs	100,000 00	
	Grosse Isle Quarantine Station—Improvements, alterations and repairs	6,000 00	
	L'Islet—Public building	12,500 00	
	Montreal—Postal Terminal Building	300,000 00	
	Quebec Citadel—Improvements and maintenance	15,000 00	
	Ste. Anne de Beaupré—Public building	22,000 00	
	Ste. Martine—Public building	12,000 00	
		494,500 00	
	Ontario		
110	Dominion Public Buildings—Improvements and repairs	125,000 00	
	Fort Erie—Public building	48,500 00	
	Haliburton—Public building	12,000 00	
	Kenora Public Building—Installation of fittings	7,000 00	
	Kitchener—Public building	300,000 00	
	Ottawa Departmental Buildings—Fittings, etc	55,000 00	
	Powassan—Public building	16,000 00	
	Rainy River—Public building	21,000 00	
	Toronto Postal Terminal "A"—Improvements	26,000 00	
		610,500 00	
	Manitoba		
111	Beausejour—Public building	4,000 00	
	Dominion Public Buildings—Improvements and repairs	40,000 00	
	Melita—Public building	8,000 00	
	Roblin—Public building	15,500 00	
	Steinbach—Public building	11,000 00	
		78,500 00	
	Saskatchewan		
112	Dominion Public Buildings—Improvements and repairs	40,000 00	
	Regina—Instalment on purchase of Armoury	30,500 00	
		70,500 00	
	Alberta		
113	Dominion Public Buildings—Improvements and repairs	32,000 00	
	Olds Public Building—Improvements and alterations	6,000 00	
	Peace River—Public building	38,000 00	
		76,000 00	
	British Columbia		
114	Dominion Public Buildings—Improvements and repairs	50,000 00	
	Kelowna—Public building	50,000 00	
	Powell River—Public building	58,000 00	
	Prince Rupert—Public building	150,000 00	
	Vancouver Postal Station "C"—Improvements and alterations for Seed Branch	10,000 00	
		318,000 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	(Chargeable to Income)—Continued		
	PUBLIC BUILDINGS—Concluded		
	Yukon Territory		
115	Dawson Administration Building—Repairs, improvements and alterations	25,000 00	
	Generally		
	Experimental Farms—Replacements, repairs and improvements	100,000 00	
	Flags for Dominion Buildings	5,000 00	
	Military Buildings—Repairs, fittings and additions	25,000 00	
116	Military Hospitals—Repairs, improvements and alterations	80,000 00	
	Decorations for Coronation	65,000 00	
	Post Office equipment	24,000 00	
	Public Buildings generally	30,000 00	
		329,000 00	
	Rents, Repairs, Furniture, Heating, etc.		
	Ottawa Public Buildings and Grounds—		
	Elevator attendants	124,000 00	
	Departments generally—Char service, including $150 for firing noon gun	489,000 00	
	Heating, including salaries of engineers, firemen and watchmen	408,000 00	
117	Light and power, including roads and bridges	204,000 00	
	Repairs, improvements, additions and maintenance	360,000 00	
	Rideau Hall—Allowance for fuel and light	19,000 00	
	Rideau Hall—Improvements, furniture and maintenance	42,000 00	
	Telephone service	93,000 00	
	Water	67,000 00	
	Dominion Public Buildings and Grounds—		
	Dominion Immigration Buildings—Repairs, improvements, additions and furniture	10,000 00	
	Dominion Quarantine Stations—Maintenance and repairs	13,000 00	
	Fittings and furniture	100,000 00	
	Heating	463,000 00	
118	Light and power	334,000 00	
	Rents	1,390,000 00	
	Salaries of caretakers, engineers, firemen, etc	1,395,000 00	
	Supplies for caretakers, engineers, firemen, etc	62,500 00	
	Water	84,000 00	
	Yukon Public Buildings—Rents, repairs, fuel, light, water service and caretakers' salaries	24,500 00	
		5,682,000 00	
	HARBOURS AND RIVERS		
	Nova Scotia		
	Under Contract—		
	Pictou—Dredging	5,000 00	
	Essential Undertakings—		
	Halifax—Repairs and improvements to wharfs and buildings at R.C.N. Barracks and H.M.C. Dockyard	40,000 00	
119	North Sydney—Wharf	15,000 00	
	Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken	250,000 00	
		310,000 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	(Chargeable to Income)—Continued		
	HARBOURS AND RIVERS—*Continued*		
	Prince Edward Island		
	Essential Undertakings—		
	Charlottetown—Repairs to railway wharf	16,500 00	
120	Summerside—Improvements to wharf	25,000 00	
	Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken	75,000 00	
		116,500 00	
	New Brunswick		
	Under Contract—		
	Campbellton—Dredging	10,000 00	
	Grande Anse—Dredging	12,000 00	
121	Lower Caraquet—Wharf repairs	3,000 00	
	Saint John Harbour—Repairs to harbour works	55,000 00	
	Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken	100,000 00	
		180,000 00	
	Quebec		
	Under Contract—		
	Boucherville—Protection work	7,000 00	
	Cape Cove (Anse du Cap)—Wharf reconstruction	9,000 00	
	Dune du Sud, M.I.—Breakwater	6,200 00	
	Havre Aubert, M.I.—Strengthening and widening wharf	13,000 00	
	Hull—Protection work	5,000 00	
	Isle aux Grues—Extension to north wharf	12,500 00	
	L'Islet—Wharf reconstruction	13,000 00	
	Little River St. Lambert—Dredging—The Provincial Government to contribute a like amount	4,000 00	
122	Manicouagan—Wharf extension and repairs—One-third of cost to be contributed by the Ontario Paper Co., Ltd.	27,400 00	
	Rivière Cachée—Dredging—The Provincial Government to contribute a like amount	4,000 00	
	Rivière du Loup—Wharf enlargement	16,800 00	
	Rivière Laguerre—Contribution towards completion of improvement, the Provincial Government to bear a like amount	15,000 00	
	Sept Iles—Wharf repairs and extension	7,000 00	
	Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken	300,000 00	
		439,900 00	
	Ontario		
	Under Contract—		
	Cobourg—Reconstruction of east pier	50,000 00	
	Owen Sound—Harbour improvements	4,000 00	
	Port Arthur—Harbour improvements	57,000 00	
	Sault Ste. Marie—Sea wall	13,000 00	
123	*Essential Undertakings*—		
	Toronto—Maintenance of Eastern channel	17,000 00	
	Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken	200,000 00	
		341,000 00	
	Manitoba		
124	Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken	40,000 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	(Chargeable to Income)—Continued		
	HARBOURS AND RIVERS—*Concluded*		
	Saskatchewan, Alberta and Northwest Territories		
125	Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken	15,000 00	
	British Columbia		
	Under Contract—		
	Esquimalt— R.C.N. Barracks and H.M.C. Dockyard—Repairs and improvements	18,000 00	
	Essential Undertakings—		
126	Fraser River—Contribution towards protection work at Rosedale, the Provincial Government and the Municipality of Chilliwack each to contribute a like amount	2,000 00	
	Fraser, Skeena and Naas Rivers—Operation and maintenance of snagboats	37,500 00	
	Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken	100,000 00	
		157,500 00	
	Yukon		
127	*Essential Undertakings*—		
	Stewart and Yukon Rivers—Improvements	5,000 00	
	Generally		
128	Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken	30,000 00	
	DREDGING		
129	Dredging—Maritime Provinces	300,000 00	
	Dredging—Ontario and Quebec	320,000 00	
	Dredging—Manitoba, Saskatchewan and Alberta	96,000 00	
	Dredging—British Columbia	185,000 00	
		901,000 00	
	ROADS AND BRIDGES		
	Burlington Channel Bridge—Maintenance and repairs	15,000 00	
	Calumet-Bryson Bridge—Improvements and repairs	11,500 00	
	Dominion roads and bridges—Generally	5,000 00	
	Kingston wharves and bridges—Maintenance and repairs	10,100 00	
	Ottawa—Maintenance and repairs to bridges and approaches	7,100 00	
130	Matapedia Bridge—Repairs and improvements	13,400 00	
	Perley Bridge over Ottawa River at Hawkesbury	6,700 00	
	North Temiskaming Bridge—Improvements	3,500 00	
	Portage du Fort Bridge—Improvements and repairs	4,600 00	
	Selkirk Bridge—Maintenance and repairs	3,500 00	
	Delta—Repairs to bridge	3,000 00	
		83,400 00	
	TELEGRAPH AND TELEPHONE LINES		
	Saskatchewan and Alberta		
131	Saskatchewan and Alberta telegraph and telephone lines—Repairs and improvements	24,000 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Concluded*		
	(Chargeable to Income)—Concluded		
	TELEGRAPH AND TELEPHONE LINES—*Concluded*		
	British Columbia		
132	British Columbia Northern District—Repairs and improvements	6,000 00	
	British Columbia Vancouver Island District—Repairs and improvements	7,700 00	
		13,700 00	
	Yukon		
133	Yukon Telegraph System—Repairs and improvements	13,500 00	
	MISCELLANEOUS		
134	Architectural Branch—Salaries of Architects, Clerks of Works, Inspectors, Draftsmen, Clerks and Messengers of outside service	72,000 00	
	Engineering Branch—Salaries of Engineers, Clerks, etc., of outside service	396,000 00	
	For operation and maintenance of inspection boats	11,400 00	
	Maintenance and operation of water storage dams on Ottawa River and tributaries	35,000 00	
	National Gallery of Canada	75,000 00	
	National Monument on Connaught Place	100,000 00	
	Surveys and inspections	65,000 00	
	Balance of expenditure for works already authorized, provided amount for any one work does not exceed $200	5,000 00	
	Miscellaneous works not otherwise provided for, not more than $3,000 to be expended upon any one work	50,000 00	
		809,400 00	
			11,277,500 00
	MAIL SUBSIDIES AND STEAMSHIP SUBVENTIONS		
	ATLANTIC OCEAN		
135	Canada and the United Kingdom, on the Atlantic, service between	250,000 00	
	Canada and South Africa, service between	112,500 00	
	PACIFIC OCEAN		
	British Columbia and China, and/or Australia, service between	118,800 00	
	British Columbia and South Africa, service between	84,000 00	
	Canada, China and Japan, service between	600,000 00	
	Canada and New Zealand, on the Pacific, service between	300,000 00	
	Prince Rupert, B.C. and Queen Charlotte Islands, service between	12,000 00	
	Vancouver and the British West Indies, service between	30,000 00	
	Vancouver and Northern ports of British Columbia, service between	18,000 00	
	Victoria, Vancouver, way ports and Skagway, service between	12,000 00	
	Victoria and West Coast Vancouver Island, service between	10,000 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	MAIL SUBSIDIES AND STEAMSHIP SUBVENTIONS—*Concluded*		
	LOCAL SERVICES		
	Baddeck and Iona, service between	8,000 00	
	Charlottetown and Pictou, service between	30,000 00	
	Chester and Tancook Island, winter service between	1,600 00	
	Grand Manan and the Mainland, service between	33,000 00	
	Halifax and Bay St. Lawrence, service between	2,000 00	
	Halifax, Canso and Guysboro, service between	6,750 00	
	Halifax and Sherbrooke, service between	900 00	
	Halifax, LaHave and LaHave River ports, service between	2,000 00	
	Halifax, South Cape Breton and Bras d'Or Lake ports, service between	3,500 00	
	Halifax, Spry Bay and Cape Breton ports, service between	4,000 00	
	Halifax and West Coast of Cape Breton, service between	4,000 00	
	Ile-aux-Coudres and Les Eboulements, service between	1,100 00	
	Mulgrave, Arichat and Canso, service between	33,750 00	
	Mulgrave and Guysboro, calling at intermediate ports, service between	9,500 00	
	Murray Bay and North Shore, winter service between	40,000 00	
	Pelee Island and Mainland, service between	7,000 00	
	Pictou, Mulgrave and Cheticamp, service between	11,000 00	
	Pictou, Souris and the Magdalen Islands, service between	37,500 00	
	Quebec, Natashquan and Harrington, service between	85,000 00	
	Quebec, or Montreal and Gaspe, calling at way ports, service between	60,000 00	
	Rimouski and Matane and points on the North Shore of the St. Lawrence, service between	50,000 00	
135	Rivière-du-Loup and Tadoussac, and other North Shore ports, service between	10,000 00	
	St. Catherine's Bay and Tadoussac, service between	3,500 00	
	St. John, Bear River, Annapolis and Granville and other way ports, service between	1,500 00	
	St. John and Bridgetown, service between	800 00	
	St. John and Margaretville, and other ports on the Bay of Fundy service between	2,500 00	
	St. John and Minas Basin ports, service between	5,000 00	
	St. John and St. Andrews, calling at way ports, service between	3,000 00	
	St. John, Westport and Yarmouth, and other way ports, service between	13,000 00	
	St. John and Weymouth, service between	1,000 00	
	Summerville, Burlington and Windsor, N.S., service between	750 00	
	Sydney and Bay St. Lawrence, calling at way ports, service between	25,000 00	
	Sydney and Bras d'Or Lake Ports and West Coast of Cape Breton, and Prince Edward Island, service between	22,500 00	
	Sydney and Whycocomagh, service between	16,000 00	
	Inspection of subsidized steamship services	5,020 00	
			2,087,470 00
	FISHERIES		
136	Salaries and disbursements of Fishery Officers and Guardians, Fisheries Patrol and Fisheries Protection Services	930,000 00	
137	Building fishways and clearing rivers	9,000 00	
138	To assist in the conservation and development of the deep sea fisheries and the demand for fish	61,600 00	
139	Fish Culture	231,220 00	
140	Oyster Culture	21,000 00	
141	To provide for an investigation into the life history of the Pacific Halibut by an International Fisheries Commission appointed under the Pacific Halibut Treaty of the 2nd of March, 1923	25,000 00	
142	Marine Biological Board of Canada	226,762 00	
143	To provide for the payment of a bounty for the destruction of harbour seals	30,000 00	
			1,534,582 00

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	MINES AND RESOURCES		
	MINES AND GEOLOGY BRANCH		
144	For administration of the Explosives Act (Chap. 62, R.S. 1927)	8,000 00	
145	For investigation of mineral resources and deposits; of the mining and metallurgical industries, and of mineral technology; wages, expenses of testing and research laboratories; for publications, English and French, for purchase of books and instruments; for miscellaneous assistance and contingencies; and for investigations by the Dominion Fuel Board, including salaries and all other expenses	273,000 00	
146	For explorations, surveys, mapping and investigations; for publication of English and French editions of reports, maps, illustrations, etc., relating thereto; and for salaries and wages of explorers, topographers and others	366,000 00	
147	For maintenance of offices and museum; for purchase of instruments, chemicals, books of reference, museum equipment and specimens, and related supplies; for expenses of the Geographic Board of Canada; and for miscellaneous assistance and contingencies	74,000 00	
		721,000 00	
	LANDS, PARKS AND FORESTS BRANCH		
148	Dominion Lands, Seed Grain, Mining Lands, Ordnance, Admiralty and Public Lands, Salaries and expenses, etc	60,000 00	
149	Advancement of forest conservation; national inventory of forest resources; investigation of forest conditions and rates of growth, and development of scientific management methods; forest protection studies, technical and economic investigations of forest industries; the operation of forest experiment stations, demonstration forests, and forest products laboratories; co-operative undertakings in forestry and forest products, etc	268,300 00	
150	Grant to Canadian Forestry Association	1,620 00	
151	To provide for the expenses connected with the National Parks of Canada, historic sites, care of indigents in the Parks, the appointment of Stipendiary Magistrates in the Parks and the payment of their remuneration, etc	1,202,270 00	
152	Administration of the Migratory Birds Convention Act	36,180 00	
153	Costs of Litigation and Legal Expenses	4,000 00	
154	Amount to provide for expenses in connection with determination of boundaries of Ordnance and Admiralty Lands in the Province of British Columbia	3,000 00	
155	Amount required to cover the payment of retiring leave to officials other than those on Civil Government	2,800 00	
		1,578,170 00	
	SURVEYS AND ENGINEERING BRANCH		
156	Expenses connected with Dominion Observatory at Ottawa, including grant of $500 to McGill University	56,504 00	
157	Expenses connected with the Dominion Astrophysical Observatory at Victoria	20,370 00	
158	Investigation and national inventory of water and power resources of Canada; investigation and study of international waterway problems; the Dominion Hydrometric Survey and the administration of the Dominion Water Power and Irrigation Acts, etc	164,088 00	
159	Amount required to meet expenses of Lake of the Woods Control Board	7,288 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	MINES AND RESOURCES—*Continued*		
	SURVEYS AND ENGINEERING BRANCH—*Concluded*		
160	To provide for the expenses incurred 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; moneys expended to be reimbursed to the Dominion by the Province of Manitoba under the terms of paragraph 8 of the Manitoba Transfer Agreement	20,000 00	
161	Control operations—precise levelling based on mean sea level, triangulation, geodetic astronomy and investigations—all basic for correlation of water areas, power developments, charts and maps and for the scientific study of the earth's crust, curvature, figure and dimensions. The above is the recognized basis of operations for federal and provincial departments, municipal authorities and engineering projects over the whole country	134,620 00	
162	To recoup the Temiskaming and Northern Ontario Railway Commission in connection with their claim for injury to John Hedin	240 00	
163	Expenses connected with the maintenance in a state of effective demarcation of the international boundary	29,200 00	
164	Hydrographic and Tidal and Current Surveys, and to provide for the operation, maintenance and repair of Hydrographic Steamers	405,510 00	
165	Compiling, drawing, printing and distributing geographical base maps for all purposes; preparing electoral district maps and various maps for government purposes; printing marine charts; making land and mining claim surveys of all remaining Dominion Lands (Northwest Territories, National Parks, Ordnance Lands); maintaining central office for indexing, filing and recording of legal surveys, notes and plans; making topographical maps from ground and aerial surveys	109,903 00	
166	Amount required to provide for the purchase of air photographs or negatives for adding to the National Air Photographic Library	5,000 00	
167	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 F. H. Peters, W. M. Tobey and Harry Parry, Members of the Board and J. A. Cote, Secretary, are to be paid out of this sum)	820 00	
168	To assist in printing the publications of the Canadian Institute of Surveying (formerly the Association of Dominion Lands Surveyors)	350 00	
		953,893 00	
	INDIAN AFFAIRS BRANCH		
169	To provide for expenses connected with the administration of Indian Affairs, including salaries, supplies, relief, medical attendance, hospitalization, dwellings, agricultural activities, surveys, roads, bridges, irrigation, dyking, education, etc., and a grant of $100,000 approved by Parliament in session of 1926-27	4,249,124 00	
	IMMIGRATION BRANCH		
170	Immigration Salaries and Contingencies	1,165,655 00	
171	Empire Settlement Scheme	1,000 00	
172	Relief of Distressed Canadians	1,200 00	
		1,167,855 00	
			8,670,042 00

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	LABOUR		
173	Annuities Act	285,000 00	
174	Conciliation and Labour Act	35,000 00	
175	Fair Wages and Inspection	11,000 00	
176	Industrial Disputes Investigation Act	10,000 00	
177	Employment Offices Co-ordination Act	9,000 00	
178	International Labour Conference	15,000 00	
179	Limitation of Hours of Work Act, Weekly Rest in Industrial Undertakings Act, and the Minimum Wages Act	10,000 00	
			375,000 00
	PUBLIC PRINTING AND STATIONERY		
180	Printing, Binding, etc., the Annual Statutes	8,500 00	
181	Canada Gazette	23,000 00	
182	Plant—Repairs and renewals	10,000 00	
183	Distribution of official documents	39,000 00	
184	Printing and binding official publications for sale and distribution to departments and the public	40,000 00	
			120,500 00
	ROYAL CANADIAN MOUNTED POLICE		
185	Pay of Force and allowances, arms and ammunition, barrack buildings, repairs and renewals and furnishings, clothing and equipment, communication services, court and legal expenses, Criminal Investigation Branch, enforcement of federal statutes, fuel and light, transport horse and dogs, transport mechanical, dental, medical and hospital, miscellaneous (including grants to Royal Canadian Mounted Police messes and publication of Royal Canadian Mounted Police Quarterly for instructional purposes), special services Opium and Narcotic Drug Act, printing and stationery, transport railway, rations, rents, travelling expenses, transport water	6,005,000 00	
186	To compensate members of the Royal Canadian Mounted Police for injuries received in the performance of duty	12,000 00	
			6,017,000 00
	GOVERNMENT OF THE NORTHWEST TERRITORIES		
	Department of Mines and Resources		
187	Salaries and expenses connected with the administration of the Northwest Territories Act and Ordinances, Northwest Game Act, and Regulations, Eastern Arctic Patrol, Eskimo Affairs, Wood Buffalo Park, reindeer industry, game preserves and sanctuaries, wolf bounties, explorations, investigations and development of natural resources, fire protection, construction and maintenance of buildings, schools, hospitals, aerodromes and roads, relief to destitute, maintenance and transportation of prisoners and insane patients, equipment and supplies, contingencies, etc.	182,000 00	
	Department of National Defence		
188	*Radio Services*—For the maintenance and operation of the Northwest Territories Radio System	318,900 00	
			500,900 00

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	GOVERNMENT OF THE YUKON TERRITORY		
189	Salaries and expenses connected with the administration of the Territory, including surveys	50,000 00	
190	Grant to the Yukon Council for local purposes, the construction and maintenance of roads and such other expenditures as the Commissioner is authorized to expend by and with the advice and consent of the Council or any Committee thereof; and the accounts with respect to such expenditures shall be subject to examination and audit by the Auditor General as provided by Section 22, Chapter 215, Revised Statutes, 1927	70,000 00	
			120,000 00
	PENSIONS AND NATIONAL HEALTH		
191	Care of patients, medical examination respecting pensions, hospital allowances, and sheltered employment	2,900,000 00	
192	Salaries—Staff	3,517,600 00	
193	Unemployment assistance	2,600,000 00	
194	Administration expense—Department and Canadian Pension Commission	675,000 00	
195	Employers' liability compensation	40,000 00	
196	Grant to Canadian Legion	9,000 00	
197	Grant to Last Post Fund	60,000 00	
198	War Veterans' Allowances	4,200,000 00	
199	Pensions payable to men on active service, Northwest Rebellion 1885, and general pensions	20,000 00	
200	European War Pensions, Naval, Militia, and Air Forces after the war	41,500,000 00	
			55,521,600 00
	EXTERNAL AFFAIRS		
	LONDON		
201	Salaries and expenses of the Office of the High Commissioner for Canada, including $1,900 additional salary for the High Commissioner to that authorized by Chap. 15, R.S.C.	137,000 00	
	WASHINGTON		
202	Representation, 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	
	PARIS		
203	Representation, 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	77,000 00	
	TOKYO		
204	Representation, 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	68,000 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	EXTERNAL AFFAIRS—*Concluded*		
	GENEVA		
205	Salaries and expenses of the Office of the Canadian Advisory Officer	32,500 00	
206	Canada's contribution to the expenses of the League of Nations for 1937, including Secretariat, International Labour Organization and Permanent Court of International Justice	155,775 00	
207	Expenses of Canadian Delegates to the Assembly, Conferences and Commissions of the League of Nations	14,000 00	
208	Publications of League of Nations for distribution to Members of Parliament and a grant to the League of Nations Society in Canada	3,000 00	
			587,275 00
	MISCELLANEOUS		
209	Natural Products Marketing Act, 1934	106,600 00	
210	To provide for hospitality in connection with visitors from abroad	15,000 00	
211	Canada's contribution to the expenses of the International Commission for Air Navigation for 1937	1,650 00	
212	Expenses of Wheat Advisory Committee for 1937, Canada's assessment	1,955 00	
213	Amount required to meet loss on exchange, subject to approval of the Treasury Board	135,000 00	
214	Canada's portion of expenditure of the Imperial Economic Committee, the Imperial Shipping Committee and the Executive Council of the Imperial Agricultural Bureau, for 1937	18,690 00	
215	Advertising and publicity in the United Kingdom and Europe	350,000 00	
216	Expenses in connection with the negotiation of treaties	20,000 00	
217	To provide for the expenses of the reference by the Governments of Canada and the United States of certain complaints arising out of the operation of the smelter at Trail, B.C., to the tribunal constituted pursuant to the provisions of the Convention signed at Ottawa the 15th April, 1935	50,000 00	
218	To provide for expenses connected with Canada's representation at the Coronation of His Majesty	35,000 00	
219	To provide for the expenses of Delegation to the Imperial Conference, 1937	40,000 00	
220	Grant to the Canadian General Council of the Boy Scouts Association	9,000 00	
221	Subscriptions to publications of the Empire Parliamentary Association to be distributed to Members of the House of Commons	2,000 00	
222	Grant to the Dominion Council of the Girl Guides	4,860 00	
223	Contribution to aid in carrying on the work of the Royal Astronomical Society	1,620 00	
224	Royal Canadian Academy of Arts	2,025 00	
225	Grant to the Royal Society of Canada	4,500 00	
226	Grant to the Montreal Association for the Blind	4,050 00	
227	Grant to l'Institut Nazareth de Montréal to assist in work with the blind	4,050 00	
228	Grant to l'Association Canadienne-Française des Aveugles to assist in work with the blind	4,050 00	
229	Amounts required to provide for grants to be made to the Provinces of—		
	Nova Scotia	1,300,000 00	
	New Brunswick	900,000 00	
	Prince Edward Island	275,000 00	
	British Columbia	750,000 00	
230	Unforeseen expenses, expenditure thereof to be subject to the approval of the Treasury Board, and a detailed statement to be laid before Parliament within fifteen days of next Session	80,000 00	
231	To provide for expenses of the Comptroller of the Treasury's Office	1,751,053 25	
232	To provide for the administration of the Royal Canadian Mint, including salaries, contingencies, retiring and other allowances and general expenses	230,000 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	MISCELLANEOUS—*Concluded*		
233	To provide for the maintenance of the Dominion of Canada Assay Office, Vancouver, B.C.	20,000 00	
234	To provide for salaries and expenses of the Tariff Board, including additional provision by reason of the increased jurisdiction under the Dominion Trade and Industry Commission Act—Payments may be made notwithstanding anything in the Civil Service Act or Regulations	180,000 00	
235	To provide for the administration of the Bankruptcy Act	36,879 00	
236	Administration of the Old Age Pensions Act	12,000 00	
237	Federal District Commission—To provide for maintenance and improvement of properties under the control of the Federal District Commission	144,400 00	
238	To provide for the expenses of work in the interests of fire prevention to be carried on by the Department of Insurance	15,000 00	
239	To provide for a contribution to the Government Officers Guarantee Fund	20,000 00	
240	Chief Electoral Officer—Salaries and contingencies of office	16,384 00	
241	Dominion Franchise Commissioner—Salaries and contingencies of office, etc.	14,340 00	
242	To pay Mrs. E. B. Hutcheson as Matron, notwithstanding the fact that owing to advanced age, she may not be able to continue the regular performance of such duties, in recognition of the valuable services rendered by her late husband as Exhibition Commissioner	1,200 00	
243	Grant to John Thomas (Jack) Miner to assist him in his wild life conservation work	4,000 00	
244	Expenses of litigated matters—Department of Justice	25,000 00	
245	Annual contribution to the Canadian Law Library, London, England	500 00	
246	To provide for payments in connection with the movements of coal under conditions prescribed by the Governor in Council and for the cost of administration thereof	2,250,000 00	
247	Battlefields Memorials	51,340 00	
248	To provide for the Book of Remembrance of members of the Canadian Forces, and Canadians in the Forces of the British Empire who lost their lives in the Great War	8,000 00	
249	To provide for expenses of the contingent to attend the Coronation of His Majesty	197,000 00	
250	Grant to the Canadian Council on Child and Family Welfare	13,100 00	
251	Grant to the Canadian National Committee for Mental Hygiene	10,000 00	
252	Grant to the Canadian Social Hygiene Council	5,000 00	
253	Grant to the Canadian National Institute for the Blind	18,000 00	
254	Grant to the Canadian Tuberculosis Association	20,250 00	
255	Grant to the Victorian Order of Nurses	13,100 00	
256	Grant to assist the Canadian Branch of the St. John Ambulance Association	4,050 00	
257	Grant to the Canadian Red Cross Society	8,100 00	
258	Grant to the Canadian Dental Hygiene Council	750 00	
259	Grant to the Chief Constables' Association of Canada	500 00	
260	Patent Record	25,200 00	
261	International Office for the Protection of Industrial Property, International Copyright Union Office and Union for the protection of Literary and Artistic Works	2,700 00	
262	Public Archives	77,600 00	
263	To provide for salaries and expenses of the Bureau for Translations	233,961 00	
264	Expenses under the Naturalization Act	20,000 00	
265	Expenses under the Canada Temperance Act	5,000 00	
266	To provide for report on cultural conditions in Canada (literature, art, drama, education, etc.)	2,500 00	
267	Employment and Social Insurance Act	40,000 00	
268	Government's contribution to the Superannuation Fund	2,080,000 00	
269	To provide, subject to the approval of the Treasury Board, for salaries, reclassifications and increases, and to authorize payment of the salary of any employee who is made permanent, from the appropriation under which his salary as a temporary employee has been provided	100,000 00	
270	Statue of the late Sir Arthur G. Doughty, to be erected in front of the Dominion Archives Building	15,000 00	
271	Adjustment of War Claims—Department of National Defence	64,411 00	
			11,851,368 25

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	NATIONAL REVENUE		
	Salaries and contingent expenses of the several Ports of the Dominion, including pay for overtime of officers, notwithstanding anything in the Civil Service Act; and temporary buildings and rentals	6,583,000 00	
	Salaries and travelling expenses of officers of the Inspection, Investigation, Audit, and the Preventive Service Undervaluation Services	1,068,000 00	
	Miscellaneous, including printing and stationery; subscriptions to commercial papers; flags; dating stamps; locks; instruments; express charges on samples; premiums on guarantee bonds; uniforms for Customs-Excise officers; laboratory equipment and supplies, etc	600,000 00	
272	Amount to be paid to the Department of Justice to be disbursed by and accounted for to it for Customs-Excise Secret Investigation Service	15,000 00	
	To provide for the administration of 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 staff so appointed are hereby wholly excluded from the operation of the said Act; and salary of $9,000 (less statutory deduction) for the Commissioner of Income Tax	2,270,000 00	
	Amount to be paid to the Department of Justice to be disbursed by and accounted for to it for the Income Tax Secret Investigation Service	10,000 00	
			10,546,000 00
	PUBLIC WORKS		
	(Chargeable to Collection of Revenue)		
	GRAVING DOCKS		
	Champlain Graving Dock	72,000 00	
273	Esquimalt Graving Dock	90,400 00	
	Lorne Graving Dock	48,400 00	
	Selkirk—Repair slip	4,300 00	
	TELEGRAPH AND TELEPHONE LINES		
	Land and Cable Telegraph Lines—Lower St. Lawrence and Maritime Provinces, including working expenses of vessels for cable work	132,000 00	
274	Alberta and Saskatchewan	87,500 00	
	British Columbia—Northern District	63,000 00	
	British Columbia—Vancouver Island District	91,250 00	
	Yukon System—Main line	88,500 00	
	Telegraph and Telephone Services Generally	5,500 00	
			682,850 00
	POST OFFICE—OUTSIDE SERVICE		
	Salaries and allowances	16,713,338 50	
	Mail services, including mail services by air	14,520,000 00	
275	Miscellaneous, including $5,000 to provide for payment of compassionate allowances to employees injured while in performance of their duties or to other persons injured while performing duties in any way connected with the Postal Service or in protecting His Majesty's mails, or to the dependents of such employees or other persons who may be killed while so engaged, payments to be made only on the specific authority of the Governor in Council	1,004,600 00	
			32,237,938 50

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	TRADE AND COMMERCE		
276	An Act to place Canadian Coal used in the manufacture of iron and steel on a basis of equality with imported coal, Administration of	600 00	
277	The Canada Grain Act, including management, operation, and maintenance, also equipment of Elevators, Administration of	1,899,200 00	
278	Commercial Intelligence Service, including miscellaneous expenditure in connection with Canada's trade	747,200 00	
279	Dominion Bureau of Statistics	517,000 00	
280	Electricity and Fluid Exportation Act, Administration of	750 00	
281	Electricity and Gas Inspection Service	230,000 00	
282	Exhibitions and Fairs	215,000 00	
283	International Bureau of Exhibitions	1,000 00	
284	International Customs Tariffs Bureau	2,700 00	
285	Motion Picture Bureau	41,880 00	
286	National Research Council	621,500 00	
287	Port of London Authority	2,233 82	
288	Precious Metals Marking Act	5,393 00	
289	Printing of Departmental Publications	110,000 00	
290	Publicity and Advertising in Canada and Abroad	65,000 00	
291	Weights and Measures Inspection Service	380,000 00	
			4,839,456 82
	GOVERNMENT OWNED ENTERPRISES		
	(Non-Active Accounts)		
	National Harbours Board		
292	Advances to National Harbours Board, subject to the provisions of Section 29 of the National Harbours Board Act to meet expenditures during the calendar year 1937 on any or all of the following accounts:		
	(a) Retirement of Maturing Debentures and Bank Loans—		
	Halifax $ 964,338 37		
	St. John 305,000 00		
		1,269,338 37	
	(b) Reconstruction and Capital Expenditures—		
	Halifax $ 10,100 00		
	St. John 309,225 00		
	Quebec 120,000 00		
	Chicoutimi 2,750 00		
	Three Rivers 14,000 00		
	Montreal-Jacques-Cartier Bridge 2,000 00		
	Churchill 10,000 00		
	Generally Unforeseen 100,000 00		
		568,075 00	
	Canadian National (West Indies) Steamships, Limited		
293	Advances to Canadian National (West Indies) Steamships, 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 capital expenditure in connection with vessels under the Company's control during the year ending December 31, 1937	48,500 00	
			1,885,913 37

SCHEDULE A—*Concluded*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	LOANS AND INVESTMENTS		
294	Advances to National Harbours Board, subject to the provisions of Section 29 of the National Harbours Board Act to meet expenditures during the calendar year 1937 on any or all of the following accounts:		
	(a) Retirement of maturing Debentures and Bank Loans—		
	Vancouver	983,405 90	
	(b) Reconstruction and Capital Expenditures—		
	Montreal $1,298,900 00		
	Vancouver 584,445 00		
		1,883,345 00	
295	To provide for Soldier Land Settlement advances and for advances under the British Family Schemes recoverable from the British Government	292,810 00	
			3,159,560 90
	Total		*224,371,074 83

* Net Total, $186,975,895.69.

SCHEDULE B.

Based on Special Supplementary Estimates, 1937-38. The amount hereby granted is $80,052,755.83, being five-sixths of the amount of each of the items in the Estimates as contained in this Schedule.

SUMS granted to His Majesty by this Act for the financial year ending 31st March, 1938, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	AGRICULTURE		
296	Prairie Farm Rehabilitation Act	2,000,000 00	
297	Buildings and Improvements—		
	Replacement of Director's residence, Central Experimental Farm	12,000 00	
	Addition to Fibre Mill and Plant, Central Experimental Farm	3,500 00	
	Tobacco Curing Barn, Central Experimental Farm	1,500 00	
	Construction of two greenhouses, fully equipped, and shed to new laboratory, Kentville	7,500 00	
	Branch Farms and Stations, new buildings, etc	76,450 00	
	Erection of field laboratory, necessary repairs to existing buildings on property, erection of fencing, installation of telephone, repairs to road, and certain equipment at Kamloops, British Columbia	12,000 00	
	To provide for an addition to the Dominion Parasite Laboratory at Belleville, Ontario	20,000 00	
298	To provide for feed and fodder relief in the dried out areas	500,000 00	2,632,950 00
	FISHERIES		
299	To enable, in co-operation with Provincial Governments concerned, aiding fishermen and groups of fishermen to establish, or better establish themselves in the industry	400,000 00	
300	To aid in expanding the sale of the products of the Canadian fishermen in foreign and domestic markets	100,000 00	500,000 00
	LABOUR		
301	To provide for commitments under Relief Settlement Agreements with Provincial Governments	400,000 00	
302	To provide for Federal contribution to Provincial and Municipal relief projects	7,331,000 00	
303	To provide for Agricultural Re-establishment in co-operation with Provincial Governments	52,500 00	
304	To provide for Federal contribution to Farm Employment and supplementary plans	3,283,500 00	
305	To provide for outstanding claims for direct relief under Unemployment Relief Acts of previous years	169,000 00	
306	To provide for outstanding claims for drought area relief under the Relief Act, 1933	215,200 00	
307	To provide for Federal contribution towards the Greater Winnipeg Sewage Disposal Scheme	362,200 00	
308	To provide for development and training projects for unemployed young people	1,000,000 00	
309	To provide for direct relief in the dried-out areas	2,000,000 00	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	LABOUR—*Concluded*		
310	Amount required to provide for administration expenses generally, including salaries and travelling expenses—		
	Unemployment Relief Branch	200,000 00	
	National Employment Commission	150,000 00	
	National Employment Commission (Registration)	125,000 00	
311	Unforeseen contingencies	1,000,000 00	
			16,288,400 00
	GRANTS-IN-AID		
312	Amount required to provide for monthly Grants-in-Aid to the Provinces		19,500,000 00
	MINES AND RESOURCES		
	Mines and Geology Branch		
313	For geological, topographical and aerial surveys and investigations in the Northwest Territories and elsewhere in Canada, including amount required to prepare, publish and distribute results of field investigations	200,000 00	
314	To assist in provision of transportation facilities into mining areas	1,400,000 00	
		1,600,000 00	
	Lands, Parks and Forests Branch		
315	National Parks—		
	Construction, improvement and repair of roads	490,000 00	
	To assist in the development of the Canadian Section of the International Peace Garden, Manitoba	10,000 00	
316	Forest Service—		
	Development of experimental stations and forestry research	75,000 00	
317	Northwest Territories—		
	Continuation of development and improvement of landing fields and air harbours	8,000 00	
		583,000 00	
	Surveys and Engineering Branch		
318	Roads—Construction, improvement and repairs of Golden-Revelstoke highway and improvements to main tourist routes from the International Boundary to Banff, Yoho and Kootenay Parks	600,000 00	
319	Geodetic Service—To provide for the establishment of control points and base lines at various points	10,000 00	
320	Dominion Water and Power Bureau—International Gauging Station on the Columbia River near Birchbank, B.C.	2,000 00	
		612,000 00	
	Indian Affairs Branch		
321	To provide for repairs and improvements to Government buildings, new buildings and assistance to building projects relating to Indian administration	75,000 00	
322	To provide for erection of Indian schools	38,500 00	
323	To provide for construction of roads, bridges and other engineering works on Indian Reserves	10,000 00	
		123,500 00	
			2,918,500 00

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	NATIONAL HARBOURS BOARD		
324	St. John Harbour Improvements—		
	Reconstruction of Berths 1, 2, 3 and 4	693,536 00	
325	Chicoutimi Harbour Improvements—		
	Improvement of roadways	17,000 00	
326	Quebec Harbour Improvements—		
	Pier No. 1, Princess Louise Docks, new quay wall including shed	533,000 00	
327	Three Rivers Harbour Improvements—		
	Reconstruction of wharves, construction of roads, railway tracks and transit shed	75,000 00	
328	Montreal Harbour Improvements—		
	Windmill Point area, reconstruction of raceways	15,000 00	
	Laurier Pier, reconstruction and filling at adjoining sections	7,200 00	
	Sutherland Pier, reconstruction and extension	148,500 00	
	Alexandra Pier, reconstruction	350,000 00	
	Windmill Point wharf, reconstruction	53,000 00	
			1,892,236 00
	PUBLIC WORKS		
	PUBLIC BUILDINGS		
	Nova Scotia		
	Halifax—New public building	45,000 00	
	Halifax—Ordnance buildings	200,000 00	
	Halifax Rockhead Hospital—Reconditioning and improvements	30,000 00	
	Lunenburg Public Building—Repairs and improvements	7,500 00	
	Louisburg—Public building	20,000 00	
329	Mulgrave—Public building	26,000 00	
	Springhill Public Building—Alterations and improvements	3,500 00	
	Stewiacke—Public building	14,500 00	
	Sydney Mines Public Building—Addition	13,500 00	
	Trenton—Public building	20,000 00	
	Wolfville—Purchase of land adjacent to public building	1,500 00	
		381,500 00	
	Prince Edward Island		
330	Charlottetown Public Building—Addition	20,000 00	
	New Brunswick		
	Minto—Public building	24,700 00	
	North Head—Public building	31,000 00	
331	Rogersville—Public building	11,000 00	
	St. Stephen—Building for customs and immigration purposes	110,000 00	
		176,700 00	
	Quebec		
	Amos—Public building	55,000 00	
	Farnham—Public building	10,500 00	
	Hull—Armoury	100,000 00	
	L'Assomption—Public building	34,000 00	
	Montreal—Armoury for Le Regiment de Maisonneuve	100,000 00	
	Montreal, Point St. Charles—Armoury	15,000 00	
	Montreal Public Building—Additions and alterations	147,000 00	
	North Hatley—Public building	12,000 00	
	Perce—Public building	10,000 00	
	Point Claire—Public building	23,500 00	
	Pointe au Pic—Public building	36,000 00	
332	Quebec—Postal terminal building	300,000 00	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	PUBLIC BUILDINGS—*Continued*		
	Quebec—Concluded		
	Quebec Quarantine Facilities—Improvements	25,000 00	
	Quebec West—Public building	12,500 00	
	St. Andrews East—Public building	14,000 00	
	Ste. Anne de Bellevue Military Hospital—Improvements and alterations	25,000 00	
	Ste. Anne de la Pocatiere—Public building	12,000 00	
	St. Johns—Customs building	38,000 00	
	St. Charles de Bellechasse—Public building	13,500 00	
	Scotstown—Public building	15,000 00	
	Temiskaming—Public building	20,000 00	
	Weedon—Purchase of building for postal purposes	12,000 00	
		1,030,000 00	
	Ontario		
	Arthur—Public building	12,000 00	
	Bobcaygeon—Public building	12,000 00	
	Burlington—Public building	6,500 00	
	Cobourg Public Building—Addition and alterations	25,000 00	
	Cornwall—Armoury	100,000 00	
	Havelock—Public building	12,000 00	
	Kingston—Machine shop	45,500 00	
	Lucknow—Public building	15,000 00	
	Mildmay—Public building	3,000 00	
	Nipigon—Public building	15,000 00	
	North Bay Public Building—Addition	30,000 00	
	Ottawa Post Office—Removal and replacement, inclusive of site	250,000 00	
	Ottawa—New departmental building	250,000 00	
333	Ottawa—Building for Supreme Court	250,000 00	
	Ottawa—Confederation Buildings—Improvements to Wellington Street	100,000 00	
	Ottawa—Buildings for Department of Mines and Resources	260,000 00	
	Ottawa—Improvements to Plaza	250,000 00	
	Ottawa—Parliament Building	70,000 00	
	Ottawa—Record Storage Building	489,000 00	
	Ottawa—Royal Canadian Mint	22,000 00	
	Ottawa—Justice Building	45,000 00	
	Oakville—Public building	30,000 00	
	Renfrew Public Building—Addition and alterations	22,000 00	
	Simcoe Public Building—Addition	17,000 00	
	Sioux Lookout—Public building	39,500 00	
	Toronto Postal Station "F"—Alterations and improvements	15,000 00	
	Toronto—Postal Station "K"	11,500 00	
	Tweed—Public building	15,000 00	
	Vankleek Hill—Public building	12,000 00	
		2,424,000 00	
	Manitoba		
	Morris—Public building	10,000 00	
334	St. Vital—Public building	16,500 00	
	Winkler—Public building	11,500 00	
		38,000 00	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	PUBLIC BUILDINGS—*Concluded*		
	Saskatchewan		
335	East End—Purchase of and alterations to building for postal purposes	10,500 00	
	Foam Lake—Public building	10,000 00	
	Meadow Lake—Public building	15,000 00	
	Moose Jaw Armoury—Reconstruction	75,000 00	
	Regina—New public building	12,000 00	
	Wadena—Public building	12,000 00	
		134,500 00	
	Alberta		
336	Calgary Barracks—Guard room, meter building and airplane hangar	140,000 00	
	Cardston—Public building	42,000 00	
	Fort McMurray Public Building—Addition	2,500 00	
	Innisfree—Purchase of building for postal purposes	3,000 00	
	St. Paul—Public building	12,000 00	
		199,500 00	
	British Columbia		
337	Creston—Public building	25,500 00	
	Esquimalt—H.M.C. Dockyard office building	37,000 00	
	New Westminster Public Building—Addition	100,000 00	
	Vancouver Examining Warehouse—Alterations, improvements and repairs	17,000 00	
	Vancouver—Public building	125,000 00	
	Vancouver, Winch Building—Alterations, improvements and repairs	9,500 00	
	Victoria Public Building—Restoration	46,000 00	
		360,000 00	
	Generally		
338	Public Buildings Generally—Repairs, alterations, fittings and improvements	200,000 00	
	HARBOURS AND RIVERS		
	Nova Scotia		
	Annapolis Royal—Dredging	7,800 00	
	Apple Tree Cove (Cherry Hill)—Wharf and skidway	4,200 00	
	Arichat—Wharf repairs	12,000 00	
	Arisaig—Breakwater extension	8,300 00	
	Bay St. Lawrence—Extension to breakwater and retaining wall	8,500 00	
	Brooklyn—Breakwater repairs and improvements	75,000 00	
	Burkey's Cove—Breakwater extension	3,300 00	
	Cape St. Mary's—Breakwater reconstruction	13,500 00	
	Carr's Brook—Wharf extension	5,900 00	
	Cow Bay (Port Morien)—Breakwater extension	6,000 00	
	Digby—Harbour improvements	25,000 00	
	Fourchu—Dredging	25,000 00	
	Friar's Head—Breakwater extension	4,000 00	
	Glace Bay—Dredging	12,000 00	
	Hillside (Green's Point)—Wharf	4,200 00	
	Little Cove—Breakwater and skidway	4,800 00	
	Little Judique Ponds—Extension to protection work	13,200 00	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	HARBOURS AND RIVERS—*Continued*		
	Nova Scotia—Concluded		
	Lockeport—Breakwaters	51,900 00	
	Louis Head—Breakwater	4,200 00	
	Lower Woods Harbour—Wharf extension	3,500 00	
	Lunenburg—Dredging	14,800 00	
339	Main a Dieu—Dredging	15,000 00	
	Merigomish—Wharf repairs	2,500 00	
	Middle Point Cove—Breakwater	3,200 00	
	Neil's Harbour—Breakwater repairs, extension and dredging	27,000 00	
	Noel—Wharf extension	7,000 00	
	Paul's Point—Protection work	3,400 00	
	Pictou Landing—Breakwater	4,900 00	
	Pictou Landing—Wharf improvements	31,500 00	
	Port Hood—Closing northern entrance	40,000 00	
	St. Mary's River—Dredging	50,000 00	
	Seal Island—Breakwater	11,000 00	
	Skinner's Cove—Partial reconstruction of pier	11,000 00	
	South Ingonish—Dredging	17,000 00	
	South Side (Donald's Head)—Breakwater replacement	22,500 00	
	Sydney—Wharf extension and warehouse	74,000 00	
	Terrance Bay—Wharf extension	12,000 00	
	Turpentine Island—To purchase and extend wharf	3,600 00	
	Upper Port Latour—Wharf repairs	5,000 00	
	Wedgepoint—Wharf	3,500 00	
	Westport (South)—Breakwater	17,000 00	
	Willow Cove—Breakwater extension and repairs	5,000 00	
	Yarmouth Harbour—Dredging	60,000 00	
		733,200 00	
	Prince Edward Island		
	Basin Head—Boat harbour	31,000 00	
	Southport—Wharf repairs	4,000 00	
340	Victoria—Wharf repairs	2,300 00	
	Wood Islands—Harbour	200,000 00	
		237,300 00	
	New Brunswick		
	Barachois—Wharf extension	5,000 00	
	Bathurst—Dredging	22,400 00	
	Bay du Vin—Wharf extension	6,000 00	
	Black's Harbour—Wharf extension and repairs	8,000 00	
	Campbellton—Repairs to wharfs	10,000 00	
	Caraquet (Young Wharf)—Extension	25,000 00	
	Chockfish—Repairs to breakwaters	15,000 00	
	Dalhousie—Repairs to breakwater	5,000 00	
	Durham—Wharf extension	23,000 00	
	Harvey Bank—Wharf extension and vessel bed	7,000 00	
	Ingall's Head—Breakwater extension	50,000 00	
341	Inner Wood Island—To acquire, repair and extend wharf	5,000 00	
	Lameque—Wharf repairs	15,000 00	
	Little Chockfish—Breastworks and breakwaters	2,300 00	
	Little Lameque—Wharf repairs	3,000 00	
	New Mills—Repairs to wharf	5,000 00	
	Point Sapin—Pier	15,000 00	
	Pointe du Chene—Repairs and improvements to wharfs	9,000 00	
	Portage Island—Breastworks	10,000 00	
	Richibucto Harbour—Dredging	16,000 00	
	Shippigan Gully—Repairs to breakwater and breastworks	25,000 00	
	St. Louis River (Ste. Olivia)—Wharf	7,500 00	
	Tracadie Harbour—Dredging	40,000 00	
		329,200 00	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	HARBOURS AND RIVERS—*Continued*		
	Quebec		
	Anse a la Cabane, M.I.—Slipway and hauling plant	3,400 00	
	Anse Millerand, M.I.—Slipway and hauling plant	3,400 00	
	Bagotville—Purchase and repair wharf	35,000 00	
	Baie des Sables—Wharf extension	32,000 00	
	Baie St. Paul—Protection wall	20,000 00	
	Bergeronnes (Point à John)—Wharf	17,000 00	
	Bic—Wharf reconstruction	12,000 00	
	Cap aux Meules, M.I.—Wharf reconstruction and improvements	22,000 00	
	Cap aux Os (The Gulch)—Landing	3,300 00	
	Cap Chat—Deepwater wharf	40,000 00	
	Cap de la Madeleine—Wharf repairs	4,850 00	
	Cap des Rosiers—Descent to beach	2,300 00	
	Carleton—Wharf extension	70,000 00	
	Chambly Basin—Protection wall	16,000 00	
	Chateauguay River—Dredging	13,500 00	
	Chenal du Moine—Dredging	8,600 00	
	Colonie des Greves—Protection work	5,000 00	
342	Conception—Protection wall	1,500 00	
	Contrecoeur—Protection wall	25,000 00	
	Cote Marcel—Reconstruction of protection	3,200 00	
	Cross Point—Wharf repairs	8,500 00	
	Drummondville—Protection work	15,000 00	
	Etang du Nord, M.I.—Harbour improvements	20,000 00	
	Granby—Protection work	6,000 00	
	Grande Entree, M.I.—Wharf reconstruction	13,600 00	
	Grande Entree (West Point), M.I.—Landing	2,500 00	
	Grande Riviere—Rebuilding wharf	47,100 00	
	Hamilton Cove (Riviere Portneuf)—Wharf	41,000 00	
	Ile aux Coudres—Wharf repairs	16,000 00	
	Isle Verte—Wharf reconstruction	6,900 00	
	Lachine—Protection wall	16,000 00	
	Lac Duparquet—Wharf	1,500 00	
	Lacolle River—Dredging, the Provincial Government to contribute a like amount	19,000 00	
	Lac Megantic—Protection work	16,000 00	
	Lac Nominingue—Improvements to navigation	2,550 00	
	Laprairie—Protection wall	30,000 00	
	Lanoraie—Extension of protection wall	2,800 00	
	L'Anse à Brillant—Fishing harbour	50,000 00	
	La Sarre—Wharf extension	1,000 00	
	La Tortue—Dredging, the Provincial Government to contribute a like amount	16,000 00	
	Lauzon—Dredging	50,000 00	
	Levis—Wharf	110,000 00	
	Lorne Dry Dock—New Power House—Pump house equipment and machine shop	125,000 00	
	Magog—Protection wall	4,700 00	
	Maria—Wharf repairs	4,700 00	
	Marsouins—Wharf extension	10,000 00	
	Matane—Extension to east breakwater	40,000 00	
	New Carlisle—Wharf repairs	8,300 00	
	Nicolet—Dredging	6,400 00	
	Notre Dame du Portage—Wharf repairs	3,400 00	
	Paspebiac—Wharf extension and dredging	56,000 00	
	Peribonka—Wharf	5,900 00	
	Petit Gaspe—Wharf	8,400 00	
	Petite Riviere au Renard—Extension to west jetty	2,000 00	
	Petite Riviere Est—Construction of fishing harbour	35,000 00	
	Petite Vallee—Wharf extension	20,000 00	
	Pointe Jaune—Improvements to fishing harbour	21,000 00	
	Point Lebel—Wharf	12,000 00	
	Port au Saumon—To take over and repair wharf	19,000 00	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	HARBOURS AND RIVERS—*Continued*		
	Quebec—Concluded		
	Port Daniel East—Wharf improvements	6,700 00	
	Richelieu River—Improvements	500,000 00	
	Rimouski—Harbour improvements	475,000 00	
	Riviere Caplan—Repairs to jetty	4,450 00	
	Riviere des Hurons—Contribution towards dredging, the balance of cost to be borne by the Province	75,000 00	
	Ruisseau Castor—Purchase and repair wharf	11,500 00	
342	Ruisseau Chapados (Gascons)—Fishing harbour	12,000 00	
	Ruisseau LcBlanc—Dredging	22,500 00	
	Ruisseau Pariseau—Contribution towards dredging, the balance of cost to be borne by the Province	15,000 00	
	St. Andre de Kamouraska—Headblock	14,600 00	
	St. Cuthbert—Wharf	2,200 00	
	St. Charles de Caplan—Wharf extension	25,000 00	
	St. Chrysostome—Protection walls	12,900 00	
	St. Denis—Wharf reconstruction	4,650 00	
	St. Edouard de Fabre—Protection wall	11,000 00	
	St. Etienne de Malbaie—Wharf improvements	5,500 00	
	St. Felicite—Wharf extension	54,400 00	
	St. Flavie—Wharf extension	20,500 00	
	St. Godfroy—Wharf repairs	8,200 00	
	St. Ignace de Loyola—Protection wall	15,000 00	
	St. Jeanne d'Arc—Wharf	1,100 00	
	St. Joachim (Cote Neuve)—Breakwater	3,000 00	
	St. Paul (Ile aux Noix)—Improvements	4,500 00	
	St. Pierre les Becquets—Dredging	13,000 00	
	Ste. Rose—Protection wall	4,900 00	
	Saguenay River—Dredging	170,000 00	
	Sault au Mouton—Channel	24,100 00	
	Sorel—Harbour improvements	180,000 00	
	Tadoussac (Anse Tadoussac)—Wharf improvements	12,500 00	
	Taillon (St. Henri)—Wharf extension	1,300 00	
	Terrebonne—Protection wall	16,200 00	
	Trois Rivieres—Dredging	4,900 00	
	Val Barette—Protection work	3,000 00	
	Varennes—Protection wall	15,000 00	
	Vercheres—Protection wall	10,000 00	
	Vercheres County—Dredging—The Provincial Government contribution being a like amount	5,000 00	
	Yamaska—Protection work	9,300 00	
		2,985,200 00	
	Ontario		
	Balm Beach—Breakwater	5,000 00	
	Bayfield—Reconstruction outer end North Pier	18,000 00	
	Bronte—Dredging	5,200 00	
	Burlington Channel—Dredging	25,000 00	
	Burlington Channel—Reconstruction of South Pier	108,000 00	
	Byng Inlet—Dredging mouth of Still River	11,600 00	
	Cape Croker—Wharf extension	9,600 00	
	Cobourg—Dredging	18,400 00	
	Fort William—Dredging	17,000 00	
	Glenmount—Wharf	8,200 00	
	Gore Bay—Purchase and repair wharf	20,000 00	
	Hamilton—Harbour improvements	250,000 00	
	Kenora (Laurenson's Creek)—Improvements	3,000 00	
	Kingston, R.M.C.—Retaining wall and maintenance of boat-houses	3,000 00	
	Kingsville—Harbour improvements	19,900 00	
	Leamington—Harbour improvements	100,000 00	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	HARBOURS AND RIVERS—*Continued*		
	Ontario—Concluded		
	Little Current—Dredging West Channel	120,000 00	
	Meaford—Reconstruction of harbour works	10,000 00	
	Midland—Dredging Monument Channel	13,400 00	
	Nation River—Contribution towards dredging, the Provincial Government to contribute a like amount	15,000 00	
	Oshawa—To replace old West Pier	125,000 00	
	Owen Sound—Harbour improvements	30,000 00	
343	Pelee Island—North wharf reconstruction	25,000 00	
	Penetanguishene—Wharf extension and repairs	21,000 00	
	Peterborough—Harbour improvements	15,900 00	
	Port Arthur—Harbour improvements	260,000 00	
	Port Burwell—Harbour improvements	50,000 00	
	Port Hope—Reconstruction of harbour works	27,000 00	
	Port Maitland—Protection wall	2,700 00	
	Port Stanley—Harbour repairs and improvements	89,000 00	
	Providence Bay—Wharf repairs	4,000 00	
	Rockland—Wharf	15,000 00	
	Rondeau—Reconstruction inner end, West pier	23,000 00	
	Sarnia—Harbour improvements	28,000 00	
	Saugeen River—Extension to North Pier	9,000 00	
	Sault Ste. Marie—Dredging	44,000 00	
	Sydenham River—Dredging	8,500 00	
	Thames River (Chatham)—Dredging	7,400 00	
	Toronto Island—Breakwater, the City of Toronto to bear a like amount	125,000 00	
	Verulam Park (Sturgeon Lake)—Wharf	5,500 00	
	Walker River (Desbarats)—Dredging	4,500 00	
	Wallaceburg—Wharf extension and warehouse	10,000 00	
	Windermere—Small boat landing	3,200 00	
	Windsor—Wharf extension	15,000 00	
	Wolsey Bay—Wharf	2,400 00	
		1,730,400 00	
	Manitoba		
	Arnes—Wharf extension	13,000 00	
	Assiniboine River—Dyking and repairing present dykes	20,000 00	
344	Grand Marais—Wharf	15,000 00	
	Herb Lake—Wharf	1,600 00	
		49,600 00	
	Saskatchewan		
	Ceepee—Bridge	45,000 00	
345	Ile a la Crosse—Wharf	11,000 00	
	Meadow and Beaver Rivers—Improvements	4,000 00	
	Waskesiu Lake—Dredging	9,500 00	
		69,500 00	
	Alberta		
	Fort Chipewyan—Wharf extension	9,000 00	
346	McLennan—Wharf	3,200 00	
	Sylvan Lake—Breakwater-wharf	20,000 00	
		32,200 00	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	HARBOURS AND RIVERS—*Concluded*		
	Northwest Territories		
347	Fort Norman—Wharf	6,500 00	
	Fort Resolution—Breakwater-wharf extension and repairs	40,300 00	
	Fort Smith—Protection work	13,000 00	
		59,800 00	
	British Columbia		
348	Ahousat—Wharf	7,200 00	
	Columbia River (below Burton)—Bank protection	15,400 00	
	Digby Island—Wharf repairs	20,000 00	
	Fraser River—Contribution towards protection work at Agassiz, the Provincial Government to contribute a like amount	5,000 00	
	Fraser River—Improvements	170,000 00	
	Fraser River (Lulu Island)—Protection work	39,000 00	
	Fraser River (North Arm)—Dredging	100,000 00	
	Mayne Island—Wharf improvements	7,200 00	
	New Westminster—Fisheries Station	30,000 00	
	Port Alberni—Extension to Assembly Wharf	4,100 00	
	Port Alberni—Dredging at floats	12,500 00	
	Savary Island—Wharf enlargement and improvements	2,500 00	
	Snagboat *Samson*—Reconstruction	57,000 00	
	Tacho River—Improvements	3,000 00	
	Trail—Retaining wall	10,000 00	
	William Head (Quarantine Station)—Wharf repairs	25,100 00	
		508,000 00	
	Generally		
349	Harbours and Rivers Generally—		
	Improvements, maintenance of services, repairs and additions	500,000 00	
	Surveys and inspections in connection with the above-mentioned works	31,000 00	
		531,000 00	
	ROADS AND BRIDGES		
350	Clair, New Brunswick—Improvements and repairs to International Bridge	3,000 00	
	Edmonton Low Level Bridge—Repairs and improvements—The City of Edmonton and the Canadian National Railways to contribute like amounts	3,400 00	
	Edmundston, New Brunswick—Improvements and repairs to International Bridge	3,100 00	
	St. Leonard, New Brunswick—Improvements and repairs to International Bridge	3,000 00	
	Kingston—LaSalle Causeway—Improvements	10,100 00	
		22,600 00	
	TELEGRAPH AND TELEPHONE LINES		
	Ontario		
351	Contribution of one-half the cost of construction of telephone line between Killarney and Little Current	6,000 00	
	Saskatchewan and Alberta		
352	Telegraph and telephone facilities between Slave Lake and Wabiska	1,800 00	
		7,800 00	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Concluded*		
	MISCELLANEOUS		
353	Additional Staff	90,000 00	
354	To provide for balance required to complete any projects already undertaken, no new works to be undertaken	200,000 00	12,550,000 00
	TRANSPORT		
355	To provide for the construction, repair and replacement of aids to navigation and buildings and structures used in connection therewith	100,000 00	
356	To provide for the removal of derelicts in the harbours of Canada	57,200 00	
357	Amount to be applied by the Board of Railway Commissioners for Canada towards the cost of actual construction work for the protection, safety and convenience of the public in respect of highway crossings of railways, as the Governor in Council may from time to time determine	2,500,000 00	2,657,200 00
	MISCELLANEOUS		
358	Veterans' Assistance Commission Act	400,000 00	
359	National Battlefields Commission—Continuation of park development on the Cove Fields, consisting of road construction, paving, masonry, general grading, landscaping, etc.	100,000 00	
359A	Federal District Commission—To provide for improvement of parks and driveways under the control of the Federal District Commission	132,857 00	632,857 00
360	To authorize, subject to the approval of the Governor in Council, appointment of such extra temporary officers, clerks and employees as may be necessary to carry out the purpose of any item in these Special Supplementary Estimates, payment therefor to be made from the particular item with respect to which such extra assistance is required or from any item providing in terms for salaries or administration expenses.		
	GOVERNMENT OWNED ENTERPRISES		
	CANADIAN NATIONAL RAILWAY COMPANY		
361	Amount not exceeding $35,000,000 to be paid from time to time, under such conditions as the Minister of Finance may prescribe, to the Canadian National Railway Company (hereinafter called "the National Company") and to be applied by the National Company in payment of the net income deficits arising in the calendar year 1937, including such supplementary contribution to the Intercolonial and Prince Edward Island Railways Employees' Provident Fund as may be necessary to provide for payment in full of monthly allowances under the provisions of the Intercolonial and Prince Edward Island Railways Employees' Provident Fund Act, notwithstanding the limitation contained in section four of the said Act, and including such supplementary contribution to the Grand Trunk Railway of Canada Superannuation and Provident Fund as may be necessary to enable payment to be made of monthly allowances under the rules and regulations of the Fund, notwithstanding the limitation contained in section thirteen of		

SCHEDULE B—*Concluded*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	GOVERNMENT OWNED ENTERPRISES —*Concluded*		
	CANADIAN NATIONAL RAILWAY COMPANY —*Concluded*		
	chapter sixty-five of the Statutes of Canada, 1874, and including profit and loss but not including non-cash items and interest on Dominion Government advances, of the National Company or of any other or others of the Companies comprised in the Canadian National Railways (as defined in Chap. 10 of the Statutes of Canada, 1929) or any Company controlled by stock ownership or otherwise by any Company comprised in the Canadian National Railways or by the National Company in respect of any of the Canadian Government Railways entrusted to the National Company	35,000,000 00	
	CANADIAN NATIONAL (WEST INDIES) STEAMSHIPS, LIMITED		
362	Loan to the Canadian National (West Indies) Steamships, Limited, to provide for working capital requirements, repayable on demand upon such terms and conditions as the Governor in Council may determine	500,000 00	
	NATIONAL HARBOURS BOARD		
363	To provide for payment, to National Harbours Board, of the amounts hereinafter set forth, to be applied in payment of the deficits (after payment of interest due the public but exclusive of interest on Dominion Government Advances and depreciation) arising in the calendar year 1937, in the operation of the following harbours:—		
	Halifax	24,042 00	
	Saint John	17,964 00	
	Quebec	174,610 00	
	Churchill	242,000 00	
364	Advances to National Harbours Board with interest at a rate to be fixed by the Governor in Council for such period and upon such terms and conditions as the Governor in Council may determine, to be applied in payment of deficits resulting from the operations of the Jacques Cartier Bridge	443,048 00	
		901,664 00	
			36,401,664 00
	LOANS AND INVESTMENTS		
365	To provide for the discharge of commitments incurred prior to March 31, 1937, under the provisions of Vote 428 of the Special Supplementary Estimates, 1936-37—Acquisition of Railway Equipment	.....	89,500 00
	Total	.....	*96,063,307 00

*Net Total, $80,052,755.83.

SCHEDULE C.

Based on Supplementary Estimates, 1937–38. The amount hereby granted is $11,339,955.98, being the amount of each of the items in the Estimates as contained in this Schedule.

Sums granted to His Majesty by this Act for the financial year ending 31st March, 1938, and the purpose for which they are granted.

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	CIVIL GOVERNMENT		
404	*Auditor General's Office*— Contingencies—Further amount required	5,000 00	
405	*Public Works*— Salaries— Increase for the Chief Engineer (Public Works) from $7,500 to $9,000 per annum	1,500 00	6,500 00
	LEGISLATION		
	SENATE		
406	To provide for the payment of the full sessional indemnity for the session of 1937 to Members of the Senate for days lost through absence due to public business, by illness, or on account of death. Payment to be made as the Treasury Board may direct	9,500 00	
	HOUSE OF COMMONS		
407	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 amendment thereto. Payments to be made as the Treasury Board may direct	37,000 00	46,500 00
	AGRICULTURE		
408	Dairying—Further amount required	20,000 00	
409	Subsidies for cold storage warehouses under the Cold Storage Act—Further amount required	40,000 00	
410	Entomology, including investigations and inspections relating to destructive insects and pests—Further amount required	85,000 00	
411	Health of Animals, administration of the Animal Contagious Diseases Act and the Meat and Canned Foods Act—Further amount required	200,000 00	

SCHEDULE C—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	AGRICULTURE—*Concluded*		
412	Health of Animals—To provide for payment of compensation to owners of animals affected with diseases coming under the operation of the Animal Contagious Diseases Act, which have died or have been slaughtered under circumstances unprovided for under the above Act and regulations thereunder as follows:		
	Robinson, W., Woodbridge, Ont.	34 00	
	Brind, H., Campbellville, Ont.	22 00	
	Lee, W. H., Malton, Ont.	50 00	
	Preston, D., Woodbrige, Ont.	32 00	
	Legg Bros., R. 3, King, Ont.	36 00	
	Weddell, Kenneth, Newmarket, Ont.	34 00	
	Glass, W. H., King, Ont.	32 00	
	Cornock, W. J., Greenway, Man.	36 00	
	Guilbert, Ulric, Baldur, Man.	26 00	
	Cormier, Jos., Ste. Gertrude, Que.	26 00	
	Deshaies, Lionel, Ste. Gertrude, Que.	28 00	
	Hould, Elisee, Ste. Gertrude, Que.	30 00	
	Leboeuf, Arthur, Gentilly, Que.	28 00	
	Lambert, Majorique, St. Cyrille, Que.	24 00	
	Brown, N. C., R. 4, Uxbridge, Ont.	36 00	
	Lennox, Jas., Brinston, Ont.	26 00	
	Boisvert, Walter, St. David, Que.	28 00	
	Girardin, Sylvio, Kingsey Falls, Que.	14 00	
413	Exprimental Farms, including investingations concerning plant diseases—Further amount required.	35,000 00	
414	Contributions to Empire Bureaux—Further amount required.	3,317 85	
415	Marketing of agricultural products, including temporary appointments that may be required to be made notwithstanding anything contained in the Civil Service Act—Further amount required.	100,000 00	
416	Assistance to the provinces for resettlement.	300,000 00	
			783,859 85
	PENSIONS		
417	To hereby provide for payment of an annuity of $300 to each of the dependent children of the late Mrs. Beatrice Williams, widow of late Penitentiary Guard John Williams, commencing 21st January, 1937, and continuing in each case until the child becomes eighteen years of age or dies, whichever event shall first happen.	.....	716 13
	NATIONAL DEFENCE		
	MILITIA SERVICES		
418	Engineer services and works—Further amount required (Revote).	840,500 00	
	MISCELLANEOUS		
419	To provide for expenditure due to the closing of Unemployment Relief Projects, including salaries and allowances notwithstanding anything in the Civil Service Act.	35,000 00	
			875,500 00
	TRANSPORT—CHARGEABLE TO CAPITAL		
	AIR SERVICE		
420	Civil Aviation:—Construction of airways, airports and radio stations—Further amount required.	.....	915,000 00

SCHEDULE C—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	TRANSPORT—CHARGEABLE TO INCOME		
	AIR SERVICE		
	Civil Aviation:—		
421	To provide for contribution to assist municipalities on the Trans-Canada Airway to improve existing airports or provide new airports	500,000 00	
	Radio Division:—		
422	To provide for the maintenance and construction of radio direction finding stations, radio beacons and radiotelegraph stations and general administration of the provisions of the Radio Act and Regulations throughout the Dominion—Further amount required	75,000 00	
423	To provide for the suppression of local electrical interferences and for the issue of radio receiving licences—Further amount required	15,000 00	
	CANALS SERVICE		
424	Canals, administration, operation and maintenance—Further amount required	60,000 00	
425	Canals, improvements—Further amount required	90,000 00	
426	To provide for the settlement of the claim of the Hydro-Electric Power Commission of Ontario for power supplied to the Port Colborne Elevator	200,000 00	
	MARINE SERVICE		
	Nautical Services:—		
427	Maintenance and repairs to Dominion Steamers and Icebreakers—Further amount required	80,400 00	
428	Miscellaneous services relating to navigation and shipping—Further amount required	25,000 00	
429	Life saving service, including rewards for saving life—Further amount required	3,700 00	
430	Administration of pilotage—Further amount required	40,000 00	
	MISCELLANEOUS AND UNFORESEEN		
431	Miscellaneous Services—Further amount required	25,000 00	
432	To provide for payment of additional Sales Tax, imposed by Chapter 45 of the Statutes of 1936, to contractors for railway equipment ordered under the provisions of the Supplementary Public Works Construction Act, 1935 (section 9), and delivered after May 1, 1936 (Revote)	1,790 00	
			1,115,890 00
	PUBLIC WORKS—CHARGEABLE TO INCOME		
	PUBLIC BUILDINGS		
	Quebec		
433	Montreal Public Building—To complete contract for building	25,000 00	
	Montreal Old Examining Warehouse—Improvements, alterations and repairs	65,000 00	
	Ontario		
434	Ottawa Justice Building—To complete contract	20,000 00	
	Ottawa Postal Terminal Building—To complete contract	12,000 00	
	Toronto—Additional postal accommodation	300,000 00	

SCHEDULE C—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—CHARGEABLE TO INCOME—*Concluded*		
	HARBOURS AND RIVERS		
	Nova Scotia		
435	Port Williams—Wharf and warehouse	50,000 00	
	New Brunswick		
436	Wilson's Beach—Breakwater-wharf extension	20,000 00	
	Quebec		
437	Petite Riviere Est—Construction of fishing harbour (under contract)	5,000 00	
	Pointe Jaune—Improvements to fishing harbour (under contract)	3,000 00	
	Sorel—Repairs and strengthening elevator wharf and dredging	42,000 00	
	Ontario		
438	Port Arthur—Harbour improvements—Further amount required	25,000 00	
	Saskatchewan		
439	Montreal River—Improvements	5,000 00	
	ROADS AND BRIDGES		
440	Selkirk Bridge—Maintenance and repairs—Further amount required	2,500 00	574,500 00
	MAIL SUBSIDIES AND STEAMSHIP SUBVENTIONS		
441	Additional amount required for subsidies for coastal services, subject to the authority of the Governor in Council		6,250 00
	FISHERIES		
442	To provide for investigations and acitivites by the Pacific Salmon Fisheries Commission under the Fraser River Sockeye Salmon Treaty	15,000 00	
443	To aid in the re-establishment and re-organization of what are known as the Dried and Pickled Fish branches of the fishing industry of the Atlantic coast, which, owing to world economic conditions, have become acutely depressed, with a view to the rehabilitation of those engaging therein; by granting assistance in processing, storing and marketing; by efforts to expand the demand for the products of the industry; by assisting in the provision of transportation facilities on portions of the coast where these are inadequate; all under conditions to be approved by the Governor in Council	500,000 00	515,000 00

SCHEDULE C—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	MINES AND RESOURCES		
	MINES AND GEOLOGY BRANCH		
444	For maintenance of offices and museum; for purchase of instruments, chemicals, books of reference, museum equipment and specimens, and related supplies; for expenses of the Geographic Board of Canada; and for miscellaneous assistance and contingencies—Further amount required	3,000 00	
	LANDS, PARKS AND FORESTS BRANCH		
445	To provide for expenses connected with:—		
	New park in New Brunswick	25,000 00	
	Erection of a memorial to Robert Cavelier de la Salle	5,000 00	
		30,000 00	
	SURVEYS AND ENGINEERING BRANCH		
446	To provide for investigation of water-power supply in the Northwest Territories	5,000 00	
447	To provide for construction of International Gauging Station on Kootenay Lake	3,000 00	
448	To provide for the expenses incurred under the Lake of the Woods Convention 1925, for Canadian participation in legal proceedings in the United States incidental to acquiring a flowage easement over lands bordering on Lake of the Woods in the United States, two-thirds of the moneys expended to be reimbursed to the Dominion by the Provinces of Manitoba and Ontario under the terms of the Agreement of November 15, 1922	2,000 00	
		10,000 00	
	INDIAN AFFAIRS BRANCH		
449	To provide for expenses connected with the administration of Indian Affairs, supplies, relief, medical attendance, hospitalization, agricultural activities, education—Further amount required	400,000 00	
	IMMIGRATION BRANCH		
450	Immigration contingencies—Further amount required	12,000 00	
			455,000 00
	LABOUR		
451	Fair Wages and Inspection—Further amount required	10,000 00	
452	Industrial Disputes Investigation Act—Further amount required	10,000 00	
453	International Labour Conference—Further amount required	5,000 00	
454	Combines Act	40,000 00	
			65,000 00
	GOVERNMENT OF THE NORTHWEST TERRITORIES		
455	Expenses connected with the administration of the Northwest Territories Act and Ordinances, Eastern Arctic Patrol, Eskimo Affairs, schools, hospitals—Further amount required	.....	10,100 00
	GOVERNMENT OF THE YUKON TERRITORY		
456	Expenses connected with the administration of the Territory—Further amount required	.....	3,000 00

SCHEDULE C—*Concluded*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PENSIONS AND NATIONAL HEALTH		
457	To provide for the payment of allowances to veterans during a limited period of probational training under arrangements with prospective employers		250,000 00
	MISCELLANEOUS		
458	To provide for expenses of the Royal Grain Inquiry Commission, including revote $50,000.00	111,700 00	
459	To provide for expenses of the Royal Commission on the Textile Industry	27,000 00	
460	To provide for administration of the Royal Canadian Mint—Further amount required (Revote)	8,040 00	
461	Expenses of Royal Commission to investigate financial powers and responsibilities of the Dominion and the provinces	150,000 00	
462	Temporary grants to Provinces of Manitoba and Saskatchewan to enable said Provinces to continue essential services pending improvement in crop conditions and pending report of Royal Commission to investigate financial powers and responsibilities of the Dominion and the provinces—		
	Manitoba	750,000 00	
	Saskatchewan	1,500,000 00	
463	To provide for return of the balance of salary deductions imposed under the Salary Deduction Acts, subject to allocation by the Treasury Board	3,000,000 00	
464	Grant to the Canadian Red Cross Society—Further amount	1,900 00	
465	To provide, subject to the approval of the Treasury Board, for salaries, reclassifications and increases—Further amount required	75,000 00	
			5,623,640 00
	NATIONAL REVENUE		
466	To provide for payment to C. P. Blair, formerly Assistant Commissioner of Customs, compensation for services in connection with the revision of the Customs Act, in the event of same being required		2,500 00
	TRADE AND COMMERCE		
467	Exhibitions and Fairs—Further amount required	38,000 00	
468	Precious Metals Marking Act—Further amount required	3,000 00	
			41,000 00
			11,289,955 98
	GOVERNMENT OWNED ENTERPRISES		
469	Advances to Canadian National (West Indies) Steamships, Limited, repayable on demand upon such terms and conditions as the Governor in Council may determine and to be applied in payment of capital expenditure in connection with vessels under the Company's control during the year ending December 31, 1937—Further amount required		50,000 00
	Total		11,339,955 98

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 119.

An Act to amend The Excise Act, 1934.

First reading, April 9, 1937.

The MINISTER OF NATIONAL REVENUE.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

32402

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 119.

An Act to amend The Excise Act, 1934.

1934, c. 52; 1935, c. 29; 1936, c. 37.

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

Definitions.

1. Paragraph *(k)* of section two of *The Excise Act, 1934*, chapter fifty-two of the statutes of 1934, is repealed, and the following substituted therefor:—

"Officer".

"*(k)* "officer" means every officer of excise who is employed or appointed to the survey of manufactures, operations, or premises subject to excise, and every person employed for the purpose of the administration or enforcement of this Act, including any member of the Royal Canadian Mounted Police."

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

Refund of duties.

"(5) If application in writing is made within three years from the date when payment thereof is made, the Minister may refund any duty of excise or fee erroneously paid or overpaid under this Act, and in no case shall a refund or repayment be made unless application is made in accordance with this subsection."

3. Section fifty-five of the said Act is amended by adding thereto the following proviso:—

Certain spirits subject to an abatement.

"Provided further that spirits for the fortification of native wines when stored in wooden barrels in a bonding warehouse at a registered winery may, in the event of a deficiency arising, be subject to an abatement which shall not exceed two-thirds of one per cent for each complete month after the date of original warehousing but no abatement shall be allowed for a period of more than twelve months and every such abatement shall be made in respect of each specific package and shall in no case exceed the actual deficiency found to exist in the package."

EXPLANATORY NOTES.

1. This amendment is intended to make it clear that all officers engaged in inspection work under the Act or in the administration or enforcement thereof have the status of "officers". The only change is indicated by the words underlined at the end of paragraph *(k)*.

2. The purpose of this amendment is to authorize the Minister to make refunds of overpayments of duties, or duties erroneously paid, provided application in writing be made within three years. It is also intended to preclude applications for refund where the written application is not made within three years of the payment.

3. This amendment is intended to provide for wineries a schedule of abatements for shrinkage by evaporation similar to those allowed to distilleries under section 142, limited however to one year's storage.

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

Who shall be deemed officers.

"**66.** All persons employed for the purposes of this Act, including members of the Royal Canadian Mounted Police, shall be known as officers of excise".

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

Refusing to assist officers.

"**96.** Every one who, when called upon in the King's name by an officer of excise, to aid or assist him in the execution of any act or duty required by this Act, refuses or neglects so to do, and every master or person in charge of any vessel and every driver or person conducting or having charge of any vehicle or conveyance, who refuses or neglects to stop such vessel, vehicle or conveyance when required to do so in the King's name by an officer of excise, is guilty of an indictable offence, and liable to a fine not exceeding one hundred dollars and not less than fifty dollars, and to imprisonment for a term not exceeding six months and not less than three months".

Penalty.

6. Subsection one of section one hundred and eighteen of the said Act is repealed and the following substituted therefor:—

Recovery of penalties.

"**118.** (1) Every penalty or forfeiture incurred and any term of imprisonment imposed for any offence against the provisions of this Act, or any other law relating to excise, whether in conjunction with a pecuniary penalty or not, may be sued for and recovered in or may be imposed, adjudged and ordered,

Exchequer Court.

(a) by the Exchequer Court of Canada, or any court of record having jurisdiction in the premises; or

(b) if the amount or value of such penalty or forfeiture does not exceed five thousand dollars, and such term of imprisonment does not exceed twelve months with hard labour, whether the offence in respect of which it has been incurred is declared by this Act to be an indictable offence or not, by summary conviction, under the provisions of the *Criminal Code* relating thereto, before a police or stipendiary magistrate, or any two justices of the peace having jurisdiction in the place where the cause of prosecution arises or wherein the defendant is served with process or before any functionary, tribunal or person empowered by the proper legislative authority to perform acts usually required to be done by two or more justices of the peace and acting within the local limits of his or its jurisdiction".

By summary conviction.

Procedure.

4. The purpose of this amendment is to make it clear that members of the Royal Canadian Mounted Police who act as Customs-Excise preventive officers are officers of excise within the meaning of the Act

Section 66 at present reads as follows:—

"**66.** Inspectors, and all persons appointed under this Act, or employed for the purposes of this Act, shall be known as officers of excise."

5. This amendment is intended to include in the offence of refusal to assist the officers in enforcing the Act, the failure to stop a vehicle, vessel or other conveyance when required to do so by an officer of excise. This follows the language of an existing provision of the Customs Act.

6. This is a clerical amendment intended to clear up an error in typographical arrangement of paragraphs *(a)* and *(b)* and also to more clearly define the punishment referred to in paragraph *(b)*.

Licences.

7. Paragraph *(b)* of subsection one of section one hundred and thirty-four of the said Act, is repealed and the following substituted therefor:—

Bond.

"*(b)* such person shall, before such licence is issued, jointly with a guarantee company, approved by the Minister, enter into a bond to His Majesty, in the sum of one thousand dollars".

8. Section one hundred and thirty-six of the said Act is repealed and the following substituted therefor:—

Licence for having and using a chemical still.

"**136.** The person in whose favour a licence is granted to have and use any chemical still or stills mentioned in his application for a licence shall, upon receiving such licence, pay to the Collector the sum of two dollars: Provided

Proviso.

that any person using a chemical still, the measured content of which does not exceed three gallons, or any *bona fide* public hospital duly certified as such by the Department of Pensions and National Health using a chemical still of any capacity, may, upon registering the said still at the office of the collector of the division in which it is situated, be permitted to use the same without payment of licence fee or the giving of bonds; but the possession of any such still without registration shall be deemed a having in possession of a still contrary to the provisions of this Act".

9. Section one hundred and thirty-seven of the said Act is repealed and the following substituted therefor:—

Importing or manufacturing apparatus.

"**137.** Everyone who, not being licensed as a distiller, applies for a licence to import or manufacture stills, worms, rectifying or other apparatus suitable for the manufacture of spirits, shall, when applying for such licence, pay to the collector the sum of two dollars".

Duties of excise upon spirits.

10. Subparagraph (ii) of paragraph *(d)* of subsection one of section one hundred and forty-two of the said Act is amended by inserting in line eleven thereof, after the word "barrels", the following words:—

"an abatement which shall not exceed".

11. Section one hundred and sixty-one of the said Act is amended by adding thereto the following subsection:—

Validation fee on removal of spirits for export.

"(2) No permit shall be granted for the removal of any spirits for export in bond unless the person applying for the same has paid to the collector or sub-collector a validation fee of twenty cents for every gallon of the strength of proof to be removed as provided by regulations made in that behalf by the Governor in Council: Provided no fee shall be payable upon the export of denatured alcohol or specially denatured alcohol: Provided further, that the

7. It is considered that a bond in the amount of one thousand dollars is adequate security against chemical stills being utilized for the illegal manufacture of spirits.

The underlined word "one" is substituted for the word "two".

8. This amendment is intended to reduce the licence fee for chemical stills from twenty-five dollars to two dollars, and further, to provide exemptions from the licence fee to public hospitals.

9. This amendment is intended to reduce the licence fee required of a manufacturer or importer of a still from twenty dollars to two dollars.

10. This amendment is intended to clarify the reading of the text by supplying words inadvertently omitted in the second proviso of the paragraph in question.

11. The object of the amendment is to give statutory sanction to the validation fee imposed by Order in Council (as by amendment to the Regulations) in December, 1933. By section 21 of this Act the section is made retroactive to the date when the regulations were amended.

fee hereby imposed may be reduced or abolished by the Governor in Council if such reduction or abolition appears to be in the public interest."

Term of imprisonment for distilling without licence.

12. Subsection one of section one hundred and sixty-four of the said Act is amended by striking out the word "three" in the forty-ninth line thereof and substituting therefor the word "six".

13. The said Act is further amended by inserting, immediately after section 169A thereof, the following section:—

If two or more found together.

"**169B.** If any two or more persons are found together and they or any one of them have in their or his possession any spirits liable to seizure under this Act, each of such persons having knowledge of the fact of such possession is guilty of an offence and punishable in accordance with the provisions of this Act as if the goods were found in his possession."

Duties. Repeal.

14. Section one hundred and seventy-six of the said Act is repealed.

Least quantity to be ex-warehoused for consumption.

15. Section two hundred and thirty-three of the said Act is repealed and the following substituted therefor:—

"**233.** No less quantity of goods manufactured in bond shall be ex-warehoused for consumption by one entry than would be liable to a duty of twenty dollars".

Definitions. "Wood alcohol."

16. Section three hundred and eight of the said Act is amended by adding the following paragraph thereto:—

"*(d)* "wood alcohol" means any volatile liquid whether obtained by the destructive distillation of wood, or otherwise, the chief constituent of which is methyl alcohol and which contains not more than twenty-five per centum by weight of acetone."

17. Subsection two of section three hundred and eleven of the said Act is repealed and the following substituted therefor:—

Specially denatured alcohol subject to regulations.

"(2) Specially denatured alcohol shall only be sold or delivered under a departmental permit to dealers and manufacturers to be used in the arts and industries in cases where denatured alcohol would be unsuitable, and shall only be imported, manufactured, transported or sold under such conditions as the Minister may by regulations prescribe".

Penalty provision repealed.

18. Subsection two of section three hundred and thirteen of the said Act is repealed.

12. This amendment is intended to assimilate the punishment for a second offence under this section with the punishment for a second offence as provided by section 169.

The term of imprisonment provided will be not less than six months in lieu of not less than three months.

13. This amendment is intended to make all persons who are found together with the person committing an offence under subsection (1) of section 169 equally guilty of the same offence if they have knowledge of their companion's possession of the spirits of illicit manufacture or importation.

14. The duties imposed by this section were deleted from the Schedule of the Act by the 1936 amendments.

15. This amendment is intended to enable goods manufactured in bond to be ex-warehoused for export or for removal in bond even though the duty on such goods amounts to less than twenty dollars.

16. Wood alcohol is defined for the purposes of the Act.

17. This amendment is intended to clarify the Minister's power to licence and control the traffic in specially denatured alcohol with a view to preventing its use as a beverage.

The words underlined on the opposite page are being substituted for the words "moved or transported".

18. This penal provision is repealed and a more comprehensive one enacted by the amendment immediately following.

19. The said Act is further amended by inserting, immediately after section three hundred and nineteen thereof, the following section:—

Penalties for violating provisions of the Act and regulations.

"**319**A. Except as herein otherwise provided, any person who holds in possession, sells, exchanges or delivers any alcohol, denatured alcohol, specially denatured alcohol, or wood alcohol contrary to the provisions of this Act, or of any regulations made thereunder, is guilty of an indictable offence and shall, for a first offence, be liable to a penalty not exceeding one thousand dollars and not less than one hundred dollars or to imprisonment, with or without hard labour, for a term not exceeding three months and not less than one month, or to both fine and imprisonment, and in default of payment of any pecuniary penalty imposed under this section, to a term of imprisonment not exceeding six months and not less than three months, such term of imprisonment to be in addition to any imprisonment already imposed under this section, and for every subsequent offence to a penalty not exceeding one thousand dollars and not less than two hundred dollars or to imprisonment, with hard labour, for a term not exceeding twelve months and not less than three months and in default of payment of the penalty, to a further term of imprisonment equal to that already imposed by the Court for such subsequent offence, and all such alcohol unlawfully held in possession, sold, exchanged or delivered, wheresoever found, and all horses, vehicles, vessels and other appliances which have been or are being used for the purpose of transporting the same, or in or upon which the same are found, shall be seized as forfeited to the Crown and shall be dealt with accordingly."

Coming into force of sections seven, eight and nine.

20. Sections seven, eight and nine of this Act shall be deemed to have come into force on the first day of April, 1937.

Coming into force of section eleven.

21. Section eleven of this Act shall be deemed to have come into force on the second day of December, 1933.

19. This amendment is intended to provide a complete and graduated penal section to enforce the provisions of the Act and the regulations made thereunder respecting all alcohols that might be used for beverage purposes.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 120.

An Act to amend the Special War Revenue Act.

AS PASSED BY THE HOUSE OF COMMONS,
10th APRIL, 1937.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

34276

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 120.

R.S., c. 179; 1928, c. 50; 1929, c. 57; 1930, c. 43; 1931, c. 54; 1932, c. 54; 1932-33, c. 50; 1934, c. 42; 1935, c. 33; 1936, c. 45.

An Act to amend the Special War Revenue Act.

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

1. Paragraph *(c)* of section eighty-five of the *Special War Revenue Act*, chapter one hundred and seventy-nine of the Revised Statutes of Canada, 1927, as enacted by section eight of chapter forty-two of the statutes of 1934, is repealed and the following substituted therefor:—

"Partly manufactured goods."

"*(c)* 'partly manufactured goods' shall mean only goods which are to be incorporated into and form a constituent or component part of an article whicbjecth is su to the consumption or sales tax; the Minister shall be the sole judge as to whether or not goods are 'partly manufactured goods' within the meaning of this section."

2. Subsection four of section eighty-six of the said Act, as enacted by section nine of chapter forty-two of the statutes of 1934, is repealed and the following substituted therefor:—

Tax on furs dressed or dyed.

"(4) There shall be imposed, levied and collected a like tax of eight per cent. upon the current market value of all furs dressed and/or dyed in Canada, payable by the dresser or dyer at the time of delivery by him.

The Minister may make regulations for the purpose of determining what constitutes the current market value of furs, and the tax shall be computed upon the value so determined. Such regulations shall be binding upon the owner of the furs as well as upon the dresser or dyer."

Sec. 120A re-numbered 129A.

3. Section one hundred and twenty A of the said Act, as enacted by section eleven of chapter thirty-three of the statutes of 1935, is re-numbered to read "129A".

Explanatory Notes.

1. Paragraph *(c)*, to be repealed and re-enacted, at present reads as follows:—

(c) "partly manufactured goods" shall mean only goods which are to be used in, wrought into, or attached to articles to be manufactured or produced for sale, and which are articles subject to the consumption or sales tax; the Minister shall be the sole judge as to whether or not any goods are "partly manufactured goods" within the meaning of this section;

The revised definition is intended to more clearly define what shall be exempt from tax on the manufacturers' purchases or importations by use of their licences.

2. The only change is substituting the word "eight" (underlined on the opposite page) for the word "six," to confirm the tax rate in so far as this section is concerned.

3. There are at present two different sections numbered 120A, the first one enacted in 1935, the second one enacted in 1936. Re-numbering the first one as 129A will remedy the confusion created and situate the section in its proper place.

French version amended.

4. Subsection one of section one hundred and six of the French version of the said Act, as enacted by section thirteen of chapter fifty-four of the statutes of 1932 and as amended by section nine of chapter forty-five of the statutes of 1936, is repealed and the following substituted therefor:—

"**106.** (1.) Quiconque est assujéti aux taxes prévues aux Parties XI, XII et XIII de la présente loi et tout fabricant ou producteur patenté sous le régime de son article quatre-vingt-quinze, et tout marchand en gros ou commissionnaire patenté sous le régime de son article quatre-vingt-seize doivent produire chaque mois, conformément aux règlements édictés par le Ministre, un rapport véridique de leurs ventes taxable effectuées pendant le mois précédent. Ledit rapport doit être certifié par une déclaration statutaire faite par la personne tenue de payer la taxe, son procureur ou son agent."

Schedule III amended.

5. Schedule III to the said Act, as enacted by section sixteen of chapter forty-five of the statutes of 1936 is amended as follows:—

(a) by striking out in lines thirty-five and thirty-six thereof the words "grain or seed cleaning machines" and substituting therefor the words "grain or seed cleaning machines and complete parts therefor;"

(b) by striking out in lines one hundred and nineteen to one hundred and thirty inclusive the paragraphs reading as follows:—

"Fire brick, containing not less than ninety per cent of silica; magnesite fire brick or chrome fire brick; other fire brick when for use exclusively in the construction or repair of a furnace, kiln or other equipment of a manufacturing establishment, and articles and materials to be used exclusively in the manufacture of such fire brick; materials, not to include plant equipment, consumed in the manufacture or production, and which enter directly into the cost of the manufacture of such fire brick;

Materials, not to include lubricating or fuel oils or plant equipment, consumed in the process of the manufacture or production of taxable goods;"

and substituting therefor the following:—

"Fire brick, plastic refractories, high temperature cement, fire clay and other refractory materials for use exclusively in the construction or repair of a furnace, kiln or other equipment of a manufacturing establishment, and materials to be used or consumed exclusively in the manufacture or production of such fire brick or refractory materials.

Materials (not to include abrasives, lubricating oils, fuel oils or non-permanent plant equipment) consumed,

4. This is to correct a clerical error. Section 9 of chapter 45 of the statutes of 1936 (English version) amended the subsection "by deleting therefrom the words following the words 'his attorney or agent,' " whereas the French version at present reads "Est modifié le premier paragraphe.... par la radiation des mots 'son procureur ou son agent.' "

The effect of the amendment in the French version was to repeal the words "his attorney or agent" instead of the words following the words "his attorney or agent."

otherwise than by waste or wear, in the process of manufacture or production of taxable goods.

Raw and salted hides;

Photographs, paintings, pastels, drawings and other art work and illustrations of all kinds, whether originals, copies or proofs, and printing plates made to reproduce the same, for use exclusively as non-advertising news pictures or for illustrating non-advertising articles or stories in periodical publications enjoying second-class mailing privileges, the pages of which are regularly bound, wire stitched or otherwise fastened together;

Materials used as ingredients in canned fish;"

(c) by adding thereto, after the heading "Goods enumerated in Customs Tariff items" and in their proper place amongst the other items therein enumerated, the following Customs Tariff items:—

"236B. Spinal braces and parts thereof;" and

"698. All articles specially designed for the use of the blind, whether for educational, recreational, industrial, personal or other purposes, when for blind persons and imported by, or on the order or certificate of, the Canadian National Institute for the Blind, or other *bona fide* institution or association for the blind."

Coming into force of section two.

6. Section two of this Act shall be deemed to have come into force on the second day of May, 1936, and to have applied to all furs delivered by the dresser or dyer on and after that date.

Coming into force of section five.

7. Section five of this Act shall be deemed to have come into force on the twenty-sixth day of February, 1937, and to have applied to all goods mentioned therein, imported or taken out of warehouse for consumption on and after that day, and to have applied to goods previously imported for which no entry for consumption was made before that date.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 121.

An Act to amend the Customs Tariff.

AS PASSED BY THE HOUSE OF COMMONS,
10th APRIL, 1937.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

33934

2nd Session, 18th Parliament, 1 George VI, 1937.

THE HOUSE OF COMMONS OF CANADA.

BILL 121.

An Act to amend the Customs Tariff.

R.S., c. 44; 1928, c. 17; 1929, c. 39; 1930 (1st Sess.), c. 13; 1930 (2nd Sess.), c. 3; 1931, c. 30; 1932, c. 41; 1932-33, cc. 6, 37. 1934, cc. 32, 49; 1935, c. 28; 1936, c. 31.

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

1. Subsection (2A) of section six of the *Customs Tariff*, chapter forty-four of the Revised Statutes of Canada, 1927, as enacted by section one of chapter forty-nine of the statutes of 1934, is repealed and the following substituted therefor:—

Governor in Council may order that certain duties and taxes be disregarded.

"(2A) The Governor in Council, whenever it is deemed expedient to do so, may order that import, excise or other duties and taxes, in whole or in part, shall be disregarded in estimating the market value for the purpose of special duty of goods of any kind imported into Canada from any specified country."

Schedule A amended.

2. Schedule A to the said Act, as amended by chapter seventeen of the statutes of 1928, chapter thirty-nine of the statutes of 1929, chapter thirteen of the statutes of 1930 (first session), chapter three of the statutes of 1930 (second session), chapter thirty of the statutes of 1931, chapter forty-one of the statutes of 1932, chapters six and thirty-seven of the statutes of 1932-33, chapters thirty-two and forty-nine of the statutes of 1934, chapter twenty-eight of the statutes of 1935, and chapter thirty-one of the statutes of 1936, is further amended by striking thereout Tariff Items 8, 23, 65, 90(b), 105a, 105b, 105d, 105e, 120, 141, 143a, 147(a) and (b), 160(a), 178, 178a, 178c, 180, 181a, 187, 190, 191, 192b, 193, 194, 195, 197b, 198, 199, 200a, 219a, 219c, 219e, 219(i), 220(a) and (b), 228, 232d, 234, 235, 235a, 236, 237, 238, 238a, 241, 242, 243, 244, 246, 246b, 247, 247a, 248, 249, 250, 252, 254, 284, 285, 286, 287, 288, 289, 316a, 320, 321, 322, 323, 326, 326a, 328a, 348a, 357, 362, 368, 369, 378(b) and (c), 380(c), 382(a), (b) and (d),

383(d), (e), (f) and (g), 385, 386(h), 388d, 392, 392a, 394(a), 396, 396a, 397(d), 398a, 402a, 402b, 407a, 409e(ii), 410b, 410d, 410e, 410*l*, 410u, 410z, 414c, 415, 415d, 422, 425, 427b, 430, 430a, 431b, 432, 432a, 432b, 432d, 433, 434, 434a, 434b, 438a, 438b, 438c, 438d, 438e, 438f, 439f, 440m, 445f, 445g, 445j, 446d, 447b, 449, 451, 451a(i) and (ii), 451b, 451d, 462, 465, 469, 473a, 476, 511, 512, 518, 519, 523b, 529a, 530, 532, 534, 537a, 537e, 539, 542a, 542b, 548, 549c, 551, 551a, 552, 553, 554, 554b, 555, 556b, 557b, 558c, 560a, 561, 565, 568, 568a, 568b, 569(i), 569(ii), 569b, 572, 573, 577, 578, 588a, 597a, 604, 607, 607 (Pt. 2), 607a, 608, 610, 610a, 611a, 612, 616, 618a, 619a, 622, 623, 624, 624a(i), 628, 647, 653, 655, 655a, 656, 657, 659, 670, 690a, 693, 709, 710(b) and (bb), 742, 754, 755, 806, the several enumerations of goods respectively and the several rates of duties of Customs, if any, set opposite each of the said items, and by inserting in such Schedule A to the said Act, the items, enumerations and rates of duty which are specified in Schedule A to this Act.

Schedule B amended.

3. Schedule B to the said Act, as amended by chapter seventeen of the statutes of 1928, chapter thirty-nine of the statutes of 1929, chapter thirteen of the statutes of 1930 (first session), chapter three of the statutes of 1930 (second session), chapter thirty of the statutes of 1931, chapter thirty-seven of the statutes of 1932-23, chapter thirty-two of the statutes of 1934, chapter twenty-eight of the statutes of 1935 and chapter thirty-one of the statutes of 1936, is further amended by striking thereout Tariff Items 1060 and 1063, the enumerations of goods and the rates of drawback of customs duties set opposite to each of the said items, and by inserting in such Schedule B to the said Act the items, enumerations and rates of drawback of Customs Duties which are specified in Schedule B to this Act.

Date of coming into force.

4. This Act shall be deemed to have come into force on the twenty-sixth day of February, one thousand nine hundred and thirty-seven, and to have applied to all goods mentioned in the Schedules hereto 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 date.

SCHEDULE A.

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
8	Canned meats, poultry or game	15 p.c.	30 p.c.	35 p.c.
8a	Extracts of meat and fluid beef, not medicated	10 p.c.	30 p.c.	35 p.c.
23	Preparations of cocoa or chocolate, n.o.p., and confectionery, coated with or containing chocolate, the weight of the wrappings and cartons to be included in the weight for duty	12½ p.c.	27½ p.c.	35 p.c.
	and, per pound	2½ cts.	2½ cts.	2½ cts.
65	Biscuits, not sweetened	12½ p.c.	22½ p.c.	25 p.c.
90	Vegetables, prepared or preserved:— (*b*) Pickled or preserved in salt, brine, oil or in any other manner, n.o.p.	15 p.c.	32½ p.c.	35 p.c.
105a	Lemon, orange, grapefruit and citron rinds, sulphured or in brine	Free	Free	Free
105b	Olives and cherries, sulphured or in brine, not bottled	10 p.c.	17½ p.c.	30 p.c.
105d	Jellies, jams, marmalades, preserves, fruit butters and condensed mince meats, per pound	2 cts.	3¾ cts.	5 cts.
105e	Fruits and peels, crystallized, glacé, candied or drained; cherries and other fruits of crème de menthe, maraschino or other flavour	20 p.c.	35 p.c.	35 p.c.
120	Anchovies, sardines, sprats or pilchards, packed in oil or otherwise, in sealed tin containers, the weight of the tin container to be included in the weight for duty:—			
	(*a*) When weighing over twenty ounces and not over thirty-six ounces each, per box	3½ cts.	5 cts.	6 cts.
	(*b*) When weighing over twelve ounces and not over twenty ounces each, per box	2½ cts.	4 cts.	4½ cts.
	(*c*) When weighing over eight ounces and not over twelve ounces each, per box	2 cts.	3 cts.	3½ cts.
	(*d*) When weighing eight ounces each or less, per box	1¼ cts.	2 cts.	2½ cts.
122	Herring (not including kippered herring in sealed containers) packed in oil or otherwise, in sealed containers	20 p.c.	30 p.c.	35 p.c.
141	Sugar candy and confectionery, n.o.p., including sweetened gums, candied pop-corn, candied nuts, flavouring powders, custard powders, jelly powders, sweet-meats, sweetened breads, cakes, pies, puddings and all other confections containing sugar, the weight of the wrappings and cartons to be included in the weight for duty, per pound	½ ct.	½ ct.	½ ct.
	and	15 p.c.	35 p.c.	35 p.c.
143a	Cigarettes, the weight of the paper covering to be included in the weight for duty, per pound	$3.50	$4.10	$4.10
	and	.....	25 p.c.	25 p.c.
147	Ale, beer, porter and stout, when imported in bottles, per gallon	15 cts.	50 cts.	50 cts.
	Provided, that six quart bottles or twelve pint bottles shall be held to contain one gallon.			
157c	Isopropyl alcohol, per gallon	Free	50 cts.	$1.00
160	Alcoholic perfumes and perfumed spirits, bay rum, cologne and lavender waters, lotions, hair, tooth and skin washes, and other toilet preparations containing spirits of any kind:— (*a*) when in bottles or flasks containing not more than four ounces each	30 p.c.	90 p.c.	90 p.c.
178	Advertising and printed matter, viz:—Advertising pamphlets, advertising show cards, illustrated advertising periodicals; price books, catalogues and price lists; advertising almanacs and calendars; patent medicine or other advertising circulars, fly sheets or pamphlets; advertising chromos, chromotypes, oleographs or like work produced by any process other than hand painting or drawing, and			

SCHEDULE A—*Continued*

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
	having any advertisement or advertising matter printed, lithographed or stamped thereon, or attached thereto, including advertising bills, folders and posters, or other similar artistic work, lithographed, printed or stamped on paper or cardboard for business or advertisement purposes, n.o.p.:—			
	(i) when produced in countries entitled to the British Preferential Tariff and relating exclusively to products of such British countries, but not relating to Canadian products	Free	.....	.....
	(ii) n.o.p.....per pound	5 cts.	12½ cts.	15 cts.
	Provided, that on importations under the Intermediate or the General Tariff, the rate of duty shall be not less than	.....	27½ p.c.	35 p.c.
178a	Provided, that on the goods specified in Item 178 and dutiable under part (ii) of the item, when forwarded to Canada by mail, duties may be prepaid by customs revenue stamps, under regulations by the Minister, at the rate specified in the said part item, except that on each separate package weighing not more than one ounce, the duty shall be each	1 ct.	2 cts.	2 cts.
180	Photographs, chromos, chromotypes, artotypes, oleographs, paintings, drawings, pictures, decalcomania transfers of all kinds, n.o.p., engravings or prints or proofs therefrom, and similar works of art, n.o.p.; blue prints, building plans, maps, and charts, n.o.p.	12½ p.c.	22½ p.c.	22½ p.c.
181a	Pictorial post-cards, greeting cards and similar artistic cards or folders	20 p.c.	32½ p.c.	35 p.c.
	and, per pound	.....	.....	5 cts.
187	Albumenized and other papers and films chemically prepared for photographers' use, n.o.p.	Free	25 p.c.	30 p.c.
187b	Sensitized negative film, one and one-eighth inches in width or over, for exposure in motion picture cameras	Free	10 p.c.	15 p.c.
192b	Sandpaper, glass or flint paper, and emery paper or emery cloth	12½ p.c.	22½ p.c.	25 p.c.
192d	Electrical insulating pressboard, not less than ·040 inch in thickness	Free	25 p.c.	35 p.c.
193	Paper sacks or bags of all kinds, printed or not	15 p.c.	30 p.c.	35 p.c.
194	Playing cards, in packs or in sheet form, n.o.p.; cards and sheets partly lithographed or printed, for use in the manufacture of such playing cards			
	per pack or equivalent	5 cts.	7 cts.	8 cts.
	Provided, that in no case shall the duty under the British Preferential Tariff be in excess of	15 p.c.	.....	.....
195	Paper hanging or wall papers, including borders or bordering	17½ p.c.	32½ p.c.	35 p.c.
	and, per pound	.....	.....	2 cts.
197b	Wrapping paper of all kinds, not pasted, coated or embossed	17½ p.c.	30 p.c.	35 p.c.
198	Ruled and border and coated papers, boxed papers, pads not printed, papier-mâché ware, n.o.p.	20 p.c.	32½ p.c.	35 p.c.
199	Papeteries, envelopes, and all manufactures of paper, n.o.p.	20 p.c.	32½ p.c.	35 p.c.
199f	Hand made papers, not to include mould-made deckle-edge papers, valued at not less than 40 cents per pound wholesale	10 p.c.	22½ p.c.	35 p.c.
219	(i) Solutions of peroxides of hydrogen, n.o.p.	12½ p.c.	22½ p.c.	25 p.c.
219a	Non-alcoholic preparations or chemicals, for disinfecting, dipping, spraying or fumigating, n.o.p.:—			
	(i) When in packages not exceeding three pounds each, gross weight	5 p.c.	25 p.c.	25 p.c.
	(ii) Otherwise	Free	15 p.c.	15 p.c.
219e	Chloropicrin, ethylene oxide, methyl bromide, methyl formate, cyanides, or mixtures containing any of these, for use in combating destructive insects and pests	Free	Free	Free

SCHEDULE A—*Continued*

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
220	All medicinal, chemical and pharmaceutical preparations, compounded of more than one substance, including patent and proprietary preparations, tinctures, pills, powders, troches, lozenges, syrups, cordials, bitters, anodynes, tonics, plasters, liniments, salves, ointments, pastes, drops, waters, essences and oils, n.o.p.:—			
	(a) When dry	17½ p.c.	25 p.c.	25 p.c.
	(b) Liquid, when containing not more than two and one-half per centum of proof spirit	20 p.c.	40 p.c.	40 p.c.
228	Soap powders, powdered soap, mineral soap, and soap, n.o.p.	20 p.c.	32½ p.c.	32½ p.c.
232d	Casein	17½ p.c.	25 p.c.	27½ p.c.
	and, per pound	2 cts.	2½ cts.	3 cts.
232f	Mucilage and adhesive paste	15 p.c.	25 p.c.	27½ p.c.
	and, per pound	1½ cts.	2½ cts.	3 cts.
234	Perfumery, including toilet preparations, non-alcoholic, viz., hair oils, tooth and other powders and washes, pomatums, pastes and all other perfumed preparations, n.o.p., used for the hair, mouth or skin	15 p.c.	40 p.c.	40 p.c.
235	Liquorice fibres, whether or not dried, cleaned, cut to size, ground or sifted	Free	10 p.c.	15 p.c.
235a	Liquorice paste, not sweetened	Free	12½ p.c.	17½ p.c.
235b	Liquorice in rolls or sticks, not sweetened	Free	15 p.c.	22½ p.c.
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, and abdominal supports	10 p.c.	25 p.c.	35 p.c.
236b	Spinal braces and parts thereof	Free	Free	Free
237	*(a)* Synthetic resin moulding compositions containing synthetic resin derived from phenol and formaldehyde or their homologues or mixtures thereof, in powder or granular form	10 p.c.	20 p.c.	20 p.c.
	(b) Synthetic resin moulding compositions, n.o.p., in powder or granular form	Free	Free	Free
	(c) Synthetic resins, n.o.p., in liquid, powder, granular, or lump form; or in tubes, cylinders, strips, sheets, plates, blocks, bars, rods, angles, channels, tees or other shapes or sections, not further manufactured than moulded, extruded or pressed, when for use in Canadian manufactures	Free	Free	Free
	(d) Laminated products of which any synthetic resin or resin-like substance is the chief binding agent, in tubes, cylinders, strips, sheets, plates, blocks, bars, rods, angles, channels, tees or other shapes or sections, n.o.p.:—			
	(i) with a base of paper or of fibreboard	15 p.c.	20 p.c.	25 p.c.
	(ii) with a base of cotton fabric or other woven fabric	20 p.c.	25 p.c.	30 p.c.
238a	Manufactures of pyroxylin plastics, or of which pyroxylin plastic is the component of chief value, n.o.p.	10 p.c.	32½ p.c.	40 p.c.
238b	Cellulose nitrate or pyroxylin plastics, in tubes, cylinders, balls, strips, sheets, plates, blocks, bars, rods, angles, channels, tees or other shapes or sections, not further manufactured than moulded or pressed, when for use in Canadian manufactures	Free	Free	Free
238c	Moulding compositions of cellulose acetate or other derivatives of cellulose, in powder or granular form	Free	Free	Free
238d	Cellulose acetate in sheets not less than five one-thousandths of an inch in thickness, and in rods, bars, tubes and other shapes or sections, not further manufactured than moulded, extruded or pressed, when for use in Canadian manufactures	Free	Free	Free

SCHEDULE A—*Continued*

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
238e	Regenerated cellulose, and cellulose acetate, transparent, in sheets, not printed, and manufactures of regenerated cellulose or of cellulose acetate, n.o.p...	20 p.c.	30 p.c.	35 p.c.
238f	Interlined sheet stock, composed of sheets of cellulose plastics cemented to cotton fabric	10 p.c.	15 p.c.	17½ p.c.
238g	Synthetic plastic materials with a basis of casein, soybean, gelatine or starch, in tubes, cylinders, strips, sheets, plates, blocks, bars, rods, angles, channels, tees or other shapes or sections, not further manufactured than moulded, extruded or pressed, but not including casein button blanks in the rough, when for use in Canadian manufactures	Free	Free	Free
241	Litharge, which may contain up to two per cent of carbonaceous matter, and mixtures or combinations of such litharge with lead or other products of lead, litharge being the chief constituent by weight, when imported by manufacturers of electric storage batteries, for use exclusively in the manufacture of storage battery plates, in their own factories	Free	Free	Free
242	Dry red lead; orange mineral; antimony oxide, titanium oxide, and zinc oxide such as zinc white and lithopone; white pigments containing not less than 14 per cent by weight of titanium dioxide	Free	15 p.c.	15 p.c.
243	Dry white lead	15 p.c.	27½ p.c.	30 p.c.
244	White lead ground in oil	20 p.c.	35 p.c.	37½ p.c.
246	Oxides, fireproofs, rough stuff, fillers, laundry blueing, and colours, dry, n.o.p	12½ p.c.	20 p.c.	22½ p.c.
246b	Stains and oxides, valued at not less than 20 cents per pound, for use exclusively as colouring constituents in the manufacture of vitreous enamels and pottery glazes; finely divided metals or compounds of metals, whether dry, or suspended or dissolved in a liquid, for use exclusively in the manufacture of tableware of china, porcelain or semi-porcelain	Free	20 p.c.	22½ p.c.
247	Liquid fillers, anti-corrosive and anti-fouling paints, and ground and liquid paints, n.o.p	17½ p.c.	27½ p.c.	30 p.c.
247a	Artists' and school children's colours; fitted boxes containing the same; artists' brushes; pastels, of a value of one cent per stick, or over; artists' canvas, coated and prepared for oil painting	Free	27½ p.c.	30 p.c.
248	Paints and colours, ground in spirits, and all spirit varnishes and lacquers ..... per gallon	75 cents	$1.25	$1.25
249	Varnishes, lacquers, japans, japan driers, liquid driers, and oil finish, n.o.p ..... per gallon	15 cts.	20 cts.	20 cts.
	and	10 p.c.	25 p.c.	30 p.c.
250	Paris green, dry	Free	7½ p.c.	10 p.c.
252	Shoe blacking; shoemakers' ink; shoe, harness and leather dressing, and knife or other polish or composition, n.o.p	12½ p.c.	25 p.c.	27½ p.c.
254	Gums, viz:—Australian, copal, damar, elemi, kaurie, mastic, sandarac, Senegal, tragacanth, gedda, and barberry; lac, crude, seed, button, stick and shell; ambergris; Pontianac; gums and blends consisting wholly or in chief part of gums, n.o.p	Free	10 p.c.	15 p.c.
265c	Halibut liver oil, crude or refined	Free	20 p.c.	22½ p.c.
281b	Firebrick, n.o.p	7½ p.c.	20 p.c.	22½ p.c.
282b	Saggars, when for use in the manufacture of ceramic products	Free	Free	Free
284	Drain pipes, sewer pipes and earthenware fittings therefor, chimney linings or vents, chimney tops and inverted blocks, glazed or unglazed, n.o.p.; earthenware tiles, n.o.p	20 p.c.	32½ p.c.	35 p.c.
285	Tiles or blocks of earthenware or of stone prepared for mosaic flooring	15 p.c.	27½ p.c.	30 p.c.
286	Earthenware and stoneware, viz:—demijohns, churns or crocks, n.o.p	20 p.c.	30 p.c.	35 p.c.
287	All tableware of china, porcelain, semi-porcelain, or white granite, but not to include tea-pots, jugs and similar articles of the type commonly known as earthenware	Free	35 p.c.	35 p.c.

SCHEDULE A—*Continued*

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
288	Stoneware and Rockingham ware and earthenware, n.o.p.	20 p.c.	35 p.c.	35 p.c.
289	Baths, bathtubs, basins, closets, lavatories, urinals, sinks and laundry tubs of earthenware, stone, cement, clay or other material, n.o.p.	15 p.c.	35 p.c.	35 p.c.
296e	Magnesite, calcined, not further manufactured than ground, when imported by manufacturers of insulating materials for use exclusively in the manufacture of such insulating materials, in their own factories	Free	Free	30 p.c.
306d	Ornamental or decorative marble (not including chips), unicolour or variegated, of colours and/or texture not produced in Canada, rough, hammered, sawn, sand rubbed, chiselled or polished, with or without design thereon, when specially imported and used for interior work in churches	Free	Free	35 p.c.
316a	Incandescent lamp bulbs and glass tubing for use in the manufacture of incandescent lamps, and mantle stocking for gas light	Free	7½ p.c.	10 p.c.
320	Plate glass, not bevelled, in sheets or panes not exceeding seven square feet each, n.o.p.	Free	20 p.c.	25 p.c.
321	Plate glass, not bevelled, in sheets or panes, exceeding seven square feet each, and not exceeding twenty-five square feet each, n.o.p.	Free	20 p.c.	25 p.c.
322	Plate glass, n.o.p.	17½ p.c.	30 p.c.	35 p.c.
323	Silvered glass, bevelled or not and framed or not, n.o.p.	20 p.c.	30 p.c.	35 p.c.
326	(i) Demijohns or carboys, bottles, flasks, phials, jars and balls, of glass, not cut, n.o.p.; lamp chimneys of glass, n.o.p.; decanters and machine-made tumblers of glass, not cut nor decorated, n.o.p.	15 p.c.	30 p.c.	32½ p.c.
	(ii) Opal glassware, glass tableware, cut glassware and illuminating glassware, n.o.p.	10 p.c.	30 p.c.	32½ p.c.
326a	Manufactures of glass, n.o.p.	10 p.c.	20 p.c.	22½ p.c.
328a	Parts, unfinished, for the manufacture of spectacle and eyeglass frames	Free	5 p.c.	5 p.c.
339b	Collapsible tubes of lead or tin or lead coated with tin	10 p.c.	27½ p.c.	30 p.c.
342a	Copper alloys containing boron, for use exclusively as a flux or a deoxidizer in melting non-ferrous metals	Free	Free	Free
348a	Sculptures in any material, in round or in relief, cast or cut from models prepared in Canada and designed by sculptors domiciled therein, not to include more than two replicas or reproductions of the original model, under such regulations as the Minister may prescribe	Free	Free	Free
357	Britannia metal, nickel silver, Nevada and German silver, manufactures of, not plated, n.o.p.	15 p.c.	35 p.c.	40 p.c.
362	Articles consisting wholly or in part of sterling or other silverware, n.o.p.; manufactures of gold or silver, n.o.p.	20 p.c.	37½ p.c.	45 p.c.
368	Clocks, time recorders, clock movements, clockwork mechanisms, and clock cases	15 p.c.	30 p.c.	35 p.c.
	Provided, that when imported under the Intermediate or the General Tariff, the duty shall not be less than ..... each	.....	50 cts.	50 cts.
369	Parts of clock movements or of clockwork mechanisms, finished or unfinished, not including plates	10 p.c.	25 p.c.	25 p.c.
377e	Wrought or puddled iron in the form of billets, bars, rods, sheets, strips or plates	Free	.....	.....
377f	Bars or rods, of iron or steel, hot rolled, viz:—Rounds over 4⅞ inches in diameter and squares over 4 inches ..... per ton	Free	$7.00	$7.00
378	Bars and rods, of iron or steel; billets, of iron or steel, weighing less than 60 pounds per lineal yard:—			
	(b) Not further processed than hammered or pressed, n.o.p.	10 p.c.	25 p.c.	30 p.c.
	(c) Cold rolled, drawn, reeled, turned or ground, n.o.p.	10 p.c.	25 p.c.	30 p.c.

SCHEDULE A—*Continued*

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
380	Plates of iron or steel, hot or cold rolled:—			
	(c) Flanged, dished or curved, n.o.p.	5 p.c.	25 p.c.	30 p.c.
382	Hoop, band or strip, of iron or steel:—			
	(a) Hot rolled, ·080 inch or less in thickness, n.o.p.	5 p.c.	15 p.c.	15 p.c.
	(b) Hot rolled, more than ·080 inch in thickness, n.o.p. per ton	$3.00	$8.00	$8.00
	(d) Cold rolled or cold drawn, more than ·080 inch in thickness, n.o.p.	12½ p.c.	27½ p.c.	30 p.c.
383	Sheets, plates, hoop, band or strip, of iron or steel:—			
	(d) Coated with metal or metals, n.o.p.	5 p.c.	12½ p.c.	15 p.c.
	(e) Coated with paint, tar, asphaltum or otherwise coated, n.o.p.	5 p.c.	12½ p.c.	15 p.c.
	(f) Coated with vitreous enamel, n.o.p.	10 p.c.	20 p.c.	25 p.c.
	(g) Corrugated, coated or not	10 p.c.	20 p.c.	25 p.c.
385	Sheets, plates, hoop, band or strip, of iron or steel, hot rolled, valued at not less than five cents per pound, n.o.p.	Free	12½ p.c.	15 p.c.
386	Sheets, plates, hoop, band or strip, of iron or steel, as hereunder defined, under regulations prescribed by the Minister:—			
	(h) Sheets, plates, hoop, band or strip, hardened, tempered or ground, not further manufactured than cut to shape, without indented edges, when imported by manufacturers of saws for use exclusively in the manufacture of saws, in their own factories	Free	10 p.c.	12½ p.c.
388d	Iron or steel angles, beams, channels, columns, girders, joists, piling, tees, zees and other shapes or sections, punched, drilled or further manufactured than hot rolled or cast, n.o.p.	20 p.c.	35 p.c.	40 p.c.
392	Forgings, of iron or steel, in any degree of manufacture, n.o.p.	17½ p.c.	27½ p.c.	30 p.c.
392a	Forgings of iron or steel, in any degree of manufacture, hollow, machined or not, not less than 12 inches in internal diameter; and all other forgings, solid or otherwise, in any degree of manufacture, of a weight of 20 tons or over	Free	27½ p.c.	30 p.c.
394	Axles and axle bars, n.o.p., and axle blanks, and parts thereof, of iron or steel:—			
	(a) For railway vehicles, including locomotives and tenders	7½ p.c.	27½ p.c.	30 p.c.
396	Pipe, cast, of iron or steel, valued at not more than five cents per pound per ton	$5.00	$12.00	$14.00
396a	Pipe, cast, of iron or steel, n.o.p.	Free	7½ p.c.	10 p.c.
397	Pipes and tubes, of wrought iron or steel, plain or coated:—			
	(d) N.o.p.	12½ p.c.	27½ p.c.	30 p.c.
398a	Pipes and tubes of iron or steel, seamless, cold drawn, plain ends, polished, valued at not less than five cents per pound; steel tubes, welded or seamless, more than 10½ inches in diameter, with plain ends, when imported for use exclusively in the manufacture or repair of rolls for paper-making machinery	Free	15 p.c.	30 p.c.
398b	Tubing of iron or steel, not joined, not more than $\frac{5}{16}$ inch in diameter, with one end swaged, or swaged, split and spread, but not further manufactured, when imported for use in the manufacture of fishing rods	Free	7½ p.c.	15 p.c.
402a	Woven or welded wire fencing, of iron or steel, coated or not, n.o.p.; wire cloth or wire netting, of iron or steel, coated or not	20 p.c.	35 p.c.	35 p.c.
402b	Woven netting, of iron or steel, coated, made from wire of 17 gauge or heavier, with meshes not smaller than one inch and not larger than two inches, with specially strengthened joints, when for use exclusively on fur farms, under regulations prescribed by the Minister	12½ p.c.	27½ p.c.	30 p.c.
407a	Chains, of iron or steel, n.o.p., and complete parts thereof	15 p.c.	30 p.c.	35 p.c.

SCHEDULE A—*Continued*

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
409e	(ii) Fruit and vegetable grading, washing and wiping machines and combination bagging and weighing machines, and complete parts thereof; machines for topping vegetables, and machines for bunching and/or tying cut flowers, vegetables and nursery stock, and complete parts thereof; egg-graders and egg-cleaners, and complete parts thereof, not including aluminum parts.....	Free	5 p.c.	10 p.c.
410b	Machinery and apparatus for use exclusively in washing or dry cleaning coal at coal mines or coke plants; machinery and apparatus for use exclusively in producing coke and gas; machinery and apparatus for use exclusively in the distillation or recovery of products from coal tar or gas; and complete parts of all the foregoing, not to include motive power, tanks for gas, nor pipes and valves 10½ inches or less in diameter.....	Free	10 p.c.	12½ p.c.
410d	Well-drilling machinery and apparatus, and complete parts thereof, for use exclusively in drilling for water, natural gas or oil, or in prospecting for minerals, not to include motive power; well-packers and complete parts thereof, for oil or gas wells; seamless iron or steel tubing of a class or kind not made in Canada, for use in casing water, natural gas or oil wells.....	Free	Free	Free
410e	Rope twenty-one hundred feet and more in length, designed for use in drilling wells two thousand feet and more in depth and four inches or more in diameter, and for use in raising and lowering casing more than four inches in diameter for such wells, for use exclusively in drilling for water, natural gas and oil, and in prospecting for minerals.....	5 p.c.	5 p.c.	5 p.c.
410l	Ore crushers, rock crushers, stamp mills, grinding mills, rock drills, percussion coal cutters, coal augers, rotary coal drills, n.o.p., and complete parts of all the foregoing, for use exclusively in mining, metallurgical or quarrying operations.....	5 p.c.	20 p.c.	25 p.c.
410u	Blowers, of iron or steel, n.o.p., 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, n.o.p., for use in the roasting of ore, mineral, rock or clay; furnace slag trucks and slag pots, n.o.p.; and integral parts of all the foregoing.....	12½ p.c.	17½ p.c.	20 p.c.
410z	Machinery and apparatus, n.o.p., and complete parts thereof, for the recovery of solid or liquid particles from flue or other waste gases at metallurgical or industrial plants, not to include motive power, tanks for gas, nor pipes and valves 10½ inches or less in diameter.....	5 p.c.	10 p.c.	12½ p.c.
414c	Adding, bookkeeping, calculating and invoicing machines and complete parts thereof, n.o.p.....	Free	20 p.c.	25 p.c.
415	Electric vacuum cleaners and attachments therefor; hand vacuum cleaners; and complete parts of all the foregoing, including suction hose, n.o.p.....	5 p.c.	20 p.c.	25 p.c.
415d	Sewing machines, with or without motive power incorporated therein; complete parts of sewing machines.....	5 p.c.	15 p.c.	25 p.c.
422	Street or road rollers and complete parts thereof....	Free	30 p.c.	30 p.c.
425	Lawn mowers.....	10 p.c.	30 p.c.	32½ p.c.
427b	Ball and roller bearings.....	Free	27½ p.c.	35 p.c.
427h	Motion picture projectors, arc lamps for motion picture work, motion picture or theatrical spot lights, light effect machines, motion picture screens, portable motion picture projectors complete with sound equipment; complete parts of all the foregoing, not to include electric light bulbs, tubes, or exciter lamps.....	Free	15 p.c.	35 p.c.

SCHEDULE A—*Continued*

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
430	Nuts and bolts with or without threads, washers, rivets, of iron or steel, coated or not, n.o.p.; nut and bolt blanks, of iron or steel per one hundred pounds and	25 cts. 7½ p.c.	50 cts. 20 p.c.	75 cts. 25 p.c.
430a	Hinges and butts, of iron or steel, coated or not, n.o.p.; hinge and butt blanks, of iron or steel..... per one hundred pounds and	75 cts. 5 p.c.	75 cts. 27½ p.c.	75 cts. 30 p.c.
431b	Adzes, anvils, vises, cleavers, hatchets, saws, augers, bits, drills, screw-drivers, planes, spokeshaves, chisels, mallets, metal wedges, wrenches, sledges, hammers, crowbars, cantdogs, and track tools, picks, mattocks, and eyes or polls for the same....	10 p.c.	35 p.c.	35 p.c.
431f	Files and rasps.....	Free	35 p.c.	35 p.c.
431g	Fixed or stationary meters, of a size or capacity not made in Canada, for hydraulic engineering; gauges, indicators and recorders for water or other liquid levels, volume or flow, of a class or kind not made in Canada.....	Free	20 p.c.	35 p.c.
432	Hollow-ware, of iron or steel, coated or not, n.o.p....	10 p.c.	27½ p.c.	30 p.c.
432a	Kitchen and dairy hollow-ware of iron or steel, coated with tin, including cans for shipping milk or cream, not painted, japanned or decorated.....	15 p.c.	27½ p.c.	30 p.c.
432b	Hollow-ware, of iron or steel, coated with vitreous enamel.....	17½ p.c.	32½ p.c.	35 p.c.
432d	Manufactures of tinplate, painted, japanned, decorated or not, and manufactures of tin, n.o.p.....	15 p.c.	27½ p.c.	30 p.c.
433	Baths, bathtubs, basins, closets, lavatories, urinals, sinks, and laundry tubs of iron or steel, coated or not.....	5 p.c.	25 p.c.	35 p.c.
434	Locomotives for use on railways, and chassis, tops, wheels and bodies for the same, n.o.p.....	15 p.c.	30 p.c.	35 p.c.
434a	Motor rail cars or units for use on railways, and chassis for same; complete parts of the foregoing.....	Free	30 p.c.	35 p.c.
434b	Steel wheels for use on railway rolling stock, viz.:— (i) Pressed steel..... (ii) N.o.p.....	7½ p.c. 7½ p.c.	30 p.c. 27½ p.c.	35 p.c. 30 p.c.
438a	Automobiles and motor vehicles of all kinds, n.o.p.; electric trackless trolley buses; chassis for all the foregoing..... Provided, that machines or other articles mounted on the foregoing, or attached thereto for purposes other than loading or unloading the vehicle shall be valued separately and duty assessed under the tariff items regularly applicable thereto.	Free	17½ p.c.	27½ p.c.
438b	Bearings, clutch release; bearings, graphite; bearings, steel or bronze backed, with non-ferrous metal lining; bushings, graphited or oil impregnated; ceramic insulator spark plug cores, not further manufactured than burned and glazed, printed or decorated or not, without fittings; commutator copper segments; commutator insulating end rings; discs of hot rolled steel, spun or forged, with or without center hole, for disc wheels; distributor rotors and cam assemblies; door bumper shoes; electric wiring terminals, sockets, fittings and connectors and parts thereof, not to include battery terminals; gaskets of any material except cork or felt, composite or not; ignition contact points; keys for shafting; lenses of glass for head, tail, dome, signal and cowl or parking lamps, and for light reflectors; lock washers; piston ring castings in the rough, with or without gates and fins removed; rails of lock seam section, corners, locks and catches, unplated ventilators and parts thereof, the foregoing being of metal other than aluminum, for the manufacture of window sashes for bus bodies; steel bolts, capped with stainless steel; switches			

SCHEDULE A—*Continued*

Tariff Item	—	British Preferential Tariff	Intermediate Tar	General Tariff
	for lamps, heaters and defrosters and parts thereof; vacuum control assemblies; vulcanized fibre in sheets, rods, strips and tubing; all of the foregoing when of a class or kind not made in Canada and for use in the manufacture or the repair of the goods enumerated in tariff items 424 and 438a, or for use in the manufacture of parts therefor.....	Free	Free	30 p.c.
438c	Ammeters; arm rests and wheel housing lining of indurated fibre, pressed to shape; axle housings, one piece welded, machined or not; carburetors and parts thereof; chassis frames and steel shapes for the manufacture thereof; cigar and cigarette lighters, whether in combination with a cigarette holder or not, including base, and parts thereof; control ventilator gear box; cylinder lock barrels, with or without sleeves and keys thereof; dash heat indicators; electric gear shift switches and parts thereof; engine speed governor units and parts thereof; front axle cross channel king pin support section assembly of steel, in the rough; fuel pumps, vacuum pumps and combinations thereof and parts therefor; gasoline gauges and parts thereof; hinges and parts thereof, finished or not, for bodies; horns and parts thereof; instrument bezel assemblies and parts thereof; instrument board lamps; locks, electric ignition, steering gear, transmission, or combinations of such locks, and parts thereof; mouldings of metal, with nails set in position, lead filled or not; oil filters and parts thereof; oil gauges and parts thereof; pipe lines of metal tubing, rigid or flexible, covered or not, with or without fittings, and tubing therefor, for fuel, air, or liquid for actuating hydraulic brakes; purifiers for air, and parts thereof; purifiers for oil, and parts thereof; radiator, hood and other grills, assembled or not, but not polished nor plated, and not to include finish or decorative moulding; radiator ornaments, and hood lift lock ornaments, unplated, and parts thereof; radiator shutter assemblies, automatic; radiator water gauges; radiator shells and parts thereof, not plated nor metal finished in any degree; shackles, bearing spring, and parts thereof; speedometers and parts thereof; spring covers of metal and closing strips or shapes therefor; stampings, body, cowl, hood, fender and instrument board, of metal in the rough, trimmed or not, but not metal finished in any degree; starter switch assembly and parts thereof; steering wheels, rims and spiders therefor; sun visor blanks of gypsum weatherboard; thermostats and parts thereof; throttle, spark and choke assemblies, including buttons therefor, and parts thereof; tire clamping rings of steel, plated or not; universal joint ball assemblies; voltage control regulators; windshield wipers and parts thereof; all of the foregoing when of a class or kind not made in Canada and for use in the manufacture or the repair of the goods enumerated in tariff items 424 and 438a or for use in the manufacture of parts therefor.....	Free	20 p.c.	30 p.c.
	(1) Provided, that if the above articles are imported for use as original equipment by a manufacturer of automobiles, motor vehicles, electric trackless trolley buses or chassis enumerated in tariff items 438a and 424 whose total factory output during the year in which importation is sought does not exceed ten thousand complete automobiles, motor vehicles, electric trackless trolley buses or chassis, and provided that not less than fifty per centum of the factory cost of production of such			

SCHEDULE A—*Continued*

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
	automobiles, motor vehicles, electric trackless trolley buses or chassis, not to include duties and taxes, is incurred in the British Empire, the rates of duty under this item shall be	Free	Free	25 p.c.
	(2) Provided, that if the above articles are imported for use as original equipment by a manufacturer of automobiles, motor vehicles, electric trackless trolley buses or chassis enumerated in tariff items 438a and 424 whose total factory output during the year in which importation is sought exceeds ten thousand automobiles, motor vehicles, electric trackless trolley buses or chassis, and provided that not less than sixty per centum of the factory cost of production of such automobiles, motor vehicles, electric trackless trolley buses or chassis, not to include duties and taxes, is incurred in the British Empire, the rates of duty under this item shall be	Free	Free	25 p.c.
	Provided that from and after March 31, 1938, the words "sixty-five" shall be substituted for the word "sixty" in the immediately preceding proviso;			
	(3) Provided that the Governor in Council may make such regulations, if any, as are deemed necessary for carrying out the provisions of this item.			
438d	Front and rear axles; brakes; clutches; internal combustion engines; steering gears; magnetos; rims for pneumatic tires larger than thirty inches by five inches; transmission assemblies; drive shafts; universal joints; steel road wheels; and complete parts of the foregoing, when of a class or kind not made in Canada, and imported by manufacturers of the goods enumerated in tariff items 424 and 438a for use only in the manufacture of motor trucks, motor buses and electric trackless trolley buses, or for the manufacture of chassis for the same	Free	17½ p.c.	27½ p.c.
	(1) Provided that if the above articles are imported for use as original equipment for motor trucks, motor buses and electric trackless trolley buses, or for chassis for the same, by a manufacturer of the goods enumerated in tariff items 424 and 438a, and provided also that during the year during which importation is sought, not less than forty per centum of the factory cost of production of such motor vehicles and chassis therefor, not to include duties and taxes, is incurred in the British Empire, the rates of duty under this item shall be	Free	7½ p.c.	27½ p.c.
	(2) Provided that the Governor in Council may make such regulations, if any, as are deemed necessary for carrying out the provisions of this item.			
438e	Parts, n.o.p., for automobiles, motor vehicles, electric trackless trolley buses or chassis enumerated in tariff items 438a and 424, not to include wireless receiving sets, die castings of zinc, electric storage batteries, parts of wood, tires and tubes or parts of which the component material of chief value is rubber:—			
	(1) Brake linings, and clutch facings whether or not including metallic wires or threads:—			
	(a) when made from crude asbestos of Empire origin	Free	25 p.c.	35 p.c.
	(b) when made from crude asbestos of non-Empire origin	15 p.c.	25 p.c.	35 p.c.
	(2) Automobile and motor vehicle engines, stripped, n.o.p., and complete parts thereof, n.o.p.	Free	25 p.c.	35 p.c.
	(3) Parts, n.o.p., not electro-plated, whether finished or not	Free	30 p.c.	40 p.c.

SCHEDULE A—*Continued*

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
438f	Hot rolled strip of iron or steel with rolled or mill edge, of a class or kind not made in Canada, when imported for use in the importer's own factory, in the manufacture of the goods enumerated in tariff items 424 and 438a, or in the manufacture of parts therefor.....per ton	Free	Free	$8.00
438i	Body bottom cross members and steel shapes for the manufacture thereof; bumpers, front and rear, and parts thereof, including spring steel bumper plates; casket tables or platforms for hearses; destination and route sign assemblies, illuminated or not, and parts thereof; direction signals, illuminated or not; door and step mechanism, hand, vacuum or air operated, and parts thereof; door locks and catches and parts thereof: electric switches, buzzers, bells, push buttons, fuse assemblies and parts thereof; forward drive control conversion assemblies and parts thereof; lamps of all kinds, illuminating and indicating, including sockets, flanges, terminals, glassware, lenses and gaskets therefor, assembled or not, but not to include lamp bulbs; metal stampings, oiled and primed or not, and assemblies thereof; rubber fenders; seat operating mechanisms; ventilators, including motor driven fan type, and grills, and parts thereof; window operating mechanisms; all of the foregoing when imported by manufacturers of motor bus bodies, electric trackless trolley bus bodies, motor ambulances and hearses, to be used in the manufacture of such motor bus bodies, electric trackless trolley bus bodies, motor ambulances and hearses. in their own factories.....	Free	Free	20 p.c.
439f	Children's carriages, sleds and other vehicles; complete parts of all the foregoing.....	15 p.c.	30 p.c.	35 p.c.
440m	Engines and complete parts thereof, when imported for use only in the equipment of aircraft.....	Free	25 p.c.	27½ p.c.
445f	Electric dynamos or generators and transformers, and complete parts thereof, n.o.p.....	15 p.c.	33⅓ p.c.	37½ p.c.
445g	Electric motors, and complete parts thereof, n.o.p...	15 p.c.	33⅓ p.c.	37½ p.c.
445j	Electric dry shaving machines for use in removing human hair, and complete parts thereof.....	Free	Free	10 p.c.
445n	Electrical instruments and apparatus of precision of a class or kind not made in Canada, viz:— meters or gauges for indicating and/or recording altitude, amperes, comparisons, capacity, density, depth, distance, electrolysis, flux, force, frequency, humidity, inductance, liquid levels, ohms, operation, power factor, pressure, space, speed, stress, synchronism, temperature, time, volts, volume, watts; complete parts thereof.....	Free	25 p.c.	30 p.c.
446d	Bottles or cylinders of steel for use as high-pressure containers for gas.....	Free	20 p.c.	25 p.c.
446f	Cellulose acetate film reinforced with wire mesh.....	Free	25 p.c.	35 p.c.
446g	Electric welding apparatus, not including motors...	10 p.c.	25 p.c.	30 p.c.
447b	Forged steel rolls, hardened and ground, for use exclusively in rolling ferrous or non-ferrous metals..	Free	Free	Free
449	Steel wool, including steel wool impregnated with soap or in retail packages containing a cake of soap.	Free	15 p.c.	20 p.c.
451	Buckles, clasps, eyelets, hooks and eyes, dome, snap or other fasteners of iron, steel, brass or other metal, coated or not, n.o.p. (not being jewellery).....	15 p.c.	27½ p.c.	30 p.c.
451a	(i)Spring-beard needles and latch needles.....	10 p.c.	30 p.c.	35 p.c.
	and, per thousand	.....	$1.50	$1.50
	(ii) Needles, of any material or kind, n.o.p.....	10 p.c.	30 p.c.	35 p.c.
451b	Pins manufactured from wire of any metal, n.o.p.....	17½ p.c.	27½ p.c.	30 p.c.
	and, per pound	.....	10 cts.	10 cts.
451d	Papier mâché shoe buttons, shoe eyelets, corset eyelets and corset rivets, shoe eyelet hooks, shoe lace wire fasteners.....	Free	Free	Free

SCHEDULE A—*Continued*

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
462	Philosophical, photographic, mathematical and optical instruments, n.o.p.; speedometers, cyclometers and pedometers, n.o.p.; complete parts of all the foregoing	7½ p.c.	25 p.c.	30 p.c.
462b	Cinematograph and motion picture cameras, 35 mm., for use by professional motion picture producers having studios in Canada equipped for motion picture production	Free	10 p.c.	15 p.c.
465	Signs of any material other than paper, framed or not; letters and numerals of any material other than paper	10 p.c.	25 p.c.	30 p.c.
469	Machine card clothing	10 p.c.	20 p.c.	25 p.c.
473a	Printing plates of all kinds for periodical publications enjoying second-class mailing privileges, the pages of which are regularly bound, wire-stitched or otherwise fastened together, and matrices, metal bases and copper shells therefor, but not to include printing plates and other articles covered by tariff item 475	Free	Free	25 p.c.
476	(i) Surgical instruments of any material and complete parts thereof	Free	Free	Free
	(ii) Dental instruments of any material; surgical needles; X-ray apparatus; microscopes valued at not less than 50 dollars each, retail; complete parts of all the foregoing	Free	10 p.c.	10 p.c.
511	Walking sticks and walking canes, of all kinds; golf clubs and finished parts thereof; skis; racquets and racquet frames and baseball bats; balls of all kinds for use in sports, games or athletics, n.o.p.	20 p.c.	30 p.c.	35 p.c.
511b	Fishing rods	Free	30 p.c.	35 p.c.
512	Picture frames and photograph frames, of any material	17½ p.c.	27½ p.c.	30 p.c.
518	Billiard tables, with or without pockets, and bagatelle and other game tables or boards, cues, balls, cue-racks and cue-tips	17½ p.c.	30 p.c.	35 p.c.
519	House, office, cabinet or store furniture of wood, iron or other material, and parts thereof, not to include forgings, castings and stampings of metal, in the rough	15 p.c.	37½ p.c.	45 p.c.
523b	Woven fabrics, wholly of cotton, printed, dyed or coloured, n.o.p.	20 p.c.	27½ p.c.	32½ p.c.
	and, per pound	.....	3½ cts.	4 cts.
523j	Shadow cretonnes, wholly of cotton, with printed warp and plain weft	12½ p.c.	27½ p.c.	32½ p.c.
	and, per pound	.....	3½ cts.	4 cts.
523k	Gabardines, wholly of cotton, with not less than 280 ends and picks of ply yarn per square inch	12½ p.c.	27½ p.c.	32½ p.c.
	and, per pound	.....	3½ cts.	4 cts.
523l	Woven fabrics, wholly of cotton, composed of yarns of counts of not less than 80 and not more than 99, including all such fabrics in which the average count of the warp and weft yarns is not less than 80 and not more than 99	12½ p.c.	.....	.....
524a	Fabrics with cut weft pile, wholly of cotton or of cotton and artificial silk	5 p.c.	.....	.....
529a	Lace and embroideries, wholly of cotton, not coloured, when imported for use exclusively by manufacturers in the manufacture of clothing, in their own factories	7½ p.c.	12½ p.c.	20 p.c.
530	Lace and embroideries, wholly of cotton, coloured, when imported for use exclusively by manufacturers in the manufacture of clothing, in their own factories	7½ p.c.	17½ p.c.	30 p.c.
	and, per pound	.....	.....	4 cts.
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.	25 p.c.	30 p.c.	35 p.c.
	and, per pound	.....	.....	4 cts.

SCHEDULE A—*Continued*

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
532a	Handkerchiefs, wholly of cotton	15 p.c.	30 p.c.	35 p.c.
	and, per pound	.....	1½ cts.	4 cts.
532b	Woven fabric, wholly of cotton, for covering books...	15 p.c.	30 p.c.	35 p.c.
	and, per pound	.....	1½ cts.	4 cts.
534	Braided wick for candles or tapers, with or without core, processed or not:—			
	(a) Imported by manufacturers of wax candles or tapers for use in their own factories in the manufacture of wax candles or tapers	Free	Free	Free
	(b) Imported, under such regulations as the Minister may prescribe, for use exclusively in oil-burning sanctuary lamps	Free	Free	Free
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	17½ p.c.	22½ p.c.	25 p.c.
537e	Rovings, yarns and warps wholly of jute, including yarn twist, cords and twines generally used for packaging and other purposes, n.o.p.	25 p.c.	30 p.c.	32½ p.c.
539	Cordage, exceeding one inch in circumference, wholly of vegetable fibres, n.o.p.	17½ p.c.	22½ p.c.	25 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	22½ p.c.	27½ p.c.	35 p.c.
542b	Linen fire-hose, lined or unlined	15 p.c.	32½ p.c.	35 p.c.
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.	25 p.c.	30 p.c.	35 p.c.
	and, per pound	.....	1½ cts.	4 cts.
548a	Woven dress linens containing not more than 15 p.c. by weight of cotton yarns for decorative effect	Free	30 p.c.	35 p.c.
	and, per pound	.....	3½ cts.	4 cts.
549c	Haircloth, composed of horse hair in combination with any vegetable fibre	17½ p.c.	27½ p.c.	30 p.c.
551	Yarns, composed wholly or in part of wool or hair but not containing silk or artificial silk, n.o.p.	15 p.c.	20 p.c.	22½ p.c.
	and, per pound	6 cts.	20 cts.	22½ cts.
551a	Yarns and warps composed wholly of wool or in part of wool or hair, imported by manufacturers for use exclusively in their own factories, n.o.p.	10 p.c.	17½ p.c.	20 p.c.
	and, per pound	5 cts.	15 cts.	17½ cts.
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.
	and, per pound	5 cts.	17½ cts.	20 cts.
553	Blankets of any material, not to include automobile rugs, steamer rugs, or similar articles	20 p.c.	30 p.c.	35 p.c.
	and, per pound	5 cts.	25 cts.	30 cts.
554	Woven fabrics, composed wholly or in chief part by weight of yarns of wool or hair, not exceeding in weight six ounces to the square yard, n.o.p., when imported in the gray or unfinished condition, for the purpose of being dyed or finished in Canada	17½ p.c.	25 p.c.	30 p.c.
	and, per pound	7½ cts.	17½ cts.	20 cts.
554b	Woven fabrics, composed wholly or in part of yarns of wool or hair, n.o.p.	22½ p.c.	35 p.c.	40 p.c.
	and, per pound	12 cts.	30 cts.	35 cts.
	Provided, however, that the sum of the specific and ad valorem duties imposed by this item on imports under the British Preferential Tariff shall not be in excess of 50 cents per pound.			
554e	Filter press cloth of wool	20 p.c.	35 p.c.	40 p.c.
	and, per pound	.....	30 cts.	35 cts.

SCHEDULE A—*Continued*

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
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 or similar animal fibres, 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 yarns of wool or hair, but not containing silk nor artificial silk, n.o.p.	30 p.c.	40 p.c.	40 p.c.
	and, per pound	.....	32½ cts.	35 cts.
556b	Slipper cloth, woven, napped on one or both sides, wholly or in part of wool, not to contain silk or artificial silk, weighing not less than 22 ounces per square yard, when imported by manufacturers of indoor footwear, to be used exclusively in the manufacture of such articles in their own factories	Free	35 p.c.	40 p.c.
	and, per pound	.....	.....	35 cts.
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	Free	7½ p.c.	10 p.c.
558c	(i) Rovings, yarns and warps, wholly or in part of silk, n.o.p., including threads, cords or twist for sewing, embroidering or other purposes	15 p.c.	22½ p.c.	25 p.c.
	(ii) Silk yarns wholly or partially covered with metallic strip, one pound of which shall contain not less than 10,000 yards	12½ p.c.	22½ p.c.	25 p.c.
560a	Woven fabrics wholly or in part of silk, not to contain wool, not including fabrics in chief part by weight of artificial silk, n.o.p.	22½ p.c.	40 p.c.	45 p.c.
	and, per lineal yard	.....	10 cts.	10 cts.
561	Woven fabrics wholly or in part of artificial silk or similar synthetic fibres, produced by chemical processes, not to contain wool, not including fabrics in chief part by weight of silk, n.o.p.	27½ p.c.	40 p.c.	45 p.c.
	and, per pound	.....	40 cts.	40 cts.
565	Embroideries, lace, braids, cords, chenille, gimp, fringes and tassels, whether containing tinsel or not, nets, nettings and bobinet, n.o.p.	22½ p.c.	32½ p.c.	35 p.c.
566	Plaited or braided lines and cords, non-elastic, whether of tubular or of solid construction, not exceeding one inch in circumference, wholly or in chief part by weight of vegetable fibres	17½ p.c.	32½ p.c.	35 p.c.
568	Knitted garments, knitted underwear and knitted goods, n.o.p.	20 p.c.	35 p.c.	45 p.c.
	and, per pound	.....	25 cts.	30 cts.
568a	Socks and stockings:—			
	(i) of wool	20 p.c.	32½ p.c.	35 p.c.
	and, per dozen pairs	30 cts.	$1.35	$1.50
	(ii) n.o.p.	20 p.c.	32½ p.c.	35 p.c.
	and, per dozen pairs	.....	$1.35	$1.50
568b	Gloves and mitts of all kinds, n.o.p.	20 p.c.	25 p.c.	45 p.c.
569(i)	Hats, hoods and shapes of fur felt or of wool-and-fur felt, under such regulations as the Minister may prescribe	22½ p.c.	30 p.c.	35 p.c.
569(ii)	Hats, hoods and shapes of wool felt	22½ p.c.	30 p.c.	35 p.c.
	and, per dozen	45 cts.	90 cts.	$1.25
569b	Hat sweats, cap peaks, stiffening bands for the inside of hats and caps, 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

SCHEDULE A—*Continued*

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
572	Oriental and imitation Oriental rugs or carpets and carpeting, carpets and rugs, n.o.p.	30 p.c.	35 p.c.	40 p.c.
	and, per square foot	.....	15 cts.	20 cts.
573	Enamelled carriage, floor, shelf and table oilcloth, linoleum, and cork matting or carpets	15 p.c.	32½ p.c.	35 p.c.
	and, per pound	.....	.....	4 cts.
577	Collars and cuffs manufactured from cellulose plastics with or without cotton interlining	Free	20 p.c.	25 p.c.
578	Regalia, badges and belts of all kinds, n.o.p.	22½ p.c.	30 p.c.	45 p.c.
588a	Gas for heating, cooking or illuminating, imported by pipe line.....per one thousand cubic feet	.....	6 cts.	6 cts.
597a	Musical instruments of all kinds, n.o.p.; phonographs, graphophones, gramophones and finished parts thereof, including cylinders and records therefor; and mechanical piano and organ players	15 p.c.	27½ p.c.	30 p.c.
604	Belting leather in butts or bends; and all leather further finished than tanned, n.o.p.	7½ p.c.	27½ p.c.	27½ p.c.
604a	Crust oil leather, for use in manufacturing chamois leather	Free	27½ p.c.	27½ p.c.
604b	Sole leather	12½ p.c.	27½ p.c.	27½ p.c.
607	Leather, when imported by manufacturers of gloves or leather clothing, for use exclusively in manufacturing gloves or leather clothing, in their own factories	Free	7½ p.c.	10 p.c.
607 (Part 2)	Leather, consisting of beef-cattle hides, horse-hides or sheep-skins, but not including suedes, Cabrettas, Spanish capes or African capes, when imported by manufacturers of gloves or leather clothing, for use exclusively in manufacturing gloves or leather clothing, in their own factories	Free	15 p.c.	20 p.c.
607a	Leather, not further finished than tanned, in whole hides, in grains, or splits, when imported by manufacturers of upholstering leathers, for use exclusively in the manufacture of upholstering leathers, in their own factories	Free	15 p.c.	15 p.c.
608	Leather, not further finished than tanned, and skins, n.o.p.	5 p.c.	17½ p.c.	20 p.c.
610	Belting, n.o.p.	15 p.c.	25 p.c.	27½ p.c.
610a	Belting of camel's hair, for machinery	7½ p.c.	27½ p.c.	27½ p.c.
611a	Boots, shoes, slippers and insoles of any material, n.o.p.	22½ p.c.	35 p.c.	40 p.c.
612	Harness and saddlery, including horse boots, n.o.p.	17½ p.c.	27½ p.c.	30 p.c.
612a	English type saddles	10 p.c.	27½ p.c.	30 p.c.
616	Rubber, crude, caoutchouc or India-rubber, unmanufactured; powdered rubber and rubber or gutta percha waste or junk; and recovered rubber and rubber substitute	Free	Free	Free
616d	Hard rubber, in strips or sheets, not less than one-sixteenth of an inch in thickness, or in rods or tubes, but not further manufactured	Free	15 p.c.	20 p.c.
616e	Hard rubber, in strips or sheets less than one-sixteenth of an inch in thickness, but not further manufactured	Free	Free	Free
618a	Comb blanks of hard rubber, not further manufactured than pressed and vulcanized, when imported by manufacturers of hard rubber combs, for use exclusively in the manufacture of hard rubber combs, in their own factories	Free	Free	Free
618c	Chlorine derivatives of India-rubber insoluble in carbon tetrachloride, in sheets not exceeding two one-thousandths of an inch in thickness, coloured or not but not printed, lithographed or embossed, when for use in Canadian manufactures	Free	5 p.c.	20 p.c.
619a	India-rubber clothing and clothing made from waterproofed cotton fabrics	25 p.c.	30 p.c.	35 p.c.
	And, in addition, on raincoats.....each	.....	50 cts.	50 cts.
622	Trunks, valises, hat boxes, carpet bags, tool bags, and baskets of all kinds, n.o.p.	15 p.c.	40 p.c.	40 p.c

SCHEDULE A—*Continued*

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
623	Musical instrument cases and fancy cases or boxes of all kinds, portfolios and fancy writing desks, satchels, reticules, card cases, purses, pocket-books, fly books and parts thereof	15 p.c.	40 p.c.	40 p.c.
624	Bead ornaments, and ornaments of alabaster, spar, amber, terra cotta or composition; fans of all kinds; statues and statuettes of any material, n.o.p.	20 p.c.	27½ p.c.	30 p.c.
624a	(i) Dolls; toys of all kinds, n.o.p.	10 p.c.	30 p.c.	40 p.c.
624b	Statues and statuettes of porcelain or earthenware	Free	27½ p.c.	30 p.c.
628	Braces or suspenders, and finished parts thereof	15 p.c.	30 p.c.	35 p.c.
647	Jewellery of any material, for the adornment of the person, n.o.p.	25 p.c.	37½ p.c.	45 p.c.
652	Toilet or dressing combs, n.o.p.; fancy combs, not being jewellery	10 p.c.	25 p.c.	27½ p.c.
653	Brushes of all kinds	15 p.c.	30 p.c.	40 p.c.
655	Pens, penholders and rulers, of all kinds	12½ p.c.	25 p.c.	27½ p.c.
655a	Lead pencils and crayons	10 p.c.	35 p.c.	35 p.c.
656	Tobacco pipes of all kinds, pipe mounts, cigar and cigarette cases, cigar and cigarette holders, and cases for the same, smokers' sets and cases therefor, and tobacco pouches	17½ p.c.	32½ p.c.	35 p.c.
657	Mouthpieces of hard rubber in the rough, aluminum pipe fitments, and pipe bowls moulded from briarwood dust, and briarwood bowls not further processed than frazed, when imported by manufacturers of tobacco pipes for use in the manufacture of such pipes, in their own factories	Free	Free	25 p.c.
658	Film of standard width (one and one-eighth of an inch and over) when imported for the sole purpose of having 16 millimetre reproductions made therefrom and provided that the original is re-exported within three months from date of importation ..... per linear foot	Free	3 cts.	3 cts.
659	Photographic dry plates	15 p.c.	27½ p.c.	30 p.c.
663f	Iodised mineral salts, for use exclusively in the feeding of animals	Free	25 p.c.	25 p.c.
670	Grinding wheels, stones or blocks, manufactured by the bonding together of either natural or artificial abrasives; manufactures of emery or of artificial abrasives, n.o.p.	10 p.c.	25 p.c.	30 p.c.
690a	Casual donations sent by persons abroad to friends in Canada, or brought into Canada personally by non-residents as gifts to friends, and not being advertising matter, tobacco or alcoholic beverages, when the value thereof does not exceed five dollars in any one case, under such regulations as may be prescribed by the Minister	Free	Free	Free
693	(i) Articles imported by or for public museums, public libraries, universities, colleges or schools, and which are to be placed in such institutions as exhibits, under regulations prescribed by the Minister	Free	Free	Free
	(ii) Violins, violas and violoncellos, manufactured more than 100 years prior to date of importation, under such regulations, including proof of antiquity, as may be prescribed by the Minister	Free	Free	Free
	(iii) Antiquities (other than spirits or wines) produced more than 100 years prior to date of importation, under such regulations, including proof of antiquity, as may be prescribed by the Minister	Free	.....	.....
	Provided that, notwithstanding anything to the contrary in this Act or in any other law or regulation relating to Customs, antiquities as described in part (iii) of this item shall, for entry thereunder, be relieved from the requirement as to origin or British Empire content.			

SCHEDULE A—*Concluded*

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
709	*(a)* Goods, including containers or coverings as specified in part *(b)* of this item, the growth, produce or manufacture of Canada, after having been exported therefrom	Free	Free	Free
	(b) Bags, barrels, bottles, boxes, carboys, cartons, casks, crates, cylinders, drums, tarpaulins and other usual containers or coverings, n.o.p., filled or empty, and impact registers or recorders for use in railway cars, upon which duty has once been paid	Free	Free	Free
	All the foregoing under such regulations as the Minister may prescribe; Provided that the goods are returned to the exporter thereof within five years from the time of exportation, without having been advanced in value or improved in condition by any process of manufacture or other means, or combined with any other article abroad; Provided also that any goods described in this item, upon which an allowance of drawback has been made, shall not be admitted to entry thereunder except upon payment of duties equal to the drawback allowed; Provided further that any of such goods manufactured in bond or under Excise regulations in Canada and exported shall not be admitted to entry except upon payment of the Customs or Excise duties to which they would have been liable had they not been exported from Canada.			
710	Coverings, inside and outside, used in covering or holding goods imported therewith, shall be subject to the following provisions, viz:—			
	(b) Usual coverings containing goods, not machinery, subject to any ad valorem duty, when not included in the invoice value of the goods they contain	10 p.c.	20 p.c.	20 p.c.
	(bb) Usual coverings containing machinery subject to any ad valorem duty, when not included in the invoice value of the goods they contain	5 p.c.	15 p.c.	20 p.c.
809	Cocoa residues, containing not more than five per cent by weight of fat, when imported by manufacturers of chemicals for use in the manufacture of theobromine and caffeine, in their own factories	Free	Free	Free

SCHEDULE B.

Item No.	Goods	When Subject to Drawback	Portion of Duty (not including Special Duty or Dumping Duty) Payable as Drawback
1060	Paper of all kinds	When used by the publisher or printer in Canada in the production of periodical publications enjoying second-class mailing privileges, the pages of which are regularly bound, wire-stitched or otherwise fastened together	75 p.c.
1063	Materials, including all parts	When used in the production of engines for use exclusively in the equipment of aircraft	60 p.c.

THE SENATE OF CANADA

18th Parliament, 2nd Session
1937

BILLS (First Reading)

- Free Foreign Trade Zones Act	A
- Transport Act, 1937	B
- Household Finance Corporation	C
- Federal Fire Insurance Company of Canada	D
- Wellington Fire Insurance Company	E
- Gore District Mutual Fire Insurance Company	F
- Sterling Insurance Company of Canada	G
- Industrial Loan and Finance Corporation	H
- Blacklock divorce bill	I
- Walker divorce bill	J
- Connor divorce bill	K
- Cohen divorce bill	L
- Ross divorce bill	M
- Salberg divorce bill	N
- Doxsey divorce bill	O
- Kitchin divorce bill	P
- Beaulne divorce bill	Q
- Norton divorce bill	R
- Sufrin divorce bill	S
- Toronto General Insurance Company	T
- Sons of Scotland Benevolent Association	U
- Elkin divorce bill	V
- Ginsburg divorce bill	W
- Low divorce bill	X
- Thom divorce bill	Y
- Ross divorce bill	Z
- Lightstone divorce bill	A^2
- Shiells divorce bill	B^2
- Newman divorce bill	C^2
- Rankin divorce bill	D^2
- Wood divorce bill	E^2
- O'Hagan divorce bill	F^2
- Johnson divorce bill	G^2
- Rutishauser divorce bill	H^2
- Silverman divorce bill	I^2
- Ings divorce bill	J^2

- Premier Trust Company K^2
- Mercantile Fire Insurance Company L^2
- Warden divorce bill M^2
- Gray divorce bill N^2
- Tanguay divorce bill O^2
- Johnston divorce bill P^2
- McBride divorce bill Q^2
- Mickles divorce bill R^2
- Rashback divorce bill S^2
- Pergley divorce bill T^2
- Winnikoff divorce bill U^2
- Robinson divorce bill V^2
- Kahn divorce bill W^2
- Allen divorce bill X^2
- Clark divorce bill Y^2
- Davidson divorce bill Z^2
- Webster divorce bill A^3
- Sadegursky divorce bill B^3
- Mann divorce bill C^3
- Farr divorce bill D^3
- Geddes divorce bill E^3
- Tremblay divorce bill F^3
- Emancipation of Labour Act G^3

Second Session, Eighteenth Parl ament, 1 George VI, 1937

THE SENATE OF CANADA

BILL A.

An Act to enable the establishment, operation and maintenance of free foreign trade zones.

Read a first time, Tuesday, 2nd February, 1937.

HONOURABLE SENATOR CASGRAIN.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

31230

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL A.

An Act to enable the establishment, operation and maintenance of free foreign trade zones.

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 *Free Foreign Trade Zones Act.*

APPLICATION.

Application.

2. Every provision of this Act shall operate and apply notwithstanding anything to the contrary provided or done in or under any other Act of Canada.

INTERPRETATION.

3. In this Act, unless the context otherwise requires, the expression

"Applicant."

(a) "app'icant" means a public authority applying for the right to establish, operate and maintain a free foreign trade zone as provided in this Act;

"Frontier port."

(b) "frontier port" means the first port in Canada at which a vehicle carrying goods to be entered pursuant to the *Customs Act* can arrive by land after crossing the frontier at any particular point; also, any sea, lake or river port at which a vessel carrying such goods can arrive from a port or place out of Canada;

"Goods."

(c) "goods' means goods, wares and merchandise, or moveable effects of any kind, including horses, cattle and other animals;

Explanatory Notes.

The purpose of this Bill, which is one to facilitate the operations of export trade, is succinctly set out in clause nineteen hereof.

The Bill is purely permissive.

Provinces, municipalities or public agencies organized by either, and these only, may apply for a grant of the right to organize and conduct, wholly at their own expense, free ports, at approved places, whether on the seacoast, on a river, on a lake or inland.

Within these free ports goods as defined by the Bill may be received, unpacked and in all respects dealt with, so far as the customs laws are concerned, as if the territory of the free port were not part of the territory of Canada.

It is important that the clauses of the Bill other than clause 3 be read with constant reference to the definitions of clause 2.

"Grant." *(d)* "grant" means a grant of the privilege of establishing, operating and maintaining a free foreign trade zone as provided in this Act, in or adjacent to a frontier port;

"Grantee." *(e)* "grantee" means a public authority to which a grant of the privilege of establishing, operating and maintaining a free foreign trade zone has been made under this Act;

"Minister." *(f)* "Minister" means the Minister of National Revenue;

(g) "port" means a place, whether or not adjacent to a sea, lake or river, where vessels or vehicles may discharge or load cargo;

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

"Public authority." *(i)* "public authority" means a province or a municipality or a lawfully authorized public or private agent;

"Vehicle." *(j)* "vehicle" means any railway car, automobile, aeroplane, cart, car, wagon, carriage, barrow, sleigh or other conveyance whatsoever and howsoever drawn or propelled, that is capable of carrying goods, and includes harness, tackle, fittings and furnishings when these are appurtenant to a vehicle;

"Vessel." *(k)* "vessel" includes any ship, vessel or boat of any kind whatsoever, and howsoever drawn or propelled, and whether used as a seagoing vessel or on inland waters only; and

"Zone." *(l)* "zone" means a free foreign trade zone as provided in this Act.

ADMINISTRATION.

Administration. **4.** This Act shall be administered by the Minister of National Revenue.

APPLICATION FOR GRANT.

Application for grant. **5.** (1) The Governor in Council may, upon application made in compliance with this Act by any public authority, grant to it, subject to all conditions, restrictions and limitations, as to time or otherwise, provided by or under this Act, the privilege of establishing, operating and maintaining, in or adjacent to any frontier port of customs in Canada a free foreign trade zone as described in this Act.

One grant only in each province. (2) Not more than one such grant shall be made to or in any one province unless the frontier port of customs which contains the zone, or to which the zone is adjacent, is located within the confines of more than one province; in that case, although one such grant shall have been already made, another, applicable only to the exceptional conditions for which this subsection provides, may be made to or in each of the provinces which contain in part such port, and thereafter, whilst such grant so made shall subsist, no other shall be made to or in either of such provinces.

Clause 5.—The public authority applies for a grant.

Contents of application for grant.

6. (1) Every application for a grant shall state in detail—

(a) the physical qualifications of the location of the proposed zone, showing—

(i) the land and/or water area;

(ii) the convenience with which segregation from territory continuing subject to the customs laws can be attained;

(iii) the natural fitness of the proposed area for the purposes of a zone; and

(iv) the possibility of expansion of such area, in the future, if required;

(b) what, if any, existing facilities and appurtenances the applicant proposes to utilize; also the facilities and appurtenances which it proposes to provide and preliminary plans and estimates of cost;

(c) the time within which the applicant proposes to commence and complete the work of construction of the zone and of such facilities and appurtenances;

(d) the methods proposed to finance the undertaking; and

(e) such other information as the Governor in Council may, by regulation or otherwise, require to enable him to determine whether applicants or the particular applicant, should receive such grant.

(2) The application shall be accompanied by a plan of the location, signed and certified by a surveyor of land qualified as such in the province to which the application relates.

Location of zone.

7. The proposed location of the zone and its land and/or water area shall in all cases be such as make them suitable for the conduct therein of those operations of foreign commerce with which this Act is concerned, and if, in the opinion of the Governor in Council, such location and/or area are not suitable, or if, in his opinion, the proposed plans or facilities or appurtenances are not such as to justify a grant it may be refused, but refusal shall not operate as a bar to subsequent application anew.

OPERATION OF THE ZONE.

Entry into zone.

8. (1) Into every zone established under this Act vessels and vehicles may come and therein, except as otherwise provided under this Act, land, lade and unlade, free of and exempt from all duties, dues, taxes, surtaxes, charges, surcharges and impositions of customs, and all supervision and control of the customs service of Canada, any goods, as well those of origin in Canada as those of origin out of Canada, except such as, whether under this Act or otherwise, may be prohibited by law.

Treatment of goods in zone.

(2) All goods brought into or landed in such zone may, with like freedom and exemption, be therein stored, exhibited, broken up, unpacked, repacked, assembled, distributed, sorted, refined, graded, cleaned, manufactured,

CLAUSE 6.—The application must state required particulars.

CLAUSE 7.—The proposed site must be one suitable for a zone.

CLAUSE 8.—This clause states the rights of all concerned with a free foreign trade zone and compels payment of customs duties upon any goods, such as those which for some reason fail of export and are necessarily sent out of the zone into customs territory.

treated or otherwise manipulated, mixed with any other goods, of whatever origin, and exported from the zone in the original package or otherwise.

Application of customs laws outside zone.

(3) Until a vessel or vehicle destined or in transit to a zone actually enters the limits thereof it shall, in every port or place on land or water or in the air to which the laws of Canada extend or apply, be subject to all laws of Canada, and from the time when a vessel or vehicle destined out of a zone actually leaves the limits of such zone it shall be likewise subject to all laws of Canada, but as if such vessel or vehicle leaving such zone were, in so far as customs laws and regulations are concerned, a vessel or vehicle coming from a port or place out of Canada, and all goods on or in such vessel or vehicle, wheresoever in whole or in part may have been their place of origin, shall be deemed to be, and shall be treated in all respects, including liability to pay customs duties, as goods coming from out of Canada.

Burden of proof as to liability to customs dues.

(4) The burden of proof that goods such as are mentioned in the next preceding subsection are, for any reason, dutiable on any lower or other rate or basis than that claimed by any officer of Customs to be that which is applicable to such goods shall be upon the owner thereof.

Requirements of zones.

9. Every grantee shall provide and maintain in connection with its zone—

(a) adequate slips, docks, wharves and warehouses and loading, unloading and mooring facilities;

(b) adequate transportation connections so arranged as to permit of proper guarding and inspection for the protection of the revenue of Canada;

(c) adequate facilities for coal or other fuel and for light and power;

(d) adequate water and sewer mains;

(e) adequate quarters and facilities for the officers and employees of Canada, and of the province and municipality concerned, whose duties may require their presence within the zone; and

(f) adequate enclosures to segregate the zone and with suitable provision for ingress and egress of persons, vessels, vehicles and goods.

Buildings and structures in zones.

10. (1) With the approval of the Minister under or by way of uniform regulations made by him for like conditions and circumstances the grantee may permit any person to erect within any zone such buildings and other structures as will meet such person's requirements in carrying on business within the zone as this Act provides; but no such permission shall, as against His Majesty, give rise to or support any vested right, or impair any regulatory power of the grantee, or any right of any other permittee under this or any other section of this Act, or prevent any revocation of the grant

CLAUSE 9.—Compels adequate equipment and facilities.

CLAUSE 10.—Provides for building of business premises within a zone by persons doing business therein.

by the Governor in Council, or, in case of such revocation, found in any permittee any right of compensation, or, in case either His Majesty or the grantee shall desire to acquire the property of the permittee, found any right to compensation for goodwill.

Limitation.

(2) No such permit shall be granted on terms conflicting with the public uses of the zone as set forth in this Act.

Residence in zones.

11. (1) Except under permits granted pursuant to regulations prescribed by the Governor in Council no person shall be allowed to reside within the limits of a zone except those officers and employees of the grantee or of Canada or of the province and/or municipality in which the zone is located whose presence therein is necessary for the safety and policing of the zone or for the protection of the revenue or otherwise.

Remaining in zones.

(2) No person shall remain within any zone unless he is actually working in connection with the handling of vessels, vehicles or their cargoes, or in connection with goods stored or being handled, manufactured or otherwise treated or manipulated within the zone as by this Act authorized.

Exclusion from zones.

(3) The Minister may at any time order and enforce the exclusion from any zone of any goods or process of treatment which, in his judgment, is detrimental to the public interest, health or safety.

Retail trading in zones.

(4) No retail trade shall be conducted within any zone except the sale by permittees under a special licence of *(a)* ship's stores and *(b)* food to employees and workmen for consumption while employed within the zone, and such permittee shall not sell any ship's stores or food unless they shall have been brought into the zone from a place in Canada whereat the customs laws of Canada are in force and apply.

Rates and charges subject to Railway Act.

12. All rates and charges for all services or privileges within every zone shall be fair and reasonable and shall be subject to control, regulation, change and publication by the Board of Railway Commissioners for Canada as nearly as may be according to the provisions of the *Railway Act*, and the Governor in Council may, by regulation, supplement the provisions of that Act to such extent and in such respects as he may deem necessary to give effect to the purpose and provisions of this section.

Regulations.

Zones to be public utilities.

13. (1) Every zone shall be operated as a public utility. The grantee shall afford to all who may apply therefor the use of the zone and its facilities and appurtenances and uniform treatment in respect to all services rendered by the grantee under like conditions and circumstances, subject, however, to such treaties or commercial conventions applicable to Canada as may from time to time have the force of law in Canada.

CLAUSE 11.—Only necessary guards or revenue officers may reside, and only ship's stores or food may be sold, within a zone.

CLAUSE 12.—Rates and charges are put under the control of the Board of Railway Commissioners.

CLAUSE 13.—Zones are to be public utilities and all persons are to have uniform treatment.

Penalty.

(2) If the grantee refuses, without reasonable cause, to afford equal facilities, privileges and services at equal rates as aforesaid, or permits of or suffers acts by a permittee which are deterimental to the public interest, the Governor in Council may suspend the privilege of the grant for not more than sixty days, and in the event of wilful and repeated or continuous offence by the grantee in refusing, permitting or suffering as aforesaid, the Governor in Council may revoke the grant.

Additions or improvements to zones.

14. If and whenever additions or improvements to a zone established under this Act are proposed or required they shall be subject to the approval of the Governor in Council as in this Act provided for an original application.

Grants not transferable but surrenderable.

15. (1) The grant shall not be, nor shall it be capable of being sold, conveyed, transferred, set over, assigned or operated otherwise than as a public utility; but, at any time after the expiration of ten years from the completion and opening for business of the zone, and after one year's written notice to the Minister given and expired, the grantee may, in such form and manner as the Governor in Council may by regulation prescribe, surrender such grant.

Effect of surrender of grant.

(2) The surrender of any grant shall not impose upon His Majesty any liability to pay, nor shall the grantee merely because thereof be paid, any compensation or remuneration whatsoever.

War or national emergency.

16. In the event of war or other national emergency His Majesty may take over, occupy and use any part of or all of any zone or its facilities or appurtenances for such period of time as the exigencies of the case may demand, and if any damage suffered by the grantee by reason of such taking, occupation and use is payable by His Majesty the amount shall be determined as prescribed by law.

SUPPLEMENTAL PROVISIONS.

Report by grantee to Minister.

17. (1) Every grantee shall make to the Minister, annually, and at such other times as the Governor in Council may by regulation prescribe, a report or reports containing a full statement of the affairs of its zone, including operations, receipts and expenditures.

Report to be laid before Parliament.

(2) If Parliament is sitting when any such report is received a copy thereof shall within fifteen days thereafter be laid before Parliament; if otherwise the report shall be laid before Parliament within fifteen days after the commencement of its next ensuing session. In either event the Minister shall, at the same time make a report to Parliament containing a summary of the operations and the fiscal condition of the zone.

CLAUSE 14.—Self explanatory.

CLAUSE 15.—Grantees of zone privileges cannot assign their grants, but may surrender them, without compensation, after ten years operation of the zone thereunder.

CLAUSE 16.—The zone may be taken over by Canada in case of war or national emergency.

CLAUSE 17.—Every grantee is to report annually or oftener to the Minister of National Revenue and he to Parliament concerning the operations of every zone.

Regulations.

18. The Governor in Council, in addition to all other of his powers under this Act, may, as to any or all zones, make such regulations as to him shall seem necessary or convenient to effect the purposes of this Act concerning—

(a) applications, grants and permits;

(b) construction, operation and maintenance of zones, their facilities and appurtenances, and the character of each thereof;

(c) the times after grant within which construction shall be commenced, completed and the zone opened for business;

(d) expropriation, in execution of the purposes of this Act, of any land or any rights in or over water; as to the whole, so far only as the legislative jurisdiction of Canada extends;

(e) the form and manner of keeping the accounts of zones; and

(f) all other matters relating or conducing to the execution of the purposes, or of any purpose, of this Act, and, generally, for carrying this Act into effect.

This Act not to entail expenditure of monies of Canada.

19. No provision of this Act shall be read as imposing or intending to impose, directly, indirectly or consequentially, upon His Majesty or upon the public revenues of Canada any expenditure or expense whatsoever, it being the intent and primary purpose of this Act to authorize and permit the establishment, in suitable localities, at the sole expense of public authorities, being provinces or public bodies under provincial jurisdiction, of mechanical agencies for executing the re-export and transhipment of goods not intended for sale, distribution, consumption or use in Canada.

OPERATION SUSPENDED.

When Act to come into force.

20. This Act shall not come into force until a day to be fixed by the Governor in Council and proclaimed by him in the *Canada Gazette*.

CLAUSE 18.—The Governor in Council may enact all necessary further legislation.

CLAUSE 19.—Sets forth the purpose of the Bill.

CLAUSE 20.—Self explanatory.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL B.

An Act to establish a Board of Transport Commissioners for Canada, with authority in respect of transport by railways, ships, aircraft and motor vehicles.

Read a first time, Tuesday, 2nd February, 1937.

Hon. Senator DANDURAND.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

31286

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL B.

An Act to establish a Board of Transport Commissioners for Canada, with authority in respect of transport by railways, ships, aircraft and motor vehicles.

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 Transport Act, 1937.*

INTERPRETATION.

Definitions

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

"Agreed charge."

(a) "agreed charge" means a charge agreed upon between a carrier and a trader as in this Act provided and includes the conditions attaching thereto;

"Aircraft."

(b) "aircraft" means airships designed to be lighter than air and flying machines designed to be heavier than air and, in either case, having means of traction or propulsion;

"Board."

(c) "Board" shall have the meaning set forth in section three of this Act;

"Broker."

(d) "broker" means any person other than a licensee or the *bona fide* employee of a licensee who, as principal or agent, sells or offers for sale any transport or negotiates for, or holds himself out by solicitation, advertisement or otherwise as one who sells, provides, furnishes, contracts or arranges for such transport;

"Carrier."

(e) "carrier" means any person engaged in the transport of goods or passengers for hire or reward to whom this Act applies, and shall include any railway or express company which is subject to the *Railway Act;*

"Dominion highway."

(f) "Dominion highway" means any highway the ownership of which is in His Majesty in the right of Canada;

"Harbour toll."

(g) "harbour toll" means and includes every rate, toll and charge established or proposed to be established by any Act of Parliament or by, or with the approval of, the Governor in Council in respect of ships or aircraft entering, using or leaving any harbour in Canada, or the passengers thereof, or goods loaded, unloaded, shipped, transhipped, moved in transit or stored in any harbour in Canada, or on or in any wharf, dock, pier, warehouse or other facility within the limits of any such harbour or situate on lands appurtenant thereto;

"Highway."

(h) "highway" includes any highway, road, street or way;

"Interprovincial or foreign trade."

(i) "interprovincial or foreign trade" means the transport of goods or passengers between a place in one province and a place in another province, or between a place in Canada and a place outside of Canada, and shall include any transport of goods wholly within a province which forms part of a through movement of goods, whether or not on one bill of lading, with another carrier when the points of origin or destination are in different provinces or in Canada and a foreign country;

"Licensee."

(j) "licensee" means a person licensed under this Act to engage in transport by water, air or highway;

"Minister."

(k) "Minister" means the Minister of Transport;

"Motor vehicle."

(l) "motor vehicle" means any vehicle or trailer propelled or drawn by mechanical power and used upon a highway for the transport of goods or passengers;

"Private commercial vehicle."

(m) "private commercial vehicle" means any motor vehicle operated on a highway for the transport of goods by or on behalf of any person who is the owner of both the goods and the vehicle;

"Public commercial vehicle."

(n) "public commercial vehicle" means any motor vehicle operated on a highway by or on behalf of any person who receives compensation for the transport of goods or passengers by means of such vehicle;

"Ship" in general.

(o) "ship" includes every description of vessel not propelled by oars;

"Ship," Part V.

(p) "ship" when used in Part V of this Act includes any ship, boat, barge, dredge, floating elevator, scow or any other floating craft and any raft, crib, dram or bag boom of logs, timber or lumber of any kind, and logs, timber or lumber in boom or being towed;

"Toll."

(q) "toll" or "charge" means and includes any toll, rate, charge or allowance charged or made in connection with the transport of passengers, or the shipment, transport, care, handling or delivery of goods, or for any services incidental to the business of a carrier; and includes also any toll, rate, charge or allowance as charged or made in connection with any instrumentality or facility of shipment or

transport irrespective of ownership, or of any contract express or implied with respect to the use thereof, and includes also any toll, rate, charge or allowance so charged or made for furnishing passengers with sleeping accommodation, or for collecting, receiving, loading, unloading, stopping over, elevating, ventilating, refrigerating, icing, heating, switching, ferrying, carting, storing, caring for, handling or delivering goods transported or in transit or to be transported; and includes also any toll, rate, charge or allowance so charged or made for the warehousing of goods, wharfage or demurrage, or the like, and includes hangar and landing charges payable in respect of aircraft; and includes charges made in connection with any one or more of the above mentioned subjects, separately or conjointly;

"Trader."

(r) "trader" means a person sending or receiving or desiring to send or receive goods by means of any carrier to whom this Act applies;

"Transport."

(s) "transport" means the transport of goods or passengers, whether by air, by highway, by water or by rail, for hire or reward, to which the provisions of this Act apply and "transported" and "transporting" shall have corresponding meanings;

"Transport by air."

(t) "transport by air" means the transport of goods or passengers for hire or reward by means of aircraft;

"Transport by highway."

(u) "transport by highway" means the transport in interprovincial or foreign trade or upon a Dominion highway of goods or passengers for hire or reward by means of public commercial vehicles;

"Transport by rail."

(v) "transport by rail" means the transport of goods or passengers by a railway to which the *Railway Act* applies;

"Transport by water."

(w) "transport by water" means the transport of goods or passengers for hire or reward by means of ships, required to be licensed under this Act.

This Act to be read with R.S. 1927, c. 170.

(2) Unless it is otherwise provided or the context otherwise requires, expressions contained in this Act shall have the same meaning as in the *Railway Act* and this Act shall be read and construed as one with that Act, but shall have full force and effect notwithstanding anything contained in that Act.

PART I.

BOARD OF TRANSPORT COMMISSIONERS

"Board," in R.S. 1927, c. 170; R.S. 1927, c. 172; 1932-33, c. 33; 1936, c. 25; R.S. 1927, c. 79; 1906, c. 170.

3. The Board of Railway Commissioners for Canada shall hereafter be and be known as the Board of Transport Commissioners for Canada, and the expression "Board" wherever it occurs in this Act or in the *Railway Act*, the

Canadian National Railways Act, The Canadian National-Canadian Pacific Act, 1933, The Canadian National-Canadian Pacific Act, 1936, the *Maritime Freight Rates Act* or the *Toronto Terminals Railway Company Act* shall mean the Board of Transport Commissioners for Canada and the expression "Board of Transport Commissioners for Canada" shall be substituted for the expression "Board of Railway Commissioners for Canada" wherever that expression occurs in the *Railway Act* or in any other Act.

PART II.

TRANSPORT BY WATER.

Application of *Railway Act*, R.S. 1927, c. 170.

4. The provisions of the *Railway Act* relating to tolls and tariffs and joint tariffs and the making of returns and the filing of statistics and the powers of the Board with respect to tolls and tariffs and for the enforcement of the orders of the Board and for the review of, and appeals from, such orders shall, subject to the provisions of this Part, extend and apply to transport by water and to every person engaged in such transport and to every trader and the aforesaid provisions shall, *mutatis mutandis*, be read as if enacted in this Part, and any trader or person engaged in transport by water contravening or failing to comply with any such provision shall be guilty of an offence and liable on summary conviction to a fine not exceeding one thousand dollars and not less than one hundred dollars.

Minister may license ships.

5. The Minister may license ships to transport passengers and goods from a port or place in Canada to another port or place in Canada.

Who may obtain licence.

(2) The licence shall be issued in the name of the owner, lessee or other person entitled to engage in transport by water by means of such ship.

One or more ships.

(3) The licence may apply to one or more ships.

Indication of ports and services.

(4) The Minister may in the licence state the ports between which the ship or ships named therein may carry goods or passengers and the schedule of services which shall be maintained.

Certificate by Board.

(5) The Minister shall not issue a licence without first being satisfied by certificate issued by the Board that the

proposed service is or will be required by the present and future public convenience and necessity.

Licence. prohibited.

(6) No licence shall be issued in the case of a ship imported into Canada which was constructed more than ten years before such importation: Provided, however, that this subsection shall not apply in the case of a ship engaged in the coasting trade of Canada at the date this Act is assented to.

Transport prohibited.

6. No goods or passengers shall be transported by water, from one port or place in Canada to another port or place in Canada, either directly or by way of a foreign port or for any part of the transport, by means of any ship other than a ship licensed under this Part.

Fines for infractions.

(2) If any goods or passengers are transported contrary to the provisions of this Part or otherwise than in accordance with the terms of the licence of the ship, the owner or other person operating the ship shall be liable upon summary conviction to a fine in respect of goods so transported of fifty cents per ton of the registered tonnage of the ship or five hundred dollars, whichever is the greater, and a fine in respect of passengers so transported of two hundred dollars for each passenger or five hundred dollars, whichever is the greater.

Detention of ships.

(3) The Collector of Customs at any port or place in Canada may, if he believes that an offence has been committed against this Part, detain the ship pending the disposition of any complaint or charge and the payment of any fine imposed in respect of such offence.

R.S. 1927, c. 170. Suspension or cancellation of licence.

(4) If any licensee is convicted of an offence under this Act or under the *Railway Act*, or if the Board is satisfied that a ship is operated otherwise than in accordance with the terms of a licence applicable thereto, the Board may suspend or cancel the licence of such licensee in respect of one or all of the ships licensed.

Reasonable or just tariff.

7. The Board in determining whether a tariff of tolls is reasonable or just shall take into consideration the capacity and speed of the licensed ship, the loading and unloading facilities at all ports, and whether or not a regular schedule of services is maintained by the licensed ship.

When this Part comes into force.

8. This Part shall not come into force on, or in respect of, any sea or inland water of Canada until proclaimed by the Governor in Council to be in force on, or in respect of, such sea or inland water.

Exemption.

(2) The Governor in Council may by regulation exempt any ship or class of ships from the operation of this Part.

Extension of application of this part.

(3) The Governor in Council may on the recommendation of the Board by proclamation extend the application of this Part to transport by means of ships registered in Canada over any sea or inland water on or in respect of which this Part is in force between ports or places in Canada and ports or places outside of Canada.

Repeal of ss. 3, 4 and 5 of R.S. 1927, c. 208.

(4) Upon the coming into force of this Part on or in respect of any inland water of Canada to which the *Inland Water Freight Rates Act* applies, sections three, four and five of that Act are repealed.

PART III.

TRANSPORT BY AIR.

Application of *Railway Act*, R.S. 1927, c. 170.

9. The provisions of the *Railway Act* relating to tolls and tariffs and joint tariffs and the making of returns and the filing of statistics and the powers of the Board with respect to tolls and tariffs, and for the enforcement of the orders of the Board, and for the review of, and appeals from such orders, shall, subject to the provisions of this Part, extend and apply to transport by air and to every person engaged in such transport and to every trader, and the aforesaid provisions shall, *mutatis mutandis*, be read as if enacted in this Part, and any trader or person engaged in transport by air contravening or failing to comply with any such provision shall be guilty of an offence and liable on summary conviction to a fine not exceeding one thousand dollars and not less than one hundred dollars.

Minister may license aircraft.

10. The Minister may license aircraft to transport passengers and goods between points or places in Canada or between points or places in Canada and points or places outside of Canada.

Who may obtain licence.

(2) The licence shall be issued in the name of the owner, lessee or other person entitled to engage in transport by air by means of such aircraft.

One or more aircraft.

(3) The licence may apply to one or more aircraft.

Indication of routes and services.

(4) The Minister may in the licence prescribe the route or routes which the aircraft named therein may follow and the schedule of services which shall be maintained.

Certificate of Board.

(5) The Minister shall not issue a licence without being first satisfied by certificate issued by the Board that the proposed service is or will be required by the present and future public convenience and necessity.

Transport prohibited.

11. No goods or passengers shall be transported by air in Canada by means of any aircraft other than an aircraft licensed under this Part.

Fine and forfeiture for infractions.

(2) If any goods or passengers are transported contrary to the provisions of this Part or otherwise than in accordance with the terms of the licence of the aircraft, the owner or other person operating the aircraft shall be liable upon summary conviction to a fine not exceeding five hundred dollars and not less than two hundred dollars, and every aircraft by means of which goods or passengers are transported contrary to the provisions of this Part shall be subject to forfeiture as hereinafter provided.

Detention of aircraft.

(3) The Collector of Customs at any port or airport in Canada may, if he believes that an offence has been committed against this Part, detain the aircraft pending the disposition of any complaint or charge and the payment of any fine imposed in respect of such offence.

R.S. 1927, c. 170.
Suspension or cancellation of licence.

(4) If any licensee is convicted of an offence under this Act or under the *Railway Act*, or if the Board is satisfied that an aircraft is operated otherwise than in accordance with the terms of a licence applicable thereto, the Board may suspend or cancel the licence of such licensee in respect of one or all of the aircraft licensed.

When this Part comes into force.

12. This Part shall not come into force in, or in respect of, any part of Canada until proclaimed by the Governor in Council to be in force in, or in respect of, such specified part of Canada.

Exemption.

(2) The Governor in Council may by regulation exempt any aircraft or class of aircraft from the operation of this Part.

PART IV.

TRANSPORT BY HIGHWAY.

Application of *Railway Act*, R.S. 1927, c. 170.

13. The provisions of the *Railway Act* relating to tolls and tariffs and the making of returns and the filing of statistics and the powers of the Board with respect to tolls and tariffs and for the enforcement of the orders of the Board and for the review of, and appeal from such orders shall, subject to the provisions of this Part, extend and apply to transport by highway and to every person engaged in such transport and to every trader and the aforesaid provisions shall, *mutatis mutandis*, be read as if enacted in this Part and any trader or person engaged in transport by highway contravening or failing to comply with any such provision shall be guilty of an offence and liable on summary conviction to a fine not exceeding one thousand dollars and not less than one hundred dollars.

Minister may license commercial vehicles.

14. The Minister may license public or private commercial vehicles to transport goods or passengers in interprovincial or foreign trade, or upon a Dominion highway.

Who may obtain licence.

(2) The licence shall be issued in the name of the owner, lessee or other person entitled to engage in transport by highway by means of such public or private commercial vehicle.

One or more vehicles.

(3) The licence may apply to one or more vehicles.

Indication of routes and services.

(4) The Minister may in the licence prescribe the route or routes which the public commercial vehicle or vehicles named therein may follow and the schedule of services which shall be maintained.

Satisfaction of Minister.

(5) The Minister shall not issue a licence in the case of a public commercial vehicle without first being satisfied by certificate issued by the Board that the proposed service is or will be required by the present and future public convenience and necessity.

Certificate of Board and suspension or cancellation of licence.

(6) The Board shall not issue a certificate of public convenience and necessity in respect of any public or private commercial vehicle until it has been first satisfied that the said vehicle conforms to such standards of design and operating efficiency as the Board deems necessary for the service to be performed. It shall be a condition of every licence that the licensed vehicle shall be maintained in a fit and servicable condition, and the Board may at any time suspend or cancel a licence if the licensee fails or omits on demand to satisfy the Board that the vehicle is being maintained in that condition.

Board may make orders and regulations.

15. The Board may with the approval of the Governor in Council make orders and regulations for—

(a) prescribing standards of design and operating efficiency of vehicles to be licensed under this Part;

(b) determining what evidence shall be required to establish that the vehicles conform to the required standards of design and operating efficiency and that a licensed vehicle is being maintained in a fit and serviceable condition;

(c) limiting or regulating the hours of duty of any employees or class of employees with a view to the safety of the public and of the employees;

(d) specifying the form of licence plates or other identifying marks indicating a licence under this Part and requiring that they shall be prominently displayed on the vehicle;

(e) prescribing the procedure and basis upon which renewals of any licence under this Part may be granted;

(f) determining the qualifications of the drivers of any licensed vehicles;

(g) generally providing for anything which the Board deems necessary for the proper administration of this Part.

Prohibition of transport.

16. No goods or passengers shall be transported in interprovincial or foreign trade or upon a Dominion highway by means of a public or private commercial vehicle other than a vehicle licensed under this Part.

Fines and forfeiture for infractions.

(2) If any goods or passengers are transported contrary to the provisions of this Part or otherwise than in accordance with the terms of the licence of the vehicle, the person transporting such goods or passengers shall be liable upon summary conviction to a fine not exceeding five hundred dollars and not less than two hundred dollars, and every motor vehicle by means of which goods or passengers are transported contrary to the provisions of this Part shall be subject to forfeiture as hereinafter provided.

Suspension or cancellation of licences. R.S. 1927, c. 170.

(3) If any licensee is convicted of an offence under this Act or under the *Railway Act*, or if the Board is satisfied that a public commercial vehicle is operated otherwise than in accordance with the terms of a licence applicable thereto, the Board may suspend or cancel the licence of such licensee in respect of one or all of the motor vehicles licensed.

When this Part comes into force.

17. This Part shall not come into force on, or in respect of, any highway until proclaimed by the Governor in Council to be in force on, or in respect of, such highway.

Exemption.

(2) The Governor in Council may by regulation exempt any vehicle or class of vehicles from the operation of this Part.

Board may act as agent of a province.

18. In any case where a provincial legislature has enacted legislation for the regulation of the transport of goods or passengers by public or private commercial vehicles, the Board may if so authorized by provincial law undertake the administration or enforcement of such scheme of regulation if the Board considers that such scheme can be co-ordinated with the regulation of interprovincial and foreign trade and transport upon any Dominion highway provided for in this Part.

PART V.

HARBOUR TOLLS.

Power to make inquiries into harbour tolls.

19. The Board shall when requested by the Minister make inquiry in respect of any harbour toll as to whether such harbour toll is just and reasonable under all the circumstances, and without restricting the generality of the foregoing the Board shall in the conduct of such inquiry have regard to—

(a) the service, privilege, advantage or benefit enjoyed or provided in respect of which the harbour toll is charged;

(*b*) the cost of providing, operating and maintaining the facilities and services of the harbour including, without restricting the generality of the foregoing, interest on capital investment and depreciation;

(*c*) comparable tolls and charges payable at any harbour in Canada or elsewhere than in Canada;

(*d*) whether such harbour toll is under substantially similar circumstances and conditions charged equally to all persons;

(*e*) the effect of such harbour toll upon the movement of ships, goods or passengers, as the case may be, through the harbour and upon the movement of trade generally.

Report to Minister.

(2) The Board shall with its report transmit to the Minister a copy of the evidence taken by the Board in the course of its inquiry.

Recommendation to Minister.

20. If the Board, after inquiry as hereinbefore provided is of opinion that any harbour tolls should be amended or rescinded or other harbour tolls substituted therefor, it shall be the duty of the Board to forward with its report a recommendation to the Minister for such action as he deems fit.

When this Part comes into force.

21. This Part shall not come into force until proclaimed as in force by the Governor in Council.

PART VI.

AGREED CHARGES.

Agreed charges approved by Board.

R.S. 1927, c. 170.

22. Notwithstanding anything in the *Railway Act*, or in this Act or in any other statute, a carrier may make such charge or charges for the transport of the goods of any trader or for the transport of any part of his goods as may be agreed between the carrier and that trader: Provided that any such agreed charge shall require the approval of the Board, and the Board shall not approve such charge if, in its opinion, the object to be secured by the making of the agreement can, having regard to all the circumstances, adequately be secured by means of a special tariff of tolls under the *Railway Act*.

Particulars to be lodged.

(2) Particulars of an agreed charge shall be lodged with the Board within seven days after the date of the agreement, and notice of an application to the Board for its approval of the agreed charge shall be given in such manner as the Board may direct.

Powers of Board.

(3) The Board may approve an agreed charge either for such period as it thinks fit or without restriction of time, and the date on which the charge shall become operative, or as from which it shall be deemed to have become operative, shall be such date, not being earlier than the date

on which application for approval was lodged, as may be fixed by the Board.

Intervention by traders.

(4) On an application to the Board for the approval of an agreed charge:—

(i) any trader whose business will be unjustly discriminated against if the agreed charge is approved and is made by the carrier, or that whose business has been unjustly discriminated against as a result of the making of the charge by virtue of a previous approval; and

(ii) subject to the provisions of the next succeeding section, any representative body of traders,

(iii) any carrier of the same class,

shall, after giving such notice of objection as may be prescribed by the Board, be entitled to be heard in opposition to the application.

Discrimination against traders.

(5) Any trader who considers that his business will be unjustly discriminated against if an agreed charge is approved and is made by the carrier, or that his business has been unjustly discriminated against as a result of the making of an agreed charge, may at any time apply to the Board for a charge to be fixed for the transport of his goods (being the same goods as or similar goods to any goods to which the agreed charge relates) by the carrier with which he contracts for the transport of such goods, whether the same carrier by which the agreed charge is proposed to be made or is being made, or another carrier of the same class; and, if the Board is satisfied that the business of the trader will be or has been so unjustly discriminated against, it may fix a charge (including the conditions to be attached thereto) to be made by the carrier (being engaged in the same class of transport, being transport by rail, highway, water or air, as the case may be), with which he contracts for the transport of such goods as the Board may determine.

Period of charge.

(6) The Board, in fixing a charge, may fix it either for such period as it thinks fit or without restriction of time, and may appoint the date on which it is to come into operation, but no such charge shall be fixed for a period in excess of that for which the agreed charge complained of by the trader has been approved.

Procedure.

(7) An application under this section may, if it be convenient, be combined with an objection by the trader to the application for the approval of the agreed charge of which he complains.

Withdrawal of approval by Board.

(8) Where the Board has approved an agreed charge without restriction of time:—

(i) any trader whose business has been unjustly discriminated against as a result of the making of the agreed charge, and

(ii) subject to the provisions of the next succeeding section, any representative body of traders,

(iii) any carrier of the same class:

may at any time after the expiration of one year from the date of the approval apply to the Board for its approval of the agreed charge to be withdrawn and, upon any such application, the Board may withdraw, or refuse to withdraw, its approval, or may continue its approval subject to such modifications being made in the charge as it thinks proper and as the carrier and the trader to whose goods the charge is applicable are prepared to agree to;

Proviso.

Provided that, where under the last preceding subsection the Board has fixed a charge in favour of a trader complaining of an agreed charge the trader shall not be entitled to make an application under this subsection in respect of that agreed charge in so far as it relates to goods which are the same as or similar to any goods to which the charge so fixed relates.

Cessation of charge.

(9) Where under this section the Board withdraws its approval of an agreed charge or continues its approval of an agreed charge subject to modifications, any charges fixed under the last preceding subsection in favour of a trader complaining of that agreed charge shall cease to operate, or shall be subject to such corresponding modifications as the Board may determine.

Deemed approval.

(10) For the purposes of applications under this section a decision of the Board continuing its approval of a charge subject to agreed modifications shall be deemed to be the approval of an agreed charge.

Duty of Board.

(11) On any application under this section, the Board shall have regard to all considerations which appear to it to be relevant and, in particular, to the effect which the making of the agreed charge or the fixing of a charge is likely to have, or has had, on—

(a) the net revenue of the carrier; and

(b) the business of any trader by whom, or in whose interests, objection is made to approval being given to an agreed charge, or application is made for approval to be withdrawn.

Definition of "representative body of traders".

23. For the purposes of the provisions of the last preceding section which relate to applications and objections to applications, the expression "a representative body of traders" means an association or body of persons which satisfies the Board that it represents a substantial number of traders interested in or likely to be affected by the decision on the application.

PART VII.

BROKERS.

Brokerage of transport.

24. No broker shall sell or offer for sale transport, or make any contract, agreement or arrangement to provide,

procure, furnish or arrange for such transport or hold himself out by solicitation, advertisement or otherwise as one who sells, provides, procures, furnishes or arranges for such transport, in respect of which transport tolls are charged or are to be charged otherwise than in accordance with the provisions of this Act and of a tariff of tolls which has been prepared, filed or approved in accordance with the provisions of this Act, and any broker contravening or failing to comply with the provisions of this section shall be guilty of an offence and liable on summary conviction to a fine not exceeding one thousand dollars and not less than one hundred dollars.

Fine.

Regulations for licensing brokers.

25. The Governor in Council may provide by regulation for the licensing by the Board of brokers carrying on business in any means of transport.

To whom licences may issue.

(2) Licences shall be issued only to qualified persons and shall prescribe the means of transport whether by rail or by air or by highway or by water in which the broker shall be entitled to carry on business.

Fine for unlicensed brokerage.

26. Any broker carrying on business without a licence in any means of transport in respect of which brokers are required by regulations under this Part to be licensed, shall be guilty of an offence and liable on summary conviction to a fine not exceeding one thousand dollars and not less than one hundred dollars.

When this Part comes into force.

27. This Part shall not come into force in respect of transport by rail or by air or by highway or by water until proclaimed as in force by the Governor in Council.

PART VIII.

GENERAL.

R.S. 1927, c. 170.

Sittings and business of Board.

28. The provisions of the *Railway Act* relating to sittings of the Board and the disposal of business, the summoning of witnesses and the taking of evidence and to practice and procedure shall be applicable in the case of every inquiry, complaint, application or other proceedings under this Act, and the Board shall exercise and enjoy the same jurisdiction and authority in the case of such proceedings as are vested in the Board by the *Railway Act*.

Duty of Board re licences.

29. It shall be the duty of the Board in determining in connection with any application for a licence, whether public convenience and necessity exists, to take into consideration—

(a) any objection to the application which may be made by any person or persons who are already providing transport facilities, whether by rail, by water, by air or by highway, on the routes or between the places in which the applicant intends to serve on the ground that suitable facilities are or, if the licence were issued, would be, in excess of requirements or on the ground that any of the conditions of any other transport licence held by the applicant have not been complied with;

(b) whether or not the issue of such licence would tend to develop the complementary rather than the competitive functions of the different forms of transport, if any, involved in such objections;

(c) the general effect on the transport services in, and the costs to, the community involved in the issue of such licence;

(d) the quality and permanence of the service to be offered by the applicant for the licence and his financial responsibility, including adequate provision for the protection of passengers, shippers and the general public by means of insurance.

Term of licences.

30. Every licence issued under this Act shall, subject to the provisions of this Act, be for one year or for such other period as the Board with the approval of the Governor in Council may determine, and a fee shall be payable therefor according to a tariff of fees to be fixed by the Board with the approval of the Governor in Council.

Destination of licence fees.

(2) The licence fee shall be paid to the Receiver General of Canada for the use of His Majesty.

Destination of fines.

31. Every fine imposed under this Act or under any regulation shall be paid over to the Receiver General of Canada for the use of His Majesty.

Power to seize and detain.

32. Any officer of the Board or other person duly authorized by the Board may seize and detain property subject to forfeiture under this Act and notice of seizure shall be given according to rules to be established by the Board.

Property seized as forfeited.

(2) All property seized as forfeited shall be deemed and taken to be condemned and may be dealt with accordingly unless notice of claim is given according to the rules established by the Board within thirty days of the notice of seizure.

Power of Board over property seized.

(3) Upon any claim being made within the time prescribed the Board may direct that the property be returned to the claimant, or request the Attorney General of Canada to institute proceedings in the Exchequer Court to have the property condemned as forfeited.

Liability of officers, directors and servants of corporation.

33. If any corporation is guilty of a breach of any provision of this Act for which a fine is provided to be imposed on such corporation, every officer, director or servant of such corporation who has been party or privy to such breach also shall be liable on summary conviction to a fine not exceeding one thousand dollars.

Limitation of proceedings.

34. No proceeding for any penalty for any breach of the provisions of this Act or of any regulation made or licence granted thereunder shall be commenced except within twelve months from the date of the breach complained of.

REPRINT

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL B.

An Act to establish a Board of Transport Commissioners for Canada, with authority in respect of transport by railways, ships, aircraft and motor vehicles.

As proposed to be amended by the Standing Committee on Railways, Telegraphs and Harbours.

Hon. Senator DANDURAND.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

34626

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL B.

An Act to establish a Board of Transport Commissioners for Canada, with authority in respect of transport by railways, ships, aircraft and motor vehicles.

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 Transport Act, 1937.*

INTERPRETATION.

Definitions

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

"Agreed charge."

(a) "agreed charge" means a charge agreed upon between a carrier and a trader as in this Act provided and includes the conditions attaching thereto;

"Aircraft."

(b) "aircraft" means airships designed to be lighter than air and flying machines designed to be heavier than air and, in either case, having means of traction or propulsion;

"Board."

(c) "Board" shall have the meaning set forth in section three of this Act;

"Carrier."

(d) "carrier" means any person engaged in the transport of goods or passengers for hire or reward to whom this Act applies, and shall include any company which is subject to the *Railway Act;*

"Dominion highway."

(e) "Dominion highway" means any highway the ownership of which is in His Majesty in the right of Canada;

"Harbour toll."

(f) "harbour toll" means and includes every rate, toll and charge established or proposed to be established by any Act of Parliament or by, or with the approval of, the Governor in Council in respect of ships or aircraft entering, using or leaving any harbour in Canada, or the passengers thereof, or goods loaded, unloaded,

shipped, transhipped, moved in transit or stored in any harbour in Canada, or on or in any wharf, dock, pier, warehouse or other facility within the limits of any such harbour or situate on lands appurtenant thereto;

"Highway." (g) "highway" includes any highway, road, street or way;

"Interprovincial or foreign trade." (h) "interprovincial or foreign trade" means the transport of goods or passengers between a place in one province and a place in another province, or between a place in Canada and a place outside of Canada, or through Canada between points outside of Canada, and shall include any transport of goods wholly within a province which forms part of a through movement of goods, whether or not on one bill of lading, with another carrier when the points of origin and destination are in different provinces or in Canada and a foreign country;

"Licensee." (i) "licensee" means a person licensed under this Act to engage in transport by water, air or highway;

"Minister." (j) "Minister" means the Minister of Transport;

"Motor vehicle." (k) "motor vehicle" means any vehicle or trailer propelled or drawn by mechanical power and used upon a highway for the transport of goods or passengers;

"Private commercial vehicle." (l) "private commercial vehicle" means any motor vehicle operated on a highway for carrying goods by or on behalf of any person who is the owner of both the goods and the vehicle;

"Public commercial vehicle." (m) "public commercial vehicle" means any motor vehicle operated on a highway by or on behalf of any person who receives compensation for the transport of goods or passengers by means of such vehicle;

"Ship" in general. (n) "ship" includes every description of vessel exceeding one hundred and fifty tons gross tonnage;

"Ship," Part V. (o) "ship" when used in Part V of this Act includes any ship, boat, barge, dredge, floating elevator, scow or any other floating craft and any raft, crib, dram or bag boom of logs, timber or lumber of any kind, and logs, timber or lumber in boom or being towed;

"Toll." (p) "toll" or "charge" means and includes any toll, rate, charge or allowance charged or made in connection with the transport of passengers, or the shipment, transport, care, handling or delivery of goods, or for any services incidental to the business of a carrier; and includes also any toll, rate, charge or allowance as charged or made in connection with any instrumentality or facility of shipment or transport irrespective of ownership, or of any contract express or implied with respect to the use thereof, and includes also any toll, rate, charge or allowance so charged or made for furnishing passengers with sleeping accommodation, or for collecting, receiving, loading,

unloading, stopping over, elevating, ventilating, refrigerating, icing, heating, switching, ferrying, carting, storing, caring for, handling or delivering goods transported or in transit or to be transported; and includes also any toll, rate, charge or allowance so charged or made for the warehousing of goods, wharfage or demurrage, or the like, and includes hangar and landing charges payable in respect of aircraft; and includes charges made in connection with any one or more of the above mentioned subjects, separately or conjointly;

"Trader."

(q) "trader" means a person sending or receiving or desiring to send or receive goods by means of any carrier to whom this Act applies;

"Transport."

(r) "transport" means the transport of goods or passengers, whether by air, by highway, by water or by rail, for hire or reward, to which the provisions of this Act apply and "transported" and "transporting" shall have corresponding meanings;

"Transport by air."

(s) "transport by air" means the transport of goods or passengers for hire or reward by means of aircraft;

"Transport by highway."

(t) "transport by highway" means the transport in interprovincial or foreign trade or upon a Dominion highway of goods or passengers for hire or reward by means of public commercial vehicles;

"Transport by rail."

(u) "transport by rail" means the transport of goods or passengers by a company to which the *Railway Act* applies;

"Transport by water."

(v) "transport by water" means the transport of goods or passengers for hire or reward by means of ships, required to be licensed under this Act.

This Act to be read with R.S. 1927, c. 170.

(2) Unless it is otherwise provided or the context otherwise requires, expressions contained in this Act shall have the same meaning as in the *Railway Act* and this Act shall be read and construed as one with that Act, but shall have full force and effect notwithstanding anything contained in that Act.

PART I.

BOARD OF TRANSPORT COMMISSIONERS

"Board," in R.S. 1927, c. 170; R.S. 1927, c. 172; 1932-33, c. 33; 1936, c. 25; R.S. 1927, c. 79; 1906, c. 170.

3. The Board of Railway Commissioners for Canada shall hereafter be and be known as the Board of Transport Commissioners for Canada, and the expression "Board" wherever it occurs in this Act or in the *Railway Act*, the *Canadian National Railways Act, The Canadian National-Canadian Pacific Act, 1933, The Canadian National-Canadian Pacific Act, 1936*, the *Maritime Freight Rates Act* or the *Toronto Terminals Railway Company Act* shall mean the Board of Transport Commissioners for Canada and the

expression "Board of Transport Commissioners for Canada" shall be substituted for the expression "Board of Railway Commissioners for Canada" wherever that expression occurs in the *Railway Act* or in any other Act.

PART II.

TRANSPORT BY WATER.

Application of *Railway Act*, R.S. 1927, c. 170.

4. The provisions of the *Railway Act* relating to tolls and tariffs and joint tariffs and the making of returns and the filing of statistics and the powers of the Board with respect to tolls and tariffs and for the enforcement of the orders of the Board and for the review of, and appeals from, such orders shall, subject to the provisions of this Part, extend and apply to transport by water and to every person engaged in such transport and to every trader and the aforesaid provisions shall, *mutatis mutandis*, be read as if enacted in this Part, and any trader or any person engaged, in transport by water contravening or failing to comply with any such provision shall be guilty of an offence and liable on summary conviction to a fine not exceeding one thousand dollars.

Minister may license ships.

5. The Minister may, subject to the provisions of this section, license ships to transport passengers and/or goods from a port or place in Canada to another port or place in Canada.

Who may obtain licence.

(2) The licence shall be issued in the name of the owner, lessee or other person entitled to engage in transport by water by means of such ship.

One or more ships.

(3) The licence may apply to one or more ships.

Indication of ports and services.

(4) The Minister may in the licence state the ports between which the ship or ships named therein may carry goods or passengers and the schedule of services which shall be maintained.

Certificate by Board.

(5) The Minister shall issue a licence upon a certificate being issued by the Board in respect of a ship built, building or about to be built, that the proposed service is and will be required by the present and future public convenience and necessity and in the absence of such a certificate no licence shall be issued.

Licence, prohibited.

(6) No licence shall be issued in the case of a ship, other than a British ship, hereafter imported into Canada which was constructed more than ten years before such importation.

Transport prohibited.

6. No goods or passengers shall be transported by water, from one port or place in Canada to another port or place in Canada, either directly or by way of a foreign port or for

any part of the transport, by means of any ship other than a ship licensed under this Part.

Fines for infractions.

(2) If any goods or passengers are transported contrary to the provisions of this Part or otherwise than in accordance with the terms of the licence of the ship, the owner or other person operating the ship shall be liable upon summary conviction to a fine in respect of goods so transported not exceeding fifty cents per ton gross tonnage of the ship or five hundred dollars, whichever is the greater, and a fine in respect of passengers so transported not exceeding two hundred dollars for each passenger or five hundred dollars, whichever is the greater.

Detention of ships.

(3) The Collector of Customs at any port or place in Canada may, if he believes that any ship to which this Part applies is transporting, or after the coming into force of this Part has transported, passengers and/or goods without a licence, in contravention of this Part, may detain the ship pending the disposition of any complaint or charge and the payment of any fine imposed in respect of such offence.

R.S. 1927, c. 170. Suspension or cancellation of licence.

(4) If any licensee is convicted of an offence under this Act or under the *Railway Act*, or if the Board is satisfied that a ship is operated otherwise than in accordance with the terms of a licence applicable thereto, the Board may suspend or cancel the licence of such licensee in respect of one or all of the ships licensed.

Reasonable or just tariff.

7. The Board in determining whether a tariff of tolls is reasonable or just shall take into consideration *inter alia* the capacity and speed of the licensed ship, the loading and unloading facilities at all ports, and whether or not a regular schedule of services is maintained by the licensed ship.

When this Part comes into force.

8. This Part shall not come into force on, or in respect of, any sea or inland water of Canada until proclaimed by the Governor in Council to be in force on, or in respect of, such sea or inland water.

Exemption.

(2) The Governor in Council may by regulation exempt any ship or class of ships from the operation of this Part.

Extension of application of this Part.

(3) The Governor in Council may on the recommendation of the Board by proclamation extend the application of this Part to transport by means of ships registered in Canada over any sea or inland water on or in respect of which this Part is in force between ports or places in Canada and ports or places outside of Canada.

Repeal of ss. 3, 4 and 5 of R.S. 1927, c. 208.

(4) Upon the coming into force of this Part on or in respect of any inland water of Canada to which the *Inland Water Freight Rates Act* applies, sections three, four and five of that Act shall, during such time as, and in any place wherein, this Part is in force be deemed to be repealed.

Coastwise transport.

(5) The provisions of this Part shall not apply in the case of ships engaged in the transport of goods or passengers between ports or places in British Columbia, Hudson Bay, Nova Scotia, New Brunswick, Prince Edward Island and the Gulf or river St. Lawrence east of Father Point, or between any of such ports or places and ports or places outside of Canada.

PART III.

TRANSPORT BY AIR.

Application of *Railway Act*, R.S. 1927, c. 170.

9. The provisions of the *Railway Act* relating to tolls and tariffs and joint tariffs and the making of returns and the filing of statistics and the powers of the Board with respect to tolls and tariffs, and for the enforcement of the orders of the Board, and for the review of, and appeals from such orders, shall, subject to the provisions of this Part, extend and apply to transport by air and to every person engaged in such transport and to every trader, and the aforesaid provisions shall, *mutatis mutandis*, be read as if enacted in this Part, and any trader or any person engaged in transport by air contravening or failing to comply with any such provision shall be guilty of an offence and liable on summary conviction to a fine not exceeding one thousand dollars.

Minister may license aircraft.

10. The Minister may, subject to the provisions of this section, license aircraft to transport passengers and/or goods between points or places in Canada or between points or places in Canada and points or places outside of Canada.

Who may obtain licence.

(2) The licence shall be issued in the name of the owner, lessee or other person entitled to engage in transport by air by means of such aircraft.

One or more aircraft.

(3) The licence may apply to one or more aircraft.

Indication of routes and services.

(4) The Minister may in the licence prescribe the route or routes which the aircraft named therein may follow and the schedule of services which shall be maintained.

Certificate of Board.

(5) The Minister shall not issue a licence without being first satisfied by certificate issued by the Board that the proposed service is and will be required by the present and future public convenience and necessity.

Limitation of scope of Sec. 5.

(6) The provisions of subsection five shall apply only to—

(a) interurban air services, and

(b) cases where the Board reports to the Minister, as, upon being satisfied as to the facts, it may, that within a particular stated area, or between particular stated points or places a reasonably regular air service has been established and is being maintained, to which service in the opinion of the Board, all the provisions of this Part may fittingly be applied.

Transport prohibited.

11. No goods or passengers shall be transported by air in Canada by means of any aircraft other than an aircraft licensed under this Part.

Fine and forfeiture for infractions.

(2) If any goods or passengers are transported contrary to the provisions of this Part or otherwise than in accordance with the terms of the licence of the aircraft, the owner or other person operating the aircraft shall be liable upon summary conviction to a fine not exceeding five hundred dollars and not less than two hundred dollars.

R.S. 1927, c. 170.

Suspension or cancellation of licence.

(3) If any licensee is convicted of an offence under this Act or under the *Railway Act*, or if the Board is satisfied that an aircraft is operated otherwise than in accordance with the terms of a licence applicable thereto, the Board may suspend or cancel the licence of such licensee in respect of one or all of the aircraft licensed.

When this Part comes into force.

12. This Part shall not come into force in, or in respect of, any part of Canada until proclaimed by the Governor in Council to be in force in, or in respect of, such specified part of Canada.

Exemption.

(2) The Governor in Council may by regulation exempt any aircraft or class of aircraft from the operation of this Part.

PART IV.

TRANSPORT BY HIGHWAY.

Application of *Railway Act*, R.S. 1927, c. 170.

13. The provisions of the *Railway Act* relating to tolls and tariffs and the making of returns and the filing of statistics and the powers of the Board with respect to tolls and tariffs and for the enforcement of the orders of the Board and for the review of, and appeal from such orders shall, subject to the provisions of this Part, extend and apply to transport by highway and to every person engaged in such transport and to every trader and the aforesaid provisions shall, *mutatis mutandis*, be read as if enacted in this Part and any trader or any person engaged in transport by highway contravening or failing to comply with any such provision shall be guilty of an offence and liable on summary conviction to a fine not exceeding one thousand dollars.

Minister may license commercial vehicles.

14. The Minister may, subject to the provisions of this section, licence public or private commercial vehicles to transport or to carry, as the case may be, goods and/or passengers in interprovincial or foreign trade, or upon a Dominion highway.

Who may obtain licence.

(2) The licence shall be issued in the name of the owner, lessee or other person entitled to engage in transport by highway by means of such public or private commercial vehicle.

One or more vehicles.

(3) The licence may apply to one or more vehicles.

Indication of routes and services.

(4) The Minister may, in any licence relating to a public commercial vehicle or vehicles, prescribe—

(a) the schedule of services which shall be thereby maintained, and

(b) the route or routes which, subject to the laws of any province affected, shall be thereby followed.

Satisfaction of Minister.

(5) The Minister shall not issue a licence in the case of a public commercial vehicle without first being satisfied by certificate issued by the Board that the proposed service is and will be required by the present and future public convenience and necessity, nor shall the Minister issue a licence in respect of any public or private commercial vehicle the licensed route whereof runs, in whole or in part, over any part of any Dominion highway, unless the Board has certified that the vehicle conforms to such standards of design and operating efficiency as the Board deems necessary for like vehicles travelling on the Dominion highway concerned, and it shall be a condition of every such last mentioned licence that the licensed vehicle shall be maintained in a fit and serviceable state, and the Board may at any time suspend or cancel such licence if the licensee fails or omits, on demand, to satisfy the Board that the vehicle is being so maintained.

Board may make regulations.

15. The Board may, with the approval of the Governor in Council, make regulations—

(a) for executing all or any of the purposes of the next preceding section;

(b) prescribing the procedure and basis upon which renewal of any licence under this Part may be granted; and

(c) generally, looking to the proper administration of this Part.

Prohibition of transport.

16. No goods or passengers shall be transported by means of a public or private commercial vehicle upon a Dominion highway or in interprovincial or foreign trade unless the vehicle is licensed under this Part.

Fines for infractions.

(2) If any goods or passengers are transported contrary to the provisions of this Part or otherwise than in accordance with the terms of the licence of the vehicle, the person transporting such goods or passengers shall be liable upon summary conviction to a fine not exceeding five hundred dollars.

Suspension or cancellation of licences.

R.S. 1927, c. 170.

(3) If any licensee is convicted of an offence under this Act or under the *Railway Act*, or if the Board is satisfied that a public commercial vehicle is operated otherwise than

in accordance with the terms of a licence applicable thereto, the Board may suspend or cancel the licence of such licensee in respect of one or all of the motor vehicles licensed.

When this Part comes into force.

17. The provisions of this Part and also any other provisions of this Act in so far as they relate to transport by highway shall not come into force in any province until proclaimed by the Governor in Council to be in force in such province and thereafter shall apply in any such province only to the transport of goods and passengers on Dominion highways and in interprovincial and foreign trade on other highways to which the said provisions are made applicable by proclamation of the Governor in Council.

Exemption.

(2) The Governor in Council may by regulation exempt any vehicle or class of vehicles from the operation of this Part.

Board may act as agent of a province.

18. In any case where a provincial legislature has enacted legislation for the regulation of the transport of goods or passengers by public or private commercial vehicles, the Board may if so authorized by provincial law undertake the administration or enforcement of such scheme of regulation if the Board considers that such scheme can be co-ordinated with the regulation of interprovincial and foreign trade and transport upon any Dominion highway provided for in this Part.

PART V.

HARBOUR TOLLS.

Power to make inquiries into harbour tolls.

19. The Board shall when requested by the Minister make inquiry, and at the conclusion thereof report in writing to him, in respect of any harbour toll as to whether such harbour toll is just and reasonable under all the circumstances, and without restricting the generality of the foregoing the Board shall in the conduct of such inquiry have regard, *inter alia* to—

(a) the service, privilege, advantage or benefit enjoyed or provided in respect of which the harbour toll is charged;

(b) the cost of providing, operating and maintaining the facilities and services of the harbour including, without restricting the generality of the foregoing, interest on capital investment and depreciation;

(c) comparable tolls and charges payable at any harbour in Canada or elsewhere than in Canada;

(d) whether such harbour toll is under substantially similar circumstances and conditions charged equally to all persons;

(e) the effect of such harbour toll upon the movement of ships, goods or passengers, as the case may be, through the harbour and upon the movement of trade generally.

Report to Minister.

(2) The Board shall with its report transmit to the Minister a copy of the evidence taken by the Board in the course of its inquiry.

Recommendation to Minister.

20. If the Board, after inquiry as hereinbefore provided is of opinion that any harbour tolls should be amended or rescinded or other harbour tolls substituted therefor, it shall be the duty of the Board to forward with its report a recommendation to the Minister for such action as he deems fit.

When this Part comes into force.

21. This Part shall not come into force until proclaimed as in force by the Governor in Council.

PART VI.

AGREED CHARGES.

Agreed charges approved by Board.

R.S. 1927, c. 170.

22. Notwithstanding anything in the *Railway Act*, or in this Act or in any other statute, a carrier may make such charge or charges for the transport of the goods of any trader or for the transport of any part of his goods as may be agreed between the carrier and that trader: Provided that any such agreed charge shall require the approval of the Board, and the Board shall not approve such charge if, in its opinion, the object to be secured by the making of the agreement can, having regard to all the circumstances, adequately be secured by means of a special or competitive tariff of tolls under the *Railway Act*.

Particulars to be lodged.

(2) Particulars of an agreed charge shall be lodged with the Board within seven days after the date of the agreement, and notice of an application to the Board for its approval of the agreed charge shall be given in such manner as the Board may direct.

Powers of Board.

(3) The Board may approve an agreed charge either for such period as it thinks fit or without restriction of time, and the date on which the charge shall become operative, or as from which it shall be deemed to have become operative, shall be such date, not being earlier than the date

on which application for approval was lodged, as may be fixed by the Board.

Intervention by traders.

(4) On an application to the Board for the approval of an agreed charge:—

(a) any trader who considers that his business will be unjustly discriminated against if the agreed charge is approved and is made by the carrier, or that his business has been unjustly discriminated against as a result of the making of the charge by virtue of a previous approval;

(b) subject to the provisions of the next succeeding section, any representative body of traders, and

(c) any carrier of the same class,

shall, after giving such notice of objection as may be prescribed by the Board, be entitled to be heard in opposition to the application.

Discrimination against traders.

(5) Any trader who considers that his business will be unjustly discriminated against if an agreed charge is approved and is made by the carrier, or that his business has been unjustly discriminated against as a result of the making of an agreed charge, may at any time apply to the Board for a charge to be fixed for the transport of his goods (being the same goods as or similar goods to any goods to which the agreed charge relates) by the carrier with which he contracts for the transport of such goods, whether the same carrier by which the agreed charge is proposed to be made or is being made, or another carrier of the same class; and, if the Board is satisfied that the business of the trader will be or has been so unjustly discriminated against, it may fix a charge (including the conditions to be attached thereto) to be made by the carrier (being engaged in the same class of transport, being transport by rail, highway, water or air, as the case may be), with which he contracts for the transport of such goods as the Board may determine.

Period of charge.

(6) The Board, in fixing a charge, may fix it either for such period as it thinks fit or without restriction of time, and may appoint the date on which it is to come into operation, but no such charge shall be fixed for a period in excess of that for which the agreed charge complained of by the trader has been approved.

Procedure.

(7) An application under this section may, if it be convenient, be combined with an objection by the trader to the application for the approval of the agreed charge of which he complains.

Withdrawal of approval by Board.

(8) Where the Board has approved an agreed charge without restriction of time:—

(a) any trader who considers that his business has been unjustly discriminated against as a result of the making of the agreed charge,

(b) subject to the provisions of the next succeeding section, any representative body of traders, and

(c) any carrier of the same class,

may, at any time after the expiration of one year from the date of the approval, apply to the Board for the withdrawal of its approval of the agreed charge and, upon any such application, the Board may withdraw, or refuse to withdraw, its approval, or may continue its approval subject to such modifications being made in the charge as it thinks proper and as the carrier and the trader to whose goods the charge is applicable are prepared to agree to:

Proviso.

Provided that, where the Board has fixed a charge in favour of a trader complaining of an agreed charge the trader shall not be entitled to make an application under this subsection in respect of that agreed charge in so far as it relates to goods which are the same as or similar to any goods to which the charge so fixed relates.

Cessation of charge.

(9) Where under this section the Board withdraws its approval of an agreed charge or continues its approval of an agreed charge subject to modifications, any charges fixed under subsection five of this section in favour of a trader complaining of that agreed charge shall cease to operate, or shall be subject to such corresponding modifications as the Board may determine.

Deemed approval.

(10) For the purposes of applications under this section a decision of the Board continuing its approval of a charge subject to agreed modifications shall be deemed to be the approval of an agreed charge.

Duty of Board.

(11) On any application under this section, the Board shall have regard to all considerations which appear to it to be relevant and, in particular, to the effect which the making of the agreed charge or the fixing of a charge is likely to have, or has had, on—

(a) the net revenue of the carrier; and

(b) the business of any trader by whom, or in whose interests, objection is made to approval being given to an agreed charge, or application is made for approval to be withdrawn.

Definition of "representative body of traders".

23. For the purposes of the provisions of the last preceding section which relate to applications and objections to applications, the expression "a representative body of traders" means an association or body of persons which satisfies the Board that it represents a substantial number of traders interested in or likely to be affected by the decision on the application.

Maritime Freight Rate Acts.

24. Nothing in this Part contained shall affect any right or obligation, granted or imposed, by the *Maritime Freight Rates Act*.

When this Part comes into force.

25. This Part shall not come into force until proclaimed as in force by the Governor in Council.

PART VII.

GENERAL.

R.S. 1927, c. 170. Sittings and business of Board.

26. The provisions of the *Railway Act* relating to sittings of the Board and the disposal of business, the summoning of witnesses and the taking of evidence and to practice and procedure shall be applicable in the case of every inquiry, complaint, application or other proceedings under this Act, and the Board shall exercise and enjoy the same jurisdiction and authority in the case of such proceedings as are vested in the Board by the *Railway Act*.

Duty of Board re licences.

27. The Board may, in determining in connection with any application for a licence whether public convenience and necessity exists, take into consideration, *inter alia*,—

(a) any objection to the application which may be made by any person or persons who are already providing transport facilities, whether by rail, by water, by air or by highway, on the routes or between the places in which the applicant intends to serve on the ground that suitable facilities are or, if the licence were issued, would be, in excess of requirements or on the ground that any of the conditions of any other transport licence held by the applicant have not been complied with;

(b) whether or not the issue of such licence would tend to develop the complementary rather than the competitive functions of the different forms of transport, if any, involved in such objections;

(c) the general effect on the transport services in, and the costs to, the community involved in the issue of such licence;

(d) the quality and permanence of the service to be offered by the applicant for the licence and his financial responsibility, including adequate provision for the protection of passengers, shippers and the general public by means of insurance.

Duty of Board concerning ships and vehicles already engaged in transport.

(2) If evidence is offered to prove,

(a) that during the period of twelve months next preceding the coming into force of the relevant Part of this Act on, in or in respect of the sea or inland waters of Canada, or the part of Canada, or the highway to which the application for a licence relates, the applicant was *bona fide* engaged in the business of transport, and

(b) that the applicant was during such period using ships, aircraft or motor vehicles as the case may be (hereinafter referred to in this section as "vehicles") for the purpose of such business, and

(c) the extent of the user of such vehicles including the capacity of the same to transport and the services maintained or performed by means thereof,

the Board shall, if satisfied with such proof, accept the same as evidence of public convenience and necessity to the extent of the user so proved and issue its certificate accordingly: Provided, however, that a ship temporarily out of service during the period of twelve months aforesaid shall nevertheless be deemed to have been in use during such period.

Term of licences.

28. Every licence issued under this Act shall, subject to the provisions of this Act, be for one year or for such other period as the Board with the approval of the Governor in Council may determine, and a fee shall be payable therefor according to a tariff of fees to be fixed by the Board with the approval of the Governor in Council.

Destination of licence fees.

(2) The licence fee shall be paid to the Receiver General of Canada for the use of His Majesty.

Destination of fines.

29. Every fine imposed under this Act or under any regulation shall be paid over to the Receiver General of Canada for the use of His Majesty.

Liability of officers or directors of corporation.

30. If any corporation is guilty of a breach of any provision of this Act for which a fine is provided to be imposed on such corporation, every officer or director of such corporation who has been party or privy to such breach also shall be liable on summary conviction to a fine not exceeding one thousand dollars.

Limitation of proceedings.

31. No proceeding for any penalty for any breach of the provisions of this Act or of any regulation made or licence granted thereunder shall be commenced except within twelve months from the date of the breach complained of.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL C.

An Act respecting Central Finance Corporation and to change its name to "Household Finance Corporation."

Read a first time, Wednesday, 10th February, 1937.

Honourable Senator LITTLE.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
32651 1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL C.

An Act respecting Central Finance Corporation and to change its name to "Household Finance Corporation."

1928, c. 77.
1929, c. 94.

Preamble.

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

Change of name.

1. Section one of chapter seventy-seven of the statutes of 1928 is amended by striking out from the seventh line thereof the words "Central Finance Corporation" and substituting therefor the words "Household Finance Corporation" (which in the French language may be designated as "La Corporation de Finance du Ménage.")

Capital Stock.

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

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

3. Section five of the said Act as amended by sections one and two of chapter ninety-four of the statutes of 1929 is repealed and the following is substituted therefor:—

Objects.

Loans on certain securities prohibited.

"**5.** The Company may lend money, in sums not exceeding in amount five hundred dollars, with or without security: Provided that the Company shall not lend money on the security of stocks, bonds and debentures or on the security of any mortgage, charge or lien upon real estate or any interest in real estate, nor lend money on the security of nor give any consideration for any sale, assignment, transfer, cession or order for payment of or any promise to sell or to give any assignment, transfer, cession or order for payment of wages, salary, commissions or other compensation for services whether earned or to be earned."

Explanatory Notes.

The primary purpose of this Bill is to restate the provisions relating to the maximum interest, fees and disbursements which the Company may charge so as to change the charge from a complicated combination of discounted interest, fees and disbursements, all of which are deducted in advance, to a simple, all-inclusive charge of a percentage of the loan balances from time to time remaining unpaid.

The Company also desires to change its name, increase its capital and place its operations under additional restrictions in the hope that Parliament will consider it to be in the public interest that the powers of all Personal Finance Companies should be similarly restricted.

1. The reason for this amendment is that the Company, though originally incorporated in 1928 and still locally managed and staffed by Canadians, was acquired in January 1933 by and is now virtually a wholly owned subsidiary of Household Finance Corporation, incorporated under the laws of the State of Delaware.

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

"**3.** The capital stock of the Company shall be five hundred thousand dollars divided into shares of one hundred dollars each."

The whole of the authorized capital, except Directors' qualifying shares, is owned by Household Finance Corporation and is fully employed in the business. The Company is at the present time operating to a very large extent on money borrowed from the parent company and the parent company is willing to take additional capital stock in payment of the Company's present indebtedness and to acquire further stock from time to time.

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

"**5.** (1) The Company may,

(a) Buy, sell, deal in and lend money on the security of conditional sales agreements, lien notes, hire purchase agreements, chattel mortgages, trade paper, bills of lading, warehouse receipts, bills of exchange and choses-in-action; and may receive and accept from the vendors or transferors thereof guarantees for the performance and payment thereof and may enforce such guarantees;

(b) Notwithstanding anything contained in the *Interest Act*, or in the *Money Lenders Act*, or in paragraph *(c)* of section sixty-three of the *Loan Companies Act;*

(i) lend money secured by assignment of choses-in-action, chattel mortgages or such other evidence of indebtedness as the Company may require, and may charge interest thereon at the rate of not more than seven per centum per annum and may deduct such interest in advance and provide for repayment in weekly, monthly or other uniform repayments: Provided that the borrower shall have the right to repay the loan at any time before the due date, and, on such repayment being made, to receive a refund of such portion of the interest paid in advance as has not been earned, except a sum equal to the interest for three months;

(ii) charge, in addition to interest as aforesaid, for all expenses which have been necessarily and in good faith incurred by the Company in making a loan authorized by the next preceding sub-paragraph (i), including all expenses for inquiry and investigation into character and circumstances of the borrower, his co-maker or surety, for taxes, correspondence and professional advice and for all necessary documents and papers, two per centum upon the principal sum loaned;

(iii) notwithstanding anything in the next two preceding sub-paragraphs (i) and (ii) the Company shall, when a loan authorized by the said sub-paragraph (i) has been made on the security of a chattel mortgage, be entitled to charge an additional sum equal to the legal and other actual expenses disbursed by the Company in connection with such loan but not exceeding the sum of ten dollars;

but no charge for expenses of any kind shall be made or collected unless the loan has been actually made, or unless such a loan has been renewed after one year from the making thereof or after one year from the last previous renewal thereof.

(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;

(d) do all or any of the above things and all things authorized by this Act as principals, agents, contractors, trustees or otherwise and either alone or in conjunction with others;

(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 in this Act contained shall authorize the Company to issue bonds, debentures or other securities for moneys borrowed, or to accept deposits.

(2) Any officer or director of the Company who does, causes or permits to be done, anything contrary to the provisions of this section shall be liable for each such offence to a penalty of not less than twenty dollars and not more than five thousand dollars in the discretion of the Court before which such penalty is recoverable, and any such penalty shall be recoverable and disposed of in the manner prescribed by section ninety-eight of the *Loan Companies Act*."

The new section five does not enlarge the powers of the Company, but imposes the following restrictions on its operations:—

(a) Power to buy, sell and deal in conditional sales agreements, lien notes, etc., etc. Old section 5 (1) *(a)* eliminated. The Personal Finance business should be distinguished from the business of financing trade paper or the purchase of new goods.

(b) Power to retain three months' interest when loan paid in advance. Old section 5 (1) *(b)* (i) eliminated. This is in conformity with the settled policy of this Company to encourage borrowers to get out of debt.

(c) The maximum loan now fixed at five hundred dollars. No maximum fixed in present Act.

(d) Power to lend money on stocks, bonds, debentures and real estate eliminated. See old section 5 (1) *(c)*, This Company considers that loans on these types of security do not justify the high rates required for chattel loans.

(e) Wage assignments prohibited. It is considered that the lending of money on the security of an assignment of wages or the so-called purchasing of wages works great hardship upon borrowers and should not be permitted.

4. The said Act is amended by adding thereto as sections six to eleven inclusive the following:—

Rate of charge.

"**6.** (1) Notwithstanding anything in the *Interest Act*, in the *Loan Companies Act* or in the *Money Lenders Act* contained, the Company may charge, contract for and receive on any such loan, charges including interest—

On endorsed loans.

(a) on loans made in whole or in part upon the security of co-makers, endorsers, sureties or guarantors other than one only of the following, the wife, husband, brother, sister or child of the borrower, at a rate not exceeding one and one half per centum per month on the unpaid principal balance owing by the borrower.

On other loans.

(b) on loans made without security or secured in any manner permitted by this Act other than the manner described in the next preceding subparagraph *(a)* of this section, at a rate not exceeding two and one quarter per centum per month on the unpaid principal balances owing by the borrower.

No such charges or any part thereof shall be paid, deducted or received in advance or compounded and all such charges shall be computed and paid only on unpaid principal balances on the basis of the number of days such balances remain unpaid and for the purpose of such computations a month shall be any period of thirty consecutive days.

Prepayment.

(2) The Company shall expressly permit the borrower to repay the loan or any part thereof at any time before its due date, without notice or bonus, but the Company may apply such payment first to all charges in full at the agreed rate up to the date of such payment.

No further charges.

(3) In addition to the charges herein provided for, no further or other charge or amount whatsoever for any examination, service, brokerage, commission, expense, fee or bonus or other thing or otherwise shall be directly or indirectly charged, contracted for or received. If any interest, consideration or charges in excess of those permitted by this Act are charged, contracted for or received directly or indirectly and whether by means of affiliated companies, collateral agreement or otherwise howsoever, the contract of loan shall be void, and the Company shall have no right to collect or receive because thereof any principal, interest or charges whatsoever.

Collateral agreements prohibited.

(4) No charge of any nature or kind whatsoever shall be made or collected unless a loan has been actually made."

Terms of loan to be stated.

"**7.** (1) The Company shall, at the time any loan is made deliver to the borrower a statement showing in clear and distinct terms in form satisfactory to the Superintendent of Insurance that the Company is under the supervision of the Dominion Superintendent of Insurance, the amount and date of the loan and of its maturity, the nature of the security, if any, for the loan, the name and address

4. 6. (1) The language of the present section 5 (1) *(b)* (i), (ii) and (iii), which controls the charges which borrowers can be required to pay, is capable of more than one interpretation and in addition results in a charge made up of three different factors so that it is difficult for a borrower to calculate in terms of a percentage per month or per annum what he is paying for his loan. The new section tells the borrower the whole truth so that he may know before he borrows exactly what he will pay for his loan and may be impressed with the importance of getting it paid off; no charges are deducted in advance and if he pays the loan or any part thereof before maturity, the charges are based only on the actual balance of principal from time to time outstanding and for the exact number of days such balance has remained unpaid. The maxiumm rate of charge provided in the Bill is lower than the present maximum and constitutes a reduction in rate on the majority of loans made. Based on 1935 operations, it represents a reduction in gross revenue from 2·38% per month to what will be less than 2.25% per month because of the impracticability of collecting 100% of the interest charged. Two rates are suggested because the ordinary endorsed loan business costs less to operate than a chattel loan business. The Personal Loan Department of the Canadian Bank of Commerce is at present doing an endorsed loan business at an effective rate of slightly over 1 per centum per month.

6. (2) Old section 5 (1) *(b)* (i) merely permits the borrower to repay the whole loan and as stated above in such event the lender has the right to retain three months' interest. The new section is intended as an inducement to borrowers to get out of debt quickly. The present provision increases the cost of the loan to many borrowers more than is at first apparent. The present rebate provision, further complicates the calculation of the real cost of the loan to the borrower.

6. (3) This is intended to make it clear that the charge permitted by this Act is the only one which the borrower can be required to pay. Experience shows that various types of collateral agreements have been used to enable the lender to collect extra consideration.

6. (4) This re-enacts the effect of the last four and one half lines of old section 5 (1) *(b)*.

7. (1) There is no similar obligation under the present Act. The true cost of the loan should be stated so that the borrower may be shocked into doing his utmost to get out of debt.

of the Company and borrower respectively and the agreed rate of charge together with a copy of section six of this Act.

Cancellation of documents on payment.

(2) Upon repayment of the loan in full by the borrower the Company shall mark indelibly every obligation and security signed by the borrower with the word "paid" or "cancelled" or if in the French language with the word "payé" or "annulé", and release any mortgage, restore any pledge, cancel or return any note, and cancel or return any assignment given to the Company by the borrower.

Receipts for payments.

(3) The Company shall give to the borrower at the Company's office a plain and complete receipt for all payments made on account of any such loan, specifying severally the amounts applied to interest and/or principal, as the case may be, and stating the remaining unpaid principal amount of the loan, if any."

Advertising.

"**8.** (1) The Company shall not advertise, print, display, publish, distribute or broadcast or cause or permit to be advertised, printed, displayed, published, distributed or broadcast in any manner whatsoever any statement or representation with regard to the rates, terms or conditions for the lending of money, which is false, misleading or deceptive. The Superintendent of Insurance may order the Company to desist from any conduct which is in violation of the foregoing provisions and may require that rates of charge, if stated, shall be stated fully and clearly to prevent misunderstanding thereof by prospective borrowers.

Other business in same office.

(2) The Company shall not conduct the business of making loans under this Act within any office, room or place of business in which any other business is solicited or engaged in, or in association or conjunction therewith, except as may be authorized in writing by the Superintendent of Insurance upon his finding that the character of such other business is such that the granting of such authority would not facilitate evasions of this Act.

Actual amount of loan and charge to be stated.

(3) The Company shall not take any note or promise to pay that does not accurately disclose tha actual amount of the loan, the time for which it is made and the agreed rate of charge, nor any instrument in which blanks are left to be filled in after execution."

Borrowing powers of the Company.

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

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

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

(c) hypothecate, mortgage or pledge the real or personal property of the Company, or both, to secure the payment of any money borrowed for the purposes of the Company;

7. (2) There is no obligation to give the borrower any evidence that his loan has been paid under the present Act.

7. (3) There is no such obligation under the present Act.

8. (1) This provision is new.

8. (2) There is no similar restriction under the present Act. If more than one business is conducted in the same office evasions are facilitated, the difficulties of supervision increased and statistical comparisons, upon which many recommendations of the Superintendent of Insurance must be based, are made impossible.

8. (3) Additional protection for the borrower. No similar restriction under the present Act.

9. (1), (2) and (3). This re-enacts present section 5 (1) *(e)* without any change except the number of the section.

Bills of Exchange, etc.

(2) Nothing in this Act 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 or on behalf of the Company.

(3) Nothing in this Act contained shall authorize the Company to issue bonds, debentures or other securities for moneys borrowed, or to accept deposits."

Fine.

"**10.** (1) If the Company shall wilfully or by an established method of business violate or fail to obesrve any provision contained in sections five and six of this Act, it shall be guilty of an indictable offence and liable to a fine not exceeding five thousand dollars and not less than one hundred dollars.

Fines.

(2) If any officer or director of the Company shall do, cause or permit anything contrary to any provision contained in sections five and six of this Act, other than an accidental slip, error or omission, he shall be guilty of an offence against this Act and liable for each such offence to a fine not exceeding five thousand dollars and not less than twenty dollars."

Dissolution and winding-up.

"**11.** If the Company shall, in respect of any transaction of loan, wilfully or by an established method of business, directly or indirectly charge, impose upon or demand or receive from or through any borrower any charge whether or not including any interest or rate of interest in excess of the amount or rate authorized by this Act, the Company shall, in addition to its liability to any other penalty or to any other consequence, otherwise provided, be liable to be wound up and to be dissolved if the Attorney General of Canada, upon receipt of a certificate of the Superintendent of Insurance setting forth his opinion that the Company has so charged, imposed, demanded or received, applies to a court of competent jurisdiction for an order that the Company be wound up under the provisions of the *Winding-Up Act*, which provisions shall in such case apply to the Company, as nearly as may be, as if it were an insolvent insurance company."

5. Section six of the said Act is repealed and the following is substituted therefor and numbered section twelve:—

Application of Loan Companies Act.

"**12.** The *Loan Companies Act*, except section three, subsections four and five; section twenty-one, subsection two; sections sixty-one and sixty-two; section sixty-three, parts *(b)* and *(c)*; sections sixty-four to sixty-eight inclusive; sections seventy-two to seventy-four inclusive; section eighty-two, subsection two; section eighty-eight; shall apply to the Company."

S. 3, c. 94, 1929, repealed.

6. Section three of chapter ninety-four of the statutes of 1929 is repealed.

10. (1) There is no such provision under the Present Act.

10. (2) This is similar to old section 5 (2).

11. There is no similar provision under the present Act.

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

"**6.** 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."

The additional sections of the Loan Companies Act which are not to apply to the Company are as follows:—3 (4) and (5); 21 (2); 61, except subsections (1) *(f)* and (2) *(c)*; 62, except subsection (3); 63 *(b)* and *(c)*; 68; 72; 73; 74. This Company is not asking for the right to accept deposits or to issue bonds or debentures and therefore the operations to be supervised by the Superintendent of Insurance should be only those which affect borrowers. Any unnecessary supervision increases the operating costs which in the long run must be paid by the borrower. There is no object in restricting the manner in which the funds of the Company can be invested as there are no depositors, bondholders or debenture holders to be protected. The additional sections of the Loan Companies Act have been inserted having this argument in mind. Section 82 (1) of the Loan Companies Act referring to the creating of a reserve fund, has been made applicable to this Company.

6. The section to be repealed reads as follows:—

"**3.** If any person with whom the Company is transacting any business authorized by the Acts relating to the Company lawfully constitutes the Company his agent or attorney, in that transaction and on account of that person, for any of the purposes following, namely:—

(a) to sell or buy stocks, bonds or other securities; or

(b) to collect rents from real estate, payments whether of principal or interest on mortgages of real estate; or

(c) generally, to manage real estate;

the Company may act as such agent or attorney."

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL D.

An Act to incorporate Federal Fire Insurance Company of Canada.

Read a first time, Wednesday, 10th February, 1937.

Honourable Senator LITTLE.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

32185

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL D.

An Act to incorporate Federal Fire Insurance Company of Canada.

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. **1.** Herbert Begg, insurance director; William Robert Begg, manufacturers' agent; William Henry Buscombe, insurance executive; John Gordon Hutchinson, insurance executive, and George Alexander Gordon, insurance executive, all of the city of Toronto, in the province of Ontario, together with such persons as become shareholders of the Company, are hereby incorporated under the name of "Federal Fire Insurance Company of Canada" hereinafter called "the Company".

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

Capital stock. **3.** The capital stock of the Company shall be one million dollars divided into ten thousand shares of one hundred dollars each.

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

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

Classes of insurance authorized. **6.** The Company may undertake and transact and make contracts of insurance for all or any of the following classes of insurance:—

(*a*) accident insurance;
(*b*) automobile insurance;
(*c*) aviation insurance;
(*d*) bond insurance;
(*e*) burglary insurance;
(*f*) civil commotion insurance;
(*g*) credit insurance;
(*h*) earthquake insurance;
(*i*) explosion insurance;
(*j*) fire insurance;
(*k*) falling aircraft insurance;
(*l*) forgery insurance;
(*m*) guarantee insurance;
(*n*) hail insurance;
(*o*) inland transportation insurance;
(*p*) machinery insurance.
(*q*) personal property insurance;
(*r*) plate glass insurance;
(*s*) sickness insurance;
(*t*) sprinkler leakage insurance;
(*u*) steam boiler insurance;
(*v*) tornado insurance.

Subscriptions and payment of capital before commencing business.

7. (1) The Company shall not commence any business of insurance until at least five hundred thousand dollars of its capital stock have been *bona fide* subscribed and at least one hundred and twenty-five thousand dollars paid thereon. It may then transact the business of fire insurance, falling aircraft insurance, earthquake insurance, tornado insurance, sprinkler leakage insurance, limited or inherent explosion insurance, civil commotion insurance, burglary insurance and insurance against damage to property, other than growing crops, by hail.

Additional amounts for certain classes of business.

(2) The Company shall not commence the businesses of accident insurance and/or plate glass insurance in addition to the classes mentioned in subsection one of this section until the paid up capital or the paid up capital together with the surplus amounts to at least one hundred and seventy-five thousand dollars.

Ibid.

(3) The Company shall not commence any of the other classes of business authorized by section six of this Act until the paid up capital together with the surplus exceeds the said sum of one hundred and seventy-five thousand dollars by an amount or amounts depending upon the nature of the additional class or classes of business as follows, that is to say: For automobile insurance not less than twenty thousand dollars; for aviation insurance not less than twenty thousand dollars; for bond insurance not less than forty thousand dollars; for credit insurance not less than twenty thousand dollars; for forgery insurance not less than twenty thousand dollars; for guarantee insurance not

less than fifty thousand dollars; for hail insurance not less than fifty thousand dollars; for inland transportation insurance not less than ten thousand dollars; for machinery insurance not less than twenty thousand dollars; for personal property insurance not less than ten thousand dollars; for sickness insurance not less than ten thousand dollars; for steam boiler insurance not less than twenty thousand dollars: Provided that the Company may transact all or any of the classes of insurance business authorized by section six of this Act when the amount paid on its subscribed capital together with the surplus amounts to at least five hundred thousand dollars.

Periodic increase of paid up capital and surplus.

(4) The Company shall during the five years next after the date of its being registered for the transaction of fire insurance increase its paid up capital and surplus so that at the end of the first year it will be at least fifteen thousand dollars more than is required under the foregoing subsections of this section, and at the end of the second year at least thirty thousand dollars more than so required, and at the end of the third year at least forty-five thousand dollars more than so required, and at the end of the fourth year at least sixty thousand dollars more than so required, and at the end of the fifth year at least seventy-five thousand dollars more than so required.

"Surplus" defined.

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

Acquisition of provincial company.

8. (1) The Company may enter into an agreement with Federal Fire Insurance Company of Canada, a company incorporated under Letters Patent of the province of Ontario in the year 1922, hereinafter called "the provincial company" providing for the acquisition by the Company of the whole or any part of the rights and property of the provincial company and for the assumption by the Company of all the obligations and liabilities of the provincial company and in the event of such acquisition and assumption the Company shall perform and discharge all of the obligations and liabilities of the provincial company so assumed which at the time of such acquisition and assumption shall not have been performed and discharged by the provincial company.

Agreement to be approved.

(2) No agreement between the Company and the provincial company providing for such acquisition and assumption shall become effective until it has been submitted to and approved by the Treasury Board of Canada.

Notice of coming into force of this Act.

9. This Act shall come into force on a date to be specified by the Superintendent of Insurance in a notice in the

Canada Gazette. Such notice shall not be given until the Superintendent of Insurance has been satisfied by such evidence as he may require that the provisions of this Act have been approved by a resolution adopted by at least two-thirds of the votes of the shareholders of the provincial company present or represented by proxy at a meeting duly called for that purpose and that the provincial company has ceased to transact the business of insurance or will cease to transact such business forthwith upon a certificate of registry being issued to the Company.

Canadian and British Insurance Companies' Act, 1932, to apply.

10. *The Canadian and British Insurance Companies Act, 1932,* shall apply to the Company.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL E.

An Act to incorporate Wellington Fire Insurance Company.

Read a first time, Wednesday, 10th February, 1937.

Honourable Senator LITTLE.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

32189

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL E.

An Act to incorporate Wellington Fire Insurance 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.

1. Herbert Begg, insurance director; William Robert Begg, manufacturers' agent; William Henry Buscombe, insurance executive; John Gordon Hutchinson, insurance executive, and George Alexander Gordon, insurance executive, all of the city of Toronto, in the province of Ontario, together with such persons as become shareholders of the Company, are hereby incorporated under the name of "Wellington Fire Insurance 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 one million dollars divided into ten thousand shares of one hundred dollars each.

Subscriptions before general meeting.

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

Head office.

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

Classes of insurance authorized.

6. The Company may undertake and transact and make contracts of insurance for all or any of the following classes of insurance:—

(*a*) accident insurance;
(*b*) automobile insurance;
(*c*) aviation insurance;
(*d*) bond insurance;
(*e*) burglary insurance;
(*f*) civil commotion insurance;
(*g*) credit insurance;
(*h*) earthquake insurance;
(*i*) explosion insurance;
(*j*) fire insurance;
(*k*) falling aircraft insurance;
(*l*) forgery insurance;
(*m*) guarantee insurance;
(*n*) hail insurance;
(*o*) inland transportation insurance;
(*p*) machinery insurance;
(*q*) personal property insurance;
(*r*) plate glass insurance;
(*s*) sickness insurance;
(*t*) sprinkler leakage insurance;
(*u*) steam boiler insurance;
(*v*) tornado insurance.

Subscriptions and payment of capital before commencing business.

7. (1) The Company shall not commence any business of insurance until at least six hundred thousand dollars of its capital stock have been *bona fide* subscribed and at least one hundred and fifty thousand dollars paid thereon. It may then transact the business of fire insurance, falling aircraft insurance, earthquake insurance, tornado insurance, sprinkler leakage insurance, limited or inherent explosion insurance, civil commotion insurance, automobile insurance, and insurance against damage to property, other than growing crops, by hail.

Additional amounts for certain classes of business.

(2) The Company shall not commence any of the other classes of business authorized by section six of this Act until the paid up capital together with the surplus exceeds the said sum of one hundred and fifty thousand dollars by an amount or amounts depending upon the nature of the additional class or classes of business as follows, that is to say: For accident insurance not less than forty thousand dollars; for aviation insurance not less than twenty thousand dollars; for bond insurance not less than forty thousand dollars; for burglary insurance not less than twenty thousand dollars; for credit insurance not less than twenty thousand dollars; for forgery insurance not less than twenty thousand dollars; for guarantee insurance not less than fifty thousand dollars; for hail insurance not less than fifty thousand dollars; for inland transportation insurance not less than ten thousand dollars; for machinery insurance not less than twenty thousand dollars; for personal property insurance not less than ten thousand dollars; for plate glass insurance

not less than ten thousand dollars; for sickness insurance not less than ten thousand dollars; for steam boiler insurance not less than twenty thousand dollars: Provided that the Company may transact all or any of the classes of insurance business authorized by section six of this Act when the amount paid on its subscribed capital together with the surplus amounts to at least five hundred thousand dollars.

Periodic increase of paid up capital and surplus.

(3) The Company shall during the five years next after the date of its being registered for the transaction of fire insurance increase its paid up capital and surplus so that at the end of the first year it will be at least fifteen thousand dollars more than is required under the foregoing subsections of this section, and at the end of the second year at least thirty thousand dollars more than is required, and at the end of the third year at least forty-five thousand dollars more than so required, and at the end of the fourth year at least sixty thousand dollars more than so required, and at the end of the fifth year at least seventy-five thousand dollars more than so required.

"Surplus" defined.

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

Acquisition of provincial company.

8. (1) The Company may enter into an agreement with Wellington Fire Insurance Company, a company incorporated under Letters Patent of the province of Ontario in the year 1927, hereinafter called "the provincial company" providing for the acquisition by the Company of the whole or any part of the rights and property of the provincial company and for the assumption by the Company of all the obligations and liabilities of the provincial company and in the event of such acquisition and assumption the Company shall perform and discharge all of the obligations and liabilities of the provincial company so assumed which at the time of such acquisition and assumption shall not have been performed and discharged by the provincial company.

Agreement to be approved.

(2) No agreement between the Company and the provincial company providing for such acquisition and assumption shall become effective until it has been submitted to and approved by the Treasury Board of Canada.

Notice of coming into force of this Act.

9. This Act shall come into force on a date to be specified by the Superintendent of Insurance in a notice in the *Canada Gazette*. Such notice shall not be given until the Superintendent of Insurance has been satisfied by such evidence as he may require that the provisions of this Act have been approved by a resolution adopted by at least two-thirds of the votes of the shareholders of the provincial

company present or represented by proxy at a meeting duly called for that purpose and that the provincial company has ceased to transact the business of insurance or will cease to transact such business forthwith upon a certificate of registry being issued by the Company.

Canadian and British Insurance Companies' Act, 1932, to apply.

10. *The Canadian and British Insurance Companies Act, 1932*, shall apply to the Company.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL F.

An Act to incorporate Gore District Mutual Fire Insurance Company.

Read a first time, Wednesday, 10th February, 1937.

Honourable Senator LYNCH-STAUNTON.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

32011

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL F.

An Act to incorporate Gore District Mutual Fire Insurance Company.

Preamble.

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

Incorporation.

1. Alexander Rodgers Goldie, manufacturer; John Robertson Blake, police magistrate; John Noble MacKendrick, insurance manager; James Dempster Allan, retired merchant; Hugh Leslie McCulloch, manufacturer; William Wylie Wilkinson, retired merchant; William Philip, retired banker, all of the city of Galt in the province of Ontario; Charles Gordon Cockshutt, of the city of Brantford in the province of Ontario, manufacturer, and Frank Grenville Rolph, of the city of Toronto in the province of Ontario, lithographer, together with such persons as become policy holders on the mutual system in the Company, are incorporated under the name of "Gore District Mutual Fire Insurance Company", hereinafter called "the Company".

Corporate name.

Head office.

2. The head office of the Company shall be in the city of Galt in the province of Ontario.

Provisional directors.

3. The persons named in section one of this Act shall be the provisional directors of the Company, and shall remain in office until replaced by directors duly elected in their stead.

Classes of insurance authorized.

4. The Company may make contracts for any of the following classes of insurance upon either the cash premium or the mutual system:—

(a) fire insurance;

(b) accident insurance;

(c) automobile insurance;
(d) aviation insurance;
(e) bond insurance;
(f) burglary insurance;
(g) credit insurance;
(h) earthquake insurance;
(i) explosion insurance;
(j) falling aircraft insurance;
(k) guarantee insurance;
(l) hail insurance;
(m) inland transportation insurance;
(n) personal property insurance;
(o) plate glass insurance;
(p) sickness insurance;
(q) sprinkler leakage insurance;
(r) steam boiler insurance;
(s) tornado insurance;
(t) weather insurance.

Commencement of business.

5. (1) The company may transact the business of fire insurance when *bona fide* applications have been received for insurance on the mutual system to an amount of at least two million dollars.

Other classes of insurance.

(2) Except as otherwise provided by *The Canadian and British Insurance Companies Act, 1932*, the Company shall not transact the business of the other classes of insurance mentioned in the next preceding section, or any of them, until its surplus amounts to at least five hundred thousand dollars.

"Surplus" defined.

(3) In this section the word "surplus" means the excess of assets over liabilities, including the reserve of unearned premiums calculated *pro rata* for the unexpired term of all policies of the Company.

Election of directors.

6. (1) There shall be elected at the first annual meeting and at each subsequent annual meeting of the Company a board of not less than nine nor more than twenty-one directors, of whom at least two-thirds shall be residents of the county of Waterloo in the province of Ontario, who shall hold office as hereinafter provided.

Term of office.

(2) The Company shall, by by-law passed not less than three months prior to the holding of its first annual meeting after the passing of this Act, determine the number of directors to be elected at the said annual meeting by the policyholders on the mutual system. The Company may by the said by-law provide that the directors shall be elected for one, two or three years. If the by-law provides for two years' or three years' term of office it may also provide either *(a)* that the term of office shall be continuous for all directors or *(b)* that a certain proportion, not less than one-third, shall retire annually. All retiring directors shall be eligible for re-election.

Qualifications of directors.

7. Any policyholder on the mutual system who holds a policy or policies to the amount of at least one thousand dollars and who is not in default in respect of his premium note or any instalment or assessment on his premium note and who has paid in cash all liabilities incurred by him to the Company shall be eligible to be elected as a director, but he shall cease to be such director if the amount of his insurance as aforesaid becomes reduced below the sum of one thousand dollars.

Voting at meetings.

8. Each policyholder on the mutual system who is not in default in respect of his premium note or any instalment or assessment on his premium note, and who has been such policyholder for ten days immediately preceding any general or special general meeting of the Company, and upon furnishing evidence thereof in such manner as may be prescribed by the by-laws of the Company, shall be entitled to the number of votes at such meeting in proportion to the amount of insurance held by him on the mutual system according to the following scale: Under fifteen hundred dollars, one vote; fifteen hundred dollars to three thousand dollars, two votes, and three thousand dollars or over, three votes. Such policyholder may not vote by proxy unless the proxy himself is a policyholder on the mutual system and entitled to vote. The instrument appointing a proxy shall be in writing. Every proxy representing a policyholder on the mutual system must himself be a policyholder on the mutual system and entitled to vote, and an instrument of proxy shall not be valid unless executed within three months of the date of the meeting at which it is to be used, and unless filed with the secretary of the Company at least ten days before such meeting, and shall be used at such meeting or any adjournment thereof, and may be revoked at any time prior to such meetings. The directors may make by-laws not contrary to law, or to this Act, and subject to the provisions of *The Canadian and British Insurance Companies Act, 1932*, regulating the procedure at general and special general meetings of the Company.

Notice of meetings.

9. (1) Notice of every annual or special general meeting of the Company shall be sent by post to every policyholder on the mutual system and shall be published in two or more daily newspapers published at or as near as may be to the place where the head office is located at least fifteen days previous to the day of the meeting.

Annual statement.

(2) The directors shall at least seven days prior to the date of the annual meeting send to every policyholder on the mutual system by post the annual statement for the year ending on the last previous thirty-first day of December, which statement shall be certified by the auditors of the Company.

Liability of assets for losses on policies.

10. All the assets of the Company, including the premium notes given by policyholders, shall be liable for losses occurring on all the policies of the Company. A policyholder of the Company on the mutual system shall be liable in respect of any loss or other claim or demand against the Company to the extent of the amount unpaid upon his premium note and no more.

Provision for meeting deficiency of assets if Company is wound up.

11. In the event of the winding up of the Company if the assets on hand at the date of winding up, exclusive of the unearned portion of the premium notes of the policyholders on the mutual system, are insufficient to pay all the liabilities of the Company in full an assessment shall be made on the said policyholders in respect of their premium notes to an amount not exceeding the unpaid balance of such notes.

Assessment of premium notes and undertakings.

12. All premium notes and undertakings belonging to the Company shall be assessed under the direction of the board of directors at such intervals from their respective dates, and for such sums, as the directors shall determine; and every policyholder on the mutual system who has given a premium note or undertaking shall pay the sums from time to time payable by him to the Company during the continuance of his policy in accordance with such assessment.

Effect of non-payment of assessment.

13. If the assessment on the premium note or undertaking upon any policy be not paid within thirty days after the day on which the said assessment shall become due the policy of insurance for which the said assessment shall have been made, shall be null and void as respects all claim for losses occurring during the time of such nonpayment: Provided always, that the said policy shall be reinstated when such assessment shall have been paid, unless the secretary give notice to the contrary to the assessed party; but nothing shall relieve the assured party from his liability to pay such assessment or any subsequent assessments.

Right to sue for amount of assessment.

14. If any member or other person who has given a premium note or undertaking shall for thirty days after the due date mentioned in the notice of assessment neglect or refuse to pay said assessment the Company may sue for and recover the same with costs of suit and such proceeding shall not be a waiver of any forfeiture incurred by such non-payment.

Power of Company to deduct from payment due under a loss.

15. If there be any loss on property insured by the Company the board of directors may deduct the amount of the premium note, less any paid assessments thereon, from

the payment due under the loss and retain the amount so deducted until the time has expired for which insurance has been made, and at the expiration of the said time the insured shall have the right to demand and receive such part of the retained sum as shall not have been assessed against.

Effect of insurance on cash plan.

16. No insurance on the cash plan shall make the insured a member of the Company or liable to contribute or pay any sum to the Company or to its funds or to any other member thereof beyond the cash premium agreed upon or give him any right to participate in the profits or surplus funds of the Company.

Distributions to policy holders on mutual system.

17. The directors may from time to time out of the earnings of the Company distribute equitably to the holders of policies issued by the Company on the mutual system such sums as in the judgment of the directors are proper and justifiable.

Power to acquire rights etc., of a certain Ontario insurance company.

18. (1) The Company may acquire by agreement to insure or otherwise the whole or any part of the rights and property, and may assume the obligations and liabilities of, The Gore District Mutual Fire Insurance Company incorporated in the year 1839 under the laws of the Province of Upper Canada pursuant to the provisions of chapter eighteen of the Statutes of Upper Canada, 6 William IV, (1836) being an Act entitled "An Act to authorize the Establishment of Mutual Insurance Companies in the several Districts of this Province", in this Act called "the provincial company", and in the event of such acquisition and assumption the Company shall perform and discharge all such duties, obligations and liabilities of the provincial company in respect to the rights and property acquired as are not performed and discharged by the provincial company.

Duties in such event.

Effect of merger of provincial company.

(2) Upon this Act coming into force as hereinafter provided, the provincial company and its undertaking shall be merged in the Company, and nothing in this Act contained shall have the effect of dissolving the provincial company.

Approval of Treasury Board.

(3) No agreement between the Company and the provincial company providing for such acquisitions and assumption shall become effective until it has been submitted to and approved by the Treasury Board of Canada.

Special application of section five of this Act.

(4) An offer by the provincial company to make such an agreement shall be deemed to be a *bona fide* application for insurance for the purposes of section five of this Act.

Conditions for bringing this Act into force.

19. This Act shall come into force on a date to be specified by the Superintendent of Insurance in a notice in the *Canada Gazette*. Such notice shall not be given until this Act has been approved by a resolution adopted by at least two-thirds of the votes of the members of the provincial Company present at a meeting duly called for that purpose nor until the Superintendent of Insurance has been satisfied by such evidence as he may require that such approval has been given and that the provincial Company has ceased to do business or will cease to do business forthwith upon a certificate of registry being issued to the Company.

Application of 1932, c. 46.

20. *The Canadian and British Insurance Companies Act, 1932*, shall apply to the Company except as otherwise provided in this Act.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL G.

An Act to incorporate Sterling Insurance Company of Canada.

Read a first time, Wednesday, 10th February, 1937.

Honourable Senator MORAUD.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

31177

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL G.

An Act to incorporate Sterling Insurance Company of Canada.

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.

1. Albert Demers, Georges Parent and Garon Pratte, King's Counsel, and Chaussegros DeLery, notary, all of the city of Quebec, and Jacques Marchand, insurance manager, of the city of Montreal, in the province of Quebec, together with such persons as become shareholders in the company, are incorporated under the name of "Sterling Insurance Company of Canada", hereinafter called "the Company."

Provisional directors.

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

Capital stock.

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

Subscriptions before general meeting.

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

Head office.

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

Classes of insurance authorized.

6. The Company may make contracts of insurance for:—

(a) fire insurance;

(b) accident insurance;

(c) automobile insurance;

(*d*) aviation insurance;
(*e*) burglary insurance;
(*f*) credit insurance;
(*g*) earthquake insurance;
(*h*) explosion insurance;
(*i*) falling aircraft insurance;
(*j*) forgery insurance;
(*k*) guarantee insurance;
(*l*) hail insurance;
(*m*) inland marine insurance;
(*n*) inland transportation insurance;
(*o*) live stock insurance;
(*p*) machinery insurance;
(*q*) marine insurance;
(*r*) personal property insurance;
(*s*) plate glass insurance;
(*t*) sickness insurance;
(*u*) sprinkler leakage insurance;
(*v*) steam boiler insurance;
(*w*) tornado insurance;
(*x*) weather insurance.

Subscription and payment of capital before commencing business.

7. (1) The Company shall not commence any business of insurance until at least two hundred thousand dollars of its capital stock have been *bona fide* subscribed and fully paid. It may then transact the business of fire, automobile, earthquake, explosion, falling aircraft, sprinkler leakage and tornado insurance, and insurance against loss of, or damage to, property other than growing crops by hail.

Additional amounts for certain classes of business. c. 46, 1932.

(2) Except as otherwise provided by *The Canadian and British Insurance Companies Act, 1932*, the Company shall not transact the other classes of insurance business authorized by section six of this Act, or any of them, until the paid capital or the paid capital together with the surplus of the Company amounts to at least six 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 of unearned premiums calculated *pro rata* for the unexpired term of all policies of the Company in force.

Acquisition of provincial company.

8. (1) The Company may acquire by agreement to insure or otherwise the whole or any part of the rights and property, and may assume the obligations and liabilities of the Sterling Insurance Company of Canada, incorporated in the year 1906 by an Act of the Province of Quebec, chapter seventy-two of the Statutes of Quebec, 6 Edward VII, 1906, and amended by chapter fourteen of the Statutes of Quebec, I Edward VIII, 1936, in this Act called "the

provincial Company," and in the event of such acquisition and assumption the Company shall perform and discharge all such obligations and liabilities of the provincial company in respect to the rights and property acquired as are not performed and discharged by "the provincial company."

Agreement to be approved.

(2) No agreement between the Company and the provincial company providing for such acquisition and assumption shall become effective until it has been submitted to and approved by the Treasury Board of Canada.

Notice of coming into force.

9. This Act shall come into force on a date to be specified by the Superintendent of Insurance in a notice in the *Canada Gazette*. Such notice shall not be given until this Act has been approved by a resolution adopted by at least two-thirds of the votes of the shareholders of the provincial company present or represented by proxy at a meeting duly called for that purpose nor until the Superintendent of Insurance has been satisfied by such evidence as he may require that such approval has been given and that the provincial company has ceased to do business or will cease to do business forthwith upon a certificate of registry being issued to the company.

c. 46, 1932, to apply.

10. *The Canadian and British Insurance Companies Act, 1932*, shall apply to the company.

Second Session, Eighteenth Parliament, 1 George VI, 1937

THE SENATE OF CANADA

BILL H.

An Act respecting Industrial Loan and Finance Corporation.

Read a first time, Wednesday, 10th February, 1937.

Honourable Senator MORAUD

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1936

30318

2nd Session, 18th Parliament, 1 George VI, 1937

THE SENATE OF CANADA

BILL H.

An Act respecting Industrial Loan and Finance Corporation.

1930, c. 68.

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

1. Paragraph *(b)* of subsection one of section five of chapter sixty-eight of the statutes of 1930 is amended by adding thereto as sub-paragraph (iv) the following:—

Loans of $500 or less.

"(iv) whenever the Company, under authority of this Act, makes a loan of five hundred dollars or less sub-paragraphs (i), (ii) and (iii) of this paragraph *(b)* shall not apply. Instead, the Company may, with relation to such loan, make against the borrower an

Aggregate charge.

aggregate charge, expressable as a percentage of the principal money loaned, which charge shall be deemed to include all interest on the loan, all charges thereon or therefor of every nature and kind other than interest, all disbursements (except for registration fees as hereunder provided) made in connection with the loan and all other fees, charges or services whatsoever arising out of or incidental to the loan. Such aggregate charge shall not be wholly or partly deducted in advance and it shall not exceed two per centum per month on the amount or balance of principal money remaining owing from month to month, but any money actually disbursed as registration fees relating to the documents of loan and payable by law may be added to and treated as part of the principal money loaned. Such loans shall not be made for periods in excess of eighteen months and they may be prepaid at any time by payment of principal, any part of the

Not exceeding two per-centum per month.

Periods of loans.

Prepayment.

Explanatory Notes.

The main objects of this Bill are:

To modify the rights of the Company respecting loans and charges.

To set up a system of operation based on a simple flat and uniform rate not exceeding two per centum per month on money loaned.

aggregate charge accrued or owing and an additional payment of the aggregate charge for one month, in lieu of notice. Such additional charge shall not be payable, however, in case of the renewal or replacement of a loan. The Company may make such loans upon terms that the principal of the loan shall be repaid by substantially equal monthly instalments, with the accrued aggregate charge on the amount of the balance of the loan from time to time owing, or that the principal and the aggregate charge of the loan shall be blended and paid by substantially equal monthly instalments, but in any event, the Company shall plainly disclose in the document of loan, expressed as a percentage of the principal sum loaned, the amount of the aggregate charge payable per month."

Terms of repayment.

Disclosure of monthly rate payable.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL I.

An Act for the relief of Joseph Neilson Blacklock.

Read a first time, Thursday, 11th Feburary, 1937.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937.

31335

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL I.

An Act for the relief of Joseph Neilson Blacklock.

Preamble.

WHEREAS Joseph Neilson Blacklock, domiciled in Canada and residing at the city of Montreal, in the province of Quebec, dental surgeon, has by his petition alleged that on the seventh day of June, A.D. 1922, at the said city, he and Muriel Beatrice de Jersey White, who was then of the said city, a spinster, were married; and whereas by his petition he has prayed that, because of her adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Joseph Neilson Blacklock and Muriel Beatrice de Jersey White, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Joseph Neilson Blacklock may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Muriel Beatrice de Jersey White had not been solemnized.

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL J.

An Act for the relief of Francis Hector Walker.

Preamble.

WHEREAS Francis Hector Walker, domiciled in Canada and residing at the city of Ottawa, in the province of Ontario, clerk, has by his petition alleged that on the third day of August, A.D. 1925, at the city of Montreal, in the province of Quebec, he and Lily Sayers, who was then of the said city of Montreal, a spinster, were married; and whereas by his petition he has prayed that, because of her adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Francis Hector Walker and Lily Sayers, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Francis Hector Walker may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Lily Sayers had not been solemnized.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL K.

An Act for the relief of William Edward Connor.

Read a first time, Thursday, 11th February, 1937.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

31325

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL K.

An Act for the relief of William Edward Connor.

Preamble.

WHEREAS William Edward Connor, domiciled in Canada and residing at the city of Verdun, in the province of Quebec, pattern maker, has by his petition alleged that on the twenty-fourth day of September, A.D. 1924, at the village of Sweetsburg, in the county of Missisquoi, in the said province, he and Mary Elsie Turriff, who was then of the said village, a spinster, were married; and whereas by his petition he has prayed that, because of her adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between William Edward Connor and Mary Elsie Turriff, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said William Edward Connor may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Mary Elsie Turriff had not been solemnized.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL L.

An Act for the relief of Annie Nemchek Cohen.

Read a first time, Thursday, 11th February, 1937.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

1338

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL L.

An Act for the relief of Annie Nemchek Cohen.

Preamble.

WHEREAS Annie Nemchek Cohen, residing at the city of Montreal, in the province of Quebec, cashier, wife of Harry Cohen, musician, who is domiciled in Canada and residing at the said city, has by her petition alleged that they were married on the twenty-third day of June, A.D. 1925, at the said city, she then being Annie Nemchek, a spinster; and whereas by her petition she has prayed that, because of his adultery since then their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Annie Nemchek and Harry Cohen, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Annie Nemchek may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Harry Cohen had not been solemnized.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL M.

An Act for the relief of James Gordon Ross.

Read a first time, Thursday, 11th February, 1937.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING S MOST EXCELLENT MAJESTY
1937.

31337

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL M.

An Act for the relief of James Gordon Ross.

Preamble.

WHEREAS James Gordon Ross, domiciled in Canada and residing at the city of Montreal, in the province of Quebec, accountant, has by his petition alleged that on the twenty-second day of June, A.D. 1929, at the city of Vancouver, in the province of British Columbia, he and Dilys Jones, who was then of the said city of Vancouver, a spinster, were married; and whereas by his petition he has prayed that, because of her adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between James Gordon Ross and Dilys Jones, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said James Gordon Ross may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Dilys Jones had not been solemnized.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL N.

An Act for the relief of Florence Anna Iverson Salberg.

Read a first time, Thursday, 11th February, 1937.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING S MOST EXCELLENT MAJESTY
1937.

31332

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL N.

An Act for the relief of Florence Anna Iverson Salberg.

Preamble.

WHEREAS Florence Anna Iverson Salberg, residing at the city of Montreal, in the province of Quebec, rent collector, wife of Gustave Ronaldo Salberg, boiler maker, who is domiciled in Canada and residing at the said city, has by her petition alleged that they were married on the fourteenth day of July, A.D. 1926, at the said city, she then being Florence Anna Iverson, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Florence Anna Iverson and Gustave Ronaldo Salberg, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Florence Anna Iverson may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Gustave Ronaldo Salberg had not been solemnized.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL O.

An Act for the relief of Charles Marsh Doxsey.

Read a first time, Tuesday, 16th February, 1937.

The Honourable the Chairman of the
Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
32161 1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL O.

An Act for the relief of Charles Marsh Doxsey.

Preamble.

WHEREAS Charles Marsh Doxsey, domiciled in Canada and residing at the city of Montreal, in the province of Quebec, interior decorator, has by his petition alleged that on the twenty-fifth day of March, A.D. 1922, at the city of London, England, he and Margery Mary Coni, who was then of the said city of London, a spinster, were married; and whereas by his petition he has prayed that, because of her adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Charles Marsh Doxsey and Margery Mary Coni, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Charles Marsh Doxsey may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Margery Mary Coni had not been solemnized.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL P.

An Act for the relief of Phyllis Stanners Kitchin, otherwise known as Judith Stanners Kitchin.

Read a first time, Tuesday, 16th February, 1937.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
31648 1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL P.

An Act for the relief of Phyllis Stanners Kitchin, otherwise known as Judith Stanners Kitchin.

Preamble.

WHEREAS Phyllis Stanners Kitchin, otherwise known as Judith Stanners Kitchin, residing at the city of Montreal, in the province of Quebec, X-ray technician, wife of George Sydney Kitchin, bank official, who is domiciled in Canada and residing at the said city, has by her petition alleged that they were married on the twenty-fourth day of December, A.D. 1931, at the said city, she then being Judith Stanners, otherwise known as Phyllis Stanners, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Judith Stanners, otherwise known as Phyllis Stanners and George Sydney Kitchin, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Judith Stanners, otherwise known as Phyllis Stanners may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said George Sydney Kitchin had not been solemnized.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL Q.

An Act for the relief of Ivy Jackson Beaulne.

Read a first time, Tuesday, 16th February, 1937.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
31327 1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL Q.

An Act for the relief of Ivy Jackson Beaulne.

Preamble.

WHEREAS Ivy Jackson Beaulne, residing at the city of St. Lambert, in the province of Quebec, labeller, wife of Joseph George Beaulne, chemist, who is domiciled in Canada and residing at the city of Montreal, in the said province, has by her petition alleged that they were married on the seventh day of April, A.D. 1931, at the said city of Montreal, she then being Ivy Jackson, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Ivy Jackson and Joseph George Beaulne, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Ivy Jackson may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Joseph George Beaulne had not been solemnized.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL R.

An Act for the relief of Charlotte Opal Moore Norton.

Read a first time, Tuesday, 16th February, 1937.

The Honourable the Chairman of the
Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
32285 1937

2nd Session, 18th Parliament, 1 George VI, 1937

THE SENATE OF CANADA

BILL R.

An Act for the relief of Charlotte Opal Moore Norton.

Preamble.

WHEREAS Charlotte Opal Moore Norton, residing at the city of Outremont, in the province of Quebec, wife of Arthur John Norton, merchant, who is domiciled in Canada and residing at the said city of Outremont, has by her petition alleged that they were married on the sixth day of January, A.D. 1914, at the city of Seattle, in the state of Washington, one of the United States of America, she then being Charlotte Opal Moore, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Charlotte Opal Moore and Arthur John Norton, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Charlotte Opal Moore may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Arthur John Norton had not been solemnized.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL S.

An Act for the relief of Mildred Tannenbaum Sufrin.

Read a first time, Tuesday, 16th February, 1937.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA
J .O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
32286 1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL S.

An Act for the relief of Mildred Tannenbaum Sufrin.

Preamble.

WHEREAS Mildred Tannenbaum Sufrin, residing at the city of Outremont, in the province of Quebec, bookkeeper, wife of Ernest Sufrin, tailor, who is domiciled in Canada and formerly resided at the city of Montreal, in the said province, has by her petition alleged that they were married on the fourteenth day of December, A.D. 1931, at the said city of Montreal, she then being Mildred Tannenbaum, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Mildred Tannenbaum and Ernest Sufrin, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Mildred Tannenbaum may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Ernest Sufrin had not been solemnized.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL T.

An Act to incorporate Toronto General Insurance Company.

Read a first time, Tuesday, 16th February, 1937.

Honourable SIR ALLEN AYLESWORTH, K.C.M.G.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

32884

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL T.

An Act to incorporate Toronto General Insurance 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.

1. Sidney Ernest Anglin, sales manager, Charles William Buchanan, gentleman, William Parker Fess, insurance manager, Albert Enos Naylor, company manager, and Goldwin Larratt Smith, barrister-at-law, 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 "Toronto General Insurance Company", in this Act 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. C. 46, 1932.

3. Notwithstanding anything contained in subsection four of section five of *The Canadian and British Insurance Companies Act, 1932*, the capital stock of the Company shall be six hundred thousand dollars divided into two hundred thousand shares of the par value of three dollars each.

Increase of par value of shares.

Contents of by-law.

4. (1) The Directors may, at any time, by way of by-law duly enacted, the terms whereof they may subsequently execute, increase the par value of the shares in the capital stock of the Company and they may by such by-law provide a scheme for dealing with fractional shares resulting from such increase in par value, including in such scheme provisions for:—

(a) the calling in of outstanding certificates of stock and the issuing of new certificates;

(b) the issuing of certificates for fractional parts of shares;

(c) the accumulating and consolidating of fractional parts of shares into shares of the new par value;

(d) the buying and selling of fractional parts of shares; and

(e) the selling of such shares of new par value as have been formed pursuant to paragraph (c) of this subsection by the consolidating of fractional parts of shares.

Provisions *re* fractional parts of shares.

(2) If such fractional parts of shares have not all been accumulated and consolidated or otherwise lawfully dealt with after the expiration of six months from the passing of the by-law changing the par value of the shares, then, after giving at least thirty days' notice to each holder of a fractional part, the directors may purchase all such fractional parts at the then market price as indicated by the then last sale of stock, or at such price, not being less than the market price, as they may determine upon; and such price shall be paid by crediting each such shareholder in the books of the Company with the amount which shall thereafter be payable to each such shareholder on demand, and such action shall operate as an extinguishment of the rights of such shareholder to such fractional parts: Provided always that all such shares or fractional parts of shares acquired by the Company shall be sold and disposed of by it within two years from the acquisition thereof: Provided further that as often as any shareholder appears on the stock ledger or share register of the Company as holding fractional parts of shares which together amount to the new par value of a share, or to any multiple thereof, such shareholder shall thenceforth be deemed to hold an equivalent amount in shares of the new par value, and when the certificates therefor are issued they shall be certificates for shares of the new par value.

Confirmation by shareholders.

(3) No such by-law for the purpose of increasing the par value of the shares of the capital stock of the Company shall take effect until confirmed by the votes of shareholders representing at least two-thirds of the value of the shares represented and voted upon at a special general meeting of the shareholders of the Company called for considering such by-law.

Subscription.

5. The amount to be subscribed before the general meeting for the election of directors is called shall be at least two hundred and seventy-five thousand dollars.

Head office.

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

Qualification of director.

C. 46, 1932.

7. Notwithstanding the provisions of paragraph *(b)* of subsection two of section six of *The Canadian and British Insurance Companies Act, 1932*, any shareholder of the Company holding, in his own name and for his own use and absolutely in his own right, at least one hundred and fifty shares of the capital stock of the company, fully paid, shall be eligible to become and may be elected a director of the Company.

Classes of insurance authorized.

8. The Company may make contracts of insurance for:—

(a) accident insurance;
(b) automobile insurance;
(c) aviation insurance;
(d) bond insurance;
(e) burglary insurance;
(f) credit insurance;
(g) earthquake insurance;
(h) explosion insurance;
(i) falling aircraft insurance;
(j) fire insurance;
(k) forgery insurance;
(l) guarantee insurance;
(m) hail insurance;
(n) inland transportation insurance;
(o) machinery insurance;
(p) plate glass insurance;
(q) sickness insurance;
(r) sprinkler leakage insurance;
(s) steam boiler insurance;
(t) tornado insurance;
(u) weather insurance.

Subscription and payment of capital before commencing business.

9. (1) The Company shall not commence any business of insurance until at least two hundred and seventy-five thousand dollars of its capital stock have been *bona fide* subscribed and paid. It may then transact the business of fire insurance, falling aircraft insurance, earthquake insurance, tornado insurance, sprinkler leakage insurance, limited or inherent explosion insurance, civil commotion insurance, insurance against damage to property other than growing crops by hail, accident insurance, automobile insurance, burglary insurance, guarantee insurance, inland transportation insurance, plate glass insurance and weather insurance.

Restriction as to certain classes of insurance.

(2) The Company shall not commence any of the other classes of business authorized by section eight of this Act until the paid capital together with the surplus amounts to at least six hundred and fifty thousand dollars. The Company may then transact all the classes of business of insurance set out in section eight of this Act.

"Surplus" defined.

(3) 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.

Acquisition of provincial company.

10. (1) The Company may acquire by agreement to insure or otherwise the whole or any part of the rights and property and may assume the obligations and liabilities of the Toronto General Insurance Company, incorporated in the year 1921 by Letters Patent under The Ontario Insurance Act, 2 George V, Chapter 33 of the Province of Ontario, in this Act called "the provincial company", and, in the event of such acquisition and assumption, the Company shall perform and discharge all such obligations and liabilities of the provincial company in respect of the rights and property acquired as are not performed and discharged by the provincial company.

Approval of Treasury Board.

(2) No agreement between the Company and the provincial company providing for such acquisition and assumption shall become effective until it has been submitted to and approved by the Treasury Board of Canada.

Coming into force of this Act and notice thereof.

11. This Act shall come into force on a date to be specified by the Superintendent of Insurance in a notice in the *Canada Gazette*. Such notice shall not be given until this Act has been approved by a resolution adopted by at least two-thirds of the votes of the shareholders of the provincial company present or represented by proxy at a meeting duly called for that purpose nor until the Superintendent of Insurance has been satisfied by such evidence as he may require that such approval has been given and that the provincial company has ceased to do business or will cease to do business forthwith upon a certificate of registry being issued to the company.

C. 46, 1932, to apply.

12. Except as otherwise provided in this Act, the *Canadian and British Insurance Companies Act, 1932*, shall apply to the Company.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL U.

An Act to incorporate the Sons of Scotland Benevolent Association.

Read a first time, Tuesday, 16th February, 1937.

Right Honourable Senator GRAHAM.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
32848 1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL U.

An Act to Incorporate the Sons of Scotland Benevolent Association.

Preamble. WHEREAS the persons hereinafter named have by their petition prayed that they may be incorporated as a fraternal benefit society under the name of the Sons of Scotland Benevolent Association, 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 Ferguson, physician; D. Wallace Christie, clergyman; Robert Lewis, secretary; John Tytler, barrister; William A. Murray, accountant; John Clouston, contractor; George Pyper, fitter; Harriet E. Nelson, married woman; all of the city of Toronto, in the province of Ontario; George Anderson, contractor; David Grundie, civil servant; J. M. Ferguson, barrister; David McTurk, carpenter; all of the city of Montreal, in the Province of Quebec; John M. Duncan, Superintendent; James MacKay, salesman; Emily Gammie, married woman; all of the city of Winnipeg, in the province of Manitoba; Alexander H. McDonald, salesman; Anne C. McDonald, married woman; William McAndrew, gardener; of the city of Vancouver, in the province of British Columbia; George Robertson, secretary; John Bayne, member of the local government board; of the city of Regina, in the province of Saskatchewan; George S. Fleming, accountant; James McKay, magistrate; Ernest J. Leith, probation officer; John Stephen, bank manager; Peter Smith, pharmacist; James A. Thomson, manufacturer; R. G. Harkness, photographer; Robert W. Plenderleith, moulder; Alexander Batchelor, painter; Joseph Gray, merchant, and John Craig, moulder; all of the city of Hamilton, in the province of Ontario, together with such other persons as become members of the society hereby

incorporated, are incorporated under the name of the "Sons of Scotland Benevolent Association", in this Act called "the Association".

Head office.

2. The head office of the Association shall be at the city of Toronto, in the Province of Ontario.

Fraternal benefit society.

3. The Association shall be a fraternal benefit society, carrying on its benefit and insurance work solely for the protection of its members, their families and beneficiaries, and not for profit.

Qualifications for membership.

4. Only persons deemed by the Association to be of Scottish origin, or the wife or husband of a person already a member, shall be admitted as members of the Association: Provided that the Association shall, upon the acquisition of the affairs of the provincial association mentioned in the next following section, so admit all persons who are then members in good standing of the provincial Association as then constituted.

Powers of Association.

5. (1) The Association shall have power throughout Canada:—

(a) to organize, establish and carry on local branches of the Association, which branches shall be called Subordinate Camps;

(b) to propagate and develop among the members of the Association a spirit of mutual co-operation, assistance and friendship;

(c) to cultivate among the members of the Association fond recollections of Scotland, and to promote their instruction and education in its history, literature, traditions, customs and amusements;

(d) to establish, maintain and administer an insurance fund for the payment of:

(i) a benefit payable at the death of any member, the premium for which shall be payable during the whole life of the member or during a certain number of years;

(ii) an endowment benefit payable to any member after the expiration of a certain number of years or upon the attainment of a certain age or payable upon the death of the member prior to the expiration of the endowment period;

(iii) an old age annuity to any member commencing at or after the attainment of the age of sixty years;

(e) to establish, maintain and administer a fund for the payment of a death or endowment benefit in respect of any child of any member of the Association or any child under the guardianship of any member, provided that such child is under the age of fifteen years and a juvenile member of the Association;

(*f*) to establish, maintain and administer a fund for the payment of a sick benefit, not exceeding fifteen dollars per week, to any member.

Acquisition of provincial association.

(2) Subject to the provisions of sections fourteen and fifteen of this Act, the Association may acquire the whole or any part of the rights and property, and may assume the obligations and liabilities, of the Sons of Scotland Benevolent Association, incorporated under the laws of the province of Ontario on the eighth day of April, 1880, hereinafter called "the provincial association".

Payment of benefits.

6. Any benefit payable by the Association shall, at the option of the member, be payable in one sum, or in whole or in part as an annuity certain for a term of years, or in whole or in part as a life annuity, or in whole or in part as a life annuity guaranteed for a certain number of years.

Grand Camp.

7. The Grand Camp, which shall be constituted as provided in the constitution and by-laws of the Association, shall be the final legislative and governing body of the Association.

Executive board.

8. The executive board, which shall be constituted as provided in the constitution and by-laws of the Association, shall, in the interval between the meetings of Grand Camp, manage and direct the affairs of the Association.

Temporary officers and members.

9. The present Officers and members of the Executive Board of the provincial association shall be the officers and members of the Executive Board of the Association until their successors are elected pursuant to the provisions of this Act and the constitution and by-laws of the Association.

Temporary constitution and by-laws.

10. (1) The existing constitution and by-laws of the provincial association, so far as they are applicable and subject to the provisions hereof, shall govern the affairs of the Association and the members thereof from the date of its incorporation until and including the date of the first convention of the Grand Camp of the Association.

Constitution and by-laws.

(2) The Association shall have power, from time to time, to make, amend and repeal the constitution and by-laws for governing the election of officers and trustees and the prescribing and defining of their duties and powers, the holding of meetings, the admission of members and the termination of membership, the determination and alteration of the amounts of premiums, dues and assessments to be paid by the members necessary to maintain financial stability in all its funds, and generally all matters relating to any of the activities, business or affairs of the Association.

General fund.

11. The Association may maintain a general fund, to which shall be credited all dues and the other sums intended, according to the constitution and by-laws, to be used for the payment of expenses of administration, and all expenses of the Association, including the expenses arising from the exercise of the powers conferred by paragraphs *(a)*, *(b)* and *(c)* of subsection one of section five of this Act, shall be payable out of such fund.

Disposition of surplus of benefit fund.

12. The Association may make provision in its constitution and by-laws whereby such portion of the surplus above all liabilities in any benefit fund as shall be approved by the Actuary of the Association may be applied to grant new or additional benefits to the members of the Association, or to the remission of premiums, or portions thereof, or to the allotment of bonuses.

Ownership and control of property.

13. (1) All property purchased with the funds of the Association shall be that of and shall be vested in the Association and shall be administered, managed and controlled by the Executive Board.

Property of defunct subordinate camps.

(2) Whenever, under the provisions of the constitution and by-laws of the Association, any Subordinate Camp authorized under the said constitution and by-laws becomes defunct the property of such Subordinate Camp shall become vested in the Association and the proceeds of all such property shall be applied first in liquidation of the debts and liabilities of such Subordinate Camp and the surplus, if any, shall form part of the general fund of the Association.

Property of provincial association.

14. (1) The Association may acquire the whole or any part of the rights and property of any kind whatsoever now belonging to the provincial association, and, in the event of such acquisition, the Association shall assume, perform and discharge all unperformed obligations and undischarged liabilities of the provincial association in respect to the rights and property acquired and may give any receipt or discharge in connection with any right, obligation or liability thereof.

Approval of Treasury Board.

(2) No agreement between the Association and the provincial association in connection with the acquisition of the rights and property of the provincial association, and with the assumption of its obligations and liabilities, shall become effective until such agreement has been submitted to and approved by the Treasury Board of Canada, and such Board shall not approve the agreement if it appears to it that more than one-third of the members of the Grand Camp of the provincial association, present and voting at a meeting called for the purpose of considering such agreement, are opposed to it.

Bringing this Act into force.

15. This Act shall come into force on a date to be specified by the Superintendent of Insurance in a notice published in the *Canada Gazette*, and such notice shall not be given until this Act has been approved by a resolution adopted by at least two-thirds of the votes of the members of the Grand Camp of the provincial association present at a meeting duly called for the purpose, nor until the Superintendent of Insurance has been satisfied, by such evidence as he may require, that such approval has been given and that the provincial association has ceased to do business, or will cease to do business forthwith upon a certificate of registry being issued to the Association, except such business as is necessary for the fulfilment of the terms of any agreement made under the provisions of section fourteen of this Act.

C. 46 of 1932 to apply.

16. The *Canadian and British Insurance Companies Act, 1932*, so far as applicable, shall apply to the Association.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL V.

An Act for the relief of Clara Emily Taylor Elkin.

Read a first time, Thursday, 25th February, 1937.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937.

31330

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL V.

An Act for the relief of Clara Emily Taylor Elkin.

Preamble.

WHEREAS Clara Emily Taylor Elkin, residing at the city of Montreal, in the province of Quebec, wife of Ebenezer William Elkin, hotel keeper, who is domiciled in Canada and residing at the village of Ste. Scholastique, in the district of Terrebonne, in the said province, has by her petition alleged that they were married on the thirtieth day of April, A.D. 1905, in the parish of King's Heath, in the county of Worcester, England, she then being Clara Emily Taylor, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Clara Emily Taylor and Ebenezer William Elkin, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Clara Emily Taylor may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Ebenezer William Elkin had not been solemnized.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL W.

An Act for the relief of Yetta Ginsburg.

Read a first time, Thursday, 25th February, 1937.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
31334 1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL W.

An Act for the relief of Yetta Ginsburg.

Preamble.

WHEREAS Yetta Ginsburg, residing at city of Montreal, in the province of Quebec, wife of Louis Ginsburg, commercial traveller, who is domiciled in Canada and residing at the said city, has by her petition alleged that they were married on the fourth day of November, A.D. 1924, at the said city, she then being Yetta Fine, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Yetta Fine and Louis Ginsburg, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Yetta Fine may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Louis Ginsburg had not been solemnized.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL X.

An Act for the relief of Marguerite Emily Coombe Low.

Read a first time, Thursday, 25th February, 1937.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937.

31339

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL X.

An Act for the relief of Marguerite Emily Coombe Low.

Preamble.

WHEREAS Marguerite Emily Coombe Low, residing at the city of Westmount, in the province of Quebec, wife of Hallows Austin Low, bond salesman, who is domiciled in Canada and residing at the city of Montreal, in the said province, has by her petition alleged that they were married on the twelfth day of November, A.D. 1915, at the said city of Montreal, she then being Marguerite Emily Coombe, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Marguerite Emily Coombe and Hallows Austin Low, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Marguerite Emily Coombe may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Hallows Austin Low had not been solemnized.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL Y.

An Act for the relief of Mary May Rowell Thom.

Read a first time, Thursday, 25th February, 1937.

The Honourable the Chairman of the
Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937.

31328

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL Y.

An Act for the relief of Mary May Rowell Thom.

Preamble.

WHEREAS Mary May Rowell Thom, residing at the city of Verdun, in the province of Quebec, wife of George Stanley Thom, accountant, who is domiciled in Canada and residing at the town of Ville La Salle, in the district of Montreal, in the said province, has by her petition alleged that they were married on the fourteenth day of April, A.D. 1920, at the city of Montreal, in the said province, she then being Mary May Rowell, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Mary May Rowell and George Stanley Thom, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Mary May Rowell may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said George Stanley Thom had not been solemnized.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL Z.

An Act for the relief of Eva Josephine Millicent Good Ross.

Read a first time, Thursday, 25th February, 1937.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
31324 1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL Z.

An Act for the relief of Eva Josephine Millicent Good Ross.

Preamble.

WHEREAS Eva Josephine Millicent Good Ross, residing at the city of Montreal, in the province of Quebec, wife of John Wardrop Ross, junior, accountant, who is domiciled in Canada and residing at the said city, has by her petition alleged that they were married on the fifth day of December, A.D. 1931, at the said city, she then being Eva Josephine Millicent Good, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Eva Josephine Millicent Good and John Wardrop Ross, junior, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Eva Josephine Millicent Good may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said John Wardrop Ross, junior, had not been solemnized.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL A2.

An Act for the relief of Eva Schiller Lightstone.

Read a first time, Thursday, 4th March, 1937.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
32160 1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL A2.

An Act for the relief of Eva Schiller Lightstone.

Preamble.

WHEREAS Eva Schiller Lightstone, residing at the city of Montreal, in the province of Quebec, wife of Harry Lightstone, salesman, who is domiciled in Canada and residing at the said city, has by her petition alleged that they were married on the twenty-seventh day of December, A.D. 1910, at the said city, she then being Eva Schiller, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Eva Schiller and Harry Lightstone, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Eva Schiller may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Harry Lightstone had not been solemnized.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL B[2].

An Act for the relief of Ruth Jessica Kimpton Shiells.

Read a first time, Thursday, 4th March, 1937.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
32281 1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL B2.

An Act for the relief of Ruth Jessica Kimpton Shiells.

Preamble.

WHEREAS Ruth Jessica Kimpton Shiells, residing at the city of Montreal, in the province of Quebec, sales clerk, wife of Alexander James Shiells, salesman, who is domiclied in Canada and residing at the said city, has by her petition alleged that they were married on the fifteenth day of June, A.D. 1929, at the town of St. Lambert, in the county of Chambly, in the said province, she then being Ruth Jessica Kimpton, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Ruth Jessica Kimpton and Alexander James Shiells, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Ruth Jessica Kimpton may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Alexander James Shiells had not been solemnized.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL C[2].

An Act for the relief of Grace Ellen Doris Newman.

Read a first time, Thursday, 4th March, 1937.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING S MOST EXCELLENT MAJFSTY
32531 1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL C2.

An Act for the relief of Grace Ellen Doris Newman.

Preamble.

WHEREAS Grace Ellen Doris Newman, residing at the city of Montreal, in the province of Quebec, secretary, wife of Percy Cecil Newman, fruit grower, who is domiciled in Canada and residing at the town of Ville La Salle, in the district of Montreal, in the said province, has by her petition alleged that they were married on the seventh day of October, A.D. 1933, at the said city, she then being Grace Ellen Doris Reynolds, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Grace Ellen Doris Reynolds and Percy Cecil Newman, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Grace Ellen Doris Reynolds may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Percy Cecil Newman had not been solemnized.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL D[2].

An Act for the relief of Gretna Golden Laird Rankin.

Read a first time, Wednesday, 10th March, 1937.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

33020

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL D2.

An Act for the relief of Gretna Golden Laird Rankin.

Preamble.

WHEREAS Gretna Golden Laird Rankin, residing at the city of Montreal, in the province of Quebec, personal shopper, wife of John Loux Rankin, clerk, who is domiciled in Canada and residing at the city of Westmount, in the said province, has by her petition alleged that they were married on the tenth day of June, A.D. 1933, at the said city of Montreal, she then being Gretna Golden Laird, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Gretna Golden Laird and John Loux Rankin, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Gretna Golden Laird may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said John Loux Rankin had not been solemnized.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL E2.

An Act for the relief of Frank Horace Wood.

Read a first time, Wednesday, 10th March, 1937.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
31331 1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL E2.

An Act for the relief of Frank Horace Wood.

Preamble.

WHEREAS Frank Horace Wood, domiciled in Canada and residing at the city of Charlottetown, in the province of Prince Edward Island, accountant, has by his petition alleged that on the twenty-second day of June, A.D. 1919, at the city of London, England, he and Lily Rose Smith, who was then of the said city of London, a spinster, were married; and whereas by his petition he has prayed that, because of her adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Frank Horace Wood and Lily Rose Smith, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Frank Horace Wood may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Lily Rose Smith had not been solemnized.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL F[2].

An Act for the relief of Edith Mary Bowers-Hill O'Hagan.

Read a first time, Wednesday, 10th March, 1937.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
32158 1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL F2.

An Act for the relief of Edith Mary Bowers-Hill O'Hagan.

Preamble.

WHEREAS Edith Mary Bowers-Hill O'Hagan, residing at the city of Montreal, in the province of Quebec, tea-room hostess, wife of Richard Charles Osborne O'Hagan, secretary, who is domiciled in Canada and residing at the said city of Montreal, has by her petition alleged that they were married on the twenty-sixth day of March, A.D. 1934, at the city of London, England, she then being Edith Mary Bowers-Hill, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Edith Mary Bowers-Hill and Richard Charles Osborne O'Hagan, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Edith Mary Bowers-Hill may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Richard Charles Osborne O'Hagan had not been solemnized.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL G2.

An Act for the relief of Isobel Jean Herbert Fleming Johnson.

Read a first time, Wednesday, 10th March, 1937.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

31336

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL G2.

An Act for the relief of Isobel Jean Herbert Fleming Johnson.

Preamble.

WHEREAS Isobel Jean Herbert Fleming Johnson, residing at the city of Montreal, in the province of Quebec, wife of Richard Ogle Johnson, stockbroker, who is domiciled in Canada and residing at the said city, has by her petition alleged that they were married on the eighteenth day of November, A.D. 1916, in the parish of Lympne, in the county of Kent, England, she then being Isobel Jean Herbert Fleming, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Isobel Jean Herbert Fleming and Richard Ogle Johnson, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Isobel Jean Herbert Fleming may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Richard Ogle Johnson had not been solemnized.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL H².

An Act for the relief of Emilie Letsch Rutishauser.

Read a first time, Wednesday, 10th March, 1937.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
31329 1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL H[2].

An Act for the relief of Emilie Letsch Rutishauser.

Preamble.

WHEREAS Emilie Letsch Rutishauser, residing at the city of Montreal, in the province of Quebec, hairdresser, wife of John Rutishauser, hairdresser, who is domiciled in Canada and residing at the said city, has by her petition alleged that they were married on the twenty-fifth day of September, A.D. 1926, at the said city, she then being Emilie Letsch, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Emilie Letsch and John Rutishauser, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Emilie Letsch may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said John Rutishauser had not been solemnized.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL I[2].

An Act for the relief of Miriam Silverman.

Read a first time, Wednesday, 10th March, 1937.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
32283 1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL I[2].

An Act for the relief of Miriam Silverman.

Preamble.

WHEREAS Miriam Silverman, residing at the city of Ottawa, in the province of Ontario, wife of Percy Harold Silverman, merchant, who is domiciled in Canada and residing at the city of Montreal, in the province of Quebec, has by her petition alleged that they were married on the sixteenth day of August, A.D. 1932, at the said city of Ottawa, she then being Miriam Caplan, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Miriam Caplan and Percy Harold Silverman, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Miriam Caplan may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Percy Harold Silverman had not been solemnized.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL J[2].

An Act for the relief of Alice Mary Hickman Ings.

Read a first time, Wednesday, 10th March, 1937.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
33195 1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL J[2].

An Act for the relief of Alice Mary Hickman Ings.

Preamble.

WHEREAS Alice Mary Hickman Ings, residing at the city of Montreal, in the province of Quebec, sales clerk, wife of Ralph Royden Ings, farmer, who is domiciled in Canada and residing at Port Hill, Prince county, in the province of Prince Edward Island, has by her petition alleged that they were married on the seventeenth day of June, A.D. 1925, at the town of Dorchester, in the county of Westmorland, in the province of New Brunswick, she then being Alice Mary Hickman, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follow.

Marriage dissolved.

1. The said marriage between Alice Mary Hickman and Ralph Royden Ings, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Alice Mary Hickman may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Ralph Royden Ings had not been solemnized.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL K[2].

An Act respecting The Premier Trust Company.

Read a first time, Wednesday, 17th March, 1937

Honourable Senator LITTLE.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
34536 1937.

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL K2.

An Act respecting The Premier Trust Company.

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

1. Section three of chapter one hundred and seventy-nine of the Statutes of 1913 is hereby repealed and the following is substituted therefor:—

Capital stock.

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

Explanatory Note.

The repealed section reads as follows:—

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

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL L2.

An Act to incorporate The Mercantile Fire Insurance Company.

Read a first time, Wednesday, 17th March, 1937.

Honourable Senator LACASSE.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
34907 1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL L2.

An Act to incorporate The Mercantile Fire Insurance Company.

Preamble.

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

Incorporation.

1. Joseph Emery Phaneuf, King's Counsel, of the city of Outremont, Irénée Auclaire, merchant of Chambly Canton in the county of Chambly, Théophile A. St-Germain, insurance manager, Elphège Desgroseilliers, secretary, and Robert St-Germain, accountant, of the city of St. Hyacinthe, all in the province of Quebec, together with such persons as become shareholders in the company or as become policyholders on the mutual system in the company, are incorporated under the name, in English, of "The Mercantile Fire Insurance Company" and, in French, of "La Mercantile Compagnie d'Assurance contre le Feu" hereinafter called "the Company" and either the English or the French name of the Company may be used in carrying on the business or operations of the Company.

Provisional directors.

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

Head office.

3. The head office of the Company shall be in the city of St. Hyacinthe.

Capital stock.

4. The capital stock of the Company shall be five hundred thousand dollars.

Subscription of stock.

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

Classes of insurance authorized.

6. The Company may make contracts of insurance upon the cash premium system or upon the mutual system for:—

(*a*) fire insurance,
(*b*) accident insurance,
(*c*) automobile insurance,
(*d*) aviation insurance,
(*e*) bond insurance,
(*f*) burglary insurance,
(*g*) credit insurance,
(*h*) earthquake insurance,
(*i*) explosion insurance,
(*j*) falling aircraft insurance,
(*k*) forgery insurance,
(*l*) guarantee insurance,
(*m*) hail insurance,
(*n*) inland marine insurance,
(*o*) inland transportation insurance,
(*p*) live stock insurance,
(*q*) machinery insurance,
(*r*) marine insurance,
(*s*) personal property insurance,
(*t*) plate glass insurance,
(*u*) property insurance,
(*v*) sickness insurance,
(*w*) sprinkler leakage insurance,
(*x*) steam boiler insurance,
(*y*) tornado insurance,
(*z*) weather insurance.

Commencement of business.

7. (1) The Company shall not commence any business of insurance until at least two hundred and fifty thousand dollars of its capital stock have been *bona fide* subscribed and at least two hundred thousand dollars paid thereon. It may then transact the business of fire insurance, sprinkler leakage, tornado insurance and insurance against damage to property of any kind caused by the explosion of natural or other gas.

Other classes of insurance.

(2) Except as otherwise provided by *The Canadian and British Insurance Companies Act, 1932*, the Company shall not transact the other classes of insurance business authorized by section six of this Act, or any of them, until the paid capital together with the surplus of the Company amounts to at least six 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 of unearned premiums calculated *pro rata* for the unexpired term of all policies of the Company in force.

Policy-holders to be members.

8. (1) Every policyholder on the mutual system of the Company shall be a member thereof during the period specified in his policy and shall, during such time, be subject to the provisions of this Act and the by-laws of the Company but he may without the consent of the Company withdraw therefrom upon the terms and conditions hereinafter specified.

Deposit of note.

(2) Every such policyholder shall before he receives his policy deposit his note or undertaking (hereinafter called a deposit note) payable on demand to the Company only, endorsed to the satisfaction of the directors, and for a sum of money proportioned according to the classification of risks established by the directors.

Voting at meetings.

9. At all meetings of the Company, each policyholder on the mutual system who is not in default in respect of any assessment on his deposit note shall have one vote for each one thousand dollars of insurance on the mutual system held by him, and may not vote by proxy unless the proxy himself is a policyholder and entitled to vote.

Proxies.

Election of directors.

10. The Company shall provide by by-law for the election of a majority of the board of directors by the shareholders and of the balance of the board by the policyholders on the mutual system, provided that the directors elected by the policyholders on the mutual system shall form not less than one-third of the board. Any policyholder on the mutual system who is not a shareholder and who holds a policy or policies on the mutual system to the amount of at least one thousand dollars shall be eligible as a policyholders' director, but he shall cease to be such director if the amount of his insurance as aforesaid becomes reduced below the sum of one thousand dollars.

Cash payment on deposit note.

11. (1) A cash payment on account of the deposit note in such amount as the directors may determine by their by-laws may be demanded and received from the policyholder on the mutual system before he obtains his policy and the remainder shall be payable wholly or in part at any time when the directors deem the same to be necessary for the payment of the losses or expenses of the Company.

Entrance fee.

(2) The directors shall by by-law, establish an entrance fee payable before any policy on the mutual system is issued. Such entrance fee shall not exceed ten per centum of the total amount of the deposit note and when paid shall be deemed to be a payment on the deposit note and to have been fully earned at the date of payment.

Liability for losses and expenses.

(3) Every policyholder on the mutual system shall pay his proportion of all losses and expenses incurred, and the deposit notes belonging to the Company shall be assessed

under the direction of the board of directors at such intervals from their respective dates, for such sums as the directors determine, and for such further sums as they may think necessary to meet the losses and other expenditure incurred during the currency of the policies for which the said notes were given, and in respect to which they are liable to assessment. Every policyholder on the mutual system shall pay such sums, during the continuance of the policy, in accordance with such assessment.

Assessments.

(4) The directors of the Company may determine each year, in advance, the amount of the assessment on the deposit notes required to be made to meet the estimated annual losses and expenses for the year, and for a reserve as hereinafter provided.

Reserve fund.

(5) The directors may, in fixing the assessments, provide for the creation and maintenance of a reserve fund, to remain in the possession of the Company after the payment of its ordinary expenses and losses, but the yearly assessment for such fund shall not at any time exceed ten per cent of the amount of the deposit or premium notes.

Publication of notice of amount of assessments.

(6) Notice of the total amount of assessments on deposit notes to be paid in any year shall be published by the directors in the form provided by the by-laws of the Company in at least one newspaper published within the district where the property insured is situated or if there is no such newspaper, in a newspaper published nearest to the said district or the said notice may be given by a circular mailed to each member.

Advertising dispensed.

(7) The Company need not publish the rate of assessments in a newspaper, if a notice of such assessments be sent to each member of the Company by mail.

Cancellation of mutual policies.

12. (1) Any policy issued on the mutual system may be cancelled by the holder thereof by giving written notice to that effect by registered mail to the Company and on such cancellation the policyholder shall cease to be a member of the Company, but on such cancellation or if the Company cancels any such policy in accordance with the conditions thereof the policyholder shall nevertheless be liable to pay his proportion of losses and expenses to the Company up to the time of such cancellation and on so doing he shall be entitled to a return of his deposit note, and the deposit note shall thereupon be null and void.

Power of company to deduct from payment due under a loss.

(2) Should a loss occur on the property insured by a policy on the mutual system, the Board of directors may retain, by deduction from the amount of the loss, the unpaid amount of the deposit note given for the insurance of such property, until the expiration of the term for which the insurance was contracted and at the expiration of such term the insured may withdraw such part of the amount retained as has not been assessed.

Delivery up of deposit note.

(3) When a policy of the mutual system has expired or is cancelled and the assessments or contribution to the date of expiration or cancellation are paid, the deposit note is null and void, and must be delivered to the signer thereof on demand.

Bankruptcy of policyholder.

13. (1) In the event of the bankruptcy of any policyholder on the mutual system the Company shall, to the extent of the amount of any assessment due and unpaid, the assessment for the current fiscal year and the costs incurred to obtain payment thereof, have a privilege upon the whole of the movable property of the policyholder and also a hypothec, from the date of the deposit note, upon the immovable property mentioned in the policy of insurance as well as upon the real estate thereunto appertaining.

Ranking of privilege.

(2) The said privilege shall rank and take precedence after municipal taxes and assessments and the said hypothec in favour of the Company shall exist without registration.

Claim for assessments.

(3) Whenever properties affected by the said privilege or hypothec of the Company are advertised to be sold by forced sale, the secretary-treasurer of the Company or his assistant shall file, within the six days following the sale, in the office of the Prothonotary or of the Clerk of the Court, or of the Curator as the case may be, a claim for all assessments due, and for such as shall become due up to the end of the then current fiscal year; and the Company shall have the right to be collocated for the amount of the said claim on the proceeds of such sale according to the said rank and privilege.

Suits for assessments.

14. (1) The Company may sue for and recover, with costs, the assessments on the deposit notes of the policy holders who have refused or neglected to pay to the Company the sum of money which the directors have declared to be payable on such deposit notes, but no action or proceeding can be commenced against any policyholder for the recovery of any assessment within the thirty days following the date said assessment becomes due.

Evidence.

(2) In all suits for the recovery of assessments, the certificate of the secretary-treasurer of the Company shall be evidence that the same are due and that all formalities have been complied with.

Effect of non-payment of assessments.

15. (1) Any policyholder on the mutual system of the Company who fails to pay any assessment within three months from the due date mentioned in the notice of assessment shall not be entitled to recover from the Company for any loss which he may sustain thereafter; provided that a demand has been transmitted by registered letter, to such policyholder, for the payment of such assessment

before such loss occurred; provided also that when such assessment shall have been paid, such policyholder shall resume his title to recover from the Company for any loss he may sustain thereafter.

Waiver not to result.

(2) No action or proceeding for the recovery of any assessment shall be a waiver of any forfeiture incurred by the non-payment of such assessment and such forfeiture shall not relieve any policyholder from his liability to pay such assessment or any subsequent assessment.

Liability of assets for losses on policies.

16. All the assets of the Company, including the deposit notes or premium notes given by policyholders on the mutual system, shall be liable for losses occurring on all the policies of the Company, whether on the cash premium or on the mutual system.

Winding up.

17. In the event of the winding up of the Company if the assets on hand at the date of winding up, exclusive of the unpaid balance of the shareholders' subscriptions, and exclusive of the unearned portion of the deposit or premium notes of the policyholders on the mutual system, are insufficient to pay all the liabilities of the Company in full, a call shall be made upon the shareholders of the Company not exceeding the unpaid balance of their subscriptions, and if the amount yielded by such call is insufficient to provide the deficiency, an assessment shall be made on the said policyholders in respect of their deposit or premium notes to an amount not exceeding the unpaid balance of such notes.

Duration of policies.

18. No policy on the mutual system issued by the Company shall extend over a period greater than five years.

Distributions to policy holders on mutual system.

19. The directors may from time to time, out of the earnings of the Company, distribute equitably to the holders of participating policies on the cash plan, issued by the Company such sums as in the judgment of the directors are proper and justifiable.

Power to acquire rights, etc., of a certain Quebec insurance company.

20. (1) The Company may acquire the whole or any part of the rights and property and may assume the obligations and liabilities of La Mercantile Compagnie d'Assurance contre le Feu (The Mercantile Fire Insurance Company) incorporated by chapter one hundred and twenty-three of the statutes of Quebec of the year 1909 as amended by chapter ninety-one of the statutes of Quebec of the year 1911 and by Order in Council No. 541 of May 9th, 1913, hereinafter called "the provincial company;" and in the event of such acquisition and assumption the Company shall perform and discharge all such obligations or liabilities

Duties in such event.

of the provincial company in respect to the rights and property acquired as are not performed and discharged by the provincial company.

Approval of Treasury Board.

(2) No agreement between the Company and the provincial company providing for such acquisition and assumption shall become effective until it has been submitted to and approved by the Treasury Board of Canada.

Conditions for bringing this Act into force.

21. 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 by a resolution adopted by at least two-thirds of the votes of the members of the provincial company present or represented by proxy at a meeting duly called for that purpose, nor until the Superintendent of Insurance has been satisfied by such evidence as he may require that such approval has been given and that the provincial company has ceased to do business, or will cease to do business forthwith upon a licence being issued to the Company.

Application of 1932, c. 46.

22. Except as hereinbefore provided, *The Canadian and British Insurance Companies Act, 1932*, with amendments, shall apply to the Company.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL M².

An Act for the relief of Norah Clara Simson Warden.

AS PASSED BY THE SENATE, 1st APRIL, 1937.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
33275 1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL M2.

An Act for the relief of Norah Clara Simson Warden.

Preamble.

WHEREAS Norah Clara Simson Warden, residing at the city of Montreal, in the province of Quebec, accountant, wife of Dudley Lanscott Warden, agent, who is domiciled in Canada and formerly resided at the said city, has by her petition alleged that they were married on the twelfth day of October, A.D. 1925, at the said city, she then being Norah Clara Simson, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Norah Clara Simson and Dudley Lanscott Warden, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Norah Clara Simson may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Dudley Lanscott Warden had not been solemnized.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL N2.

An Act for the relief of Muriel Beatrice Brown Gray.

Read a first time, Thursday, 18th March, 1937.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
32157 1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL N².

An Act for the relief of Muriel Beatrice Brown Gray.

Preamble.

WHEREAS Muriel Beatrice Brown Gray, residing at the city of Outremont, in the province of Quebec, secretary, wife of Frederick Garnet Gray, contractor, who is domiciled in Canada and residing at the city of Montreal, in the said province, has by her petition alleged that they were married on the twenty-third day of January, A.D. 1917, at the town of Farnham, in the said province, she then being Muriel Beatrice Brown, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Muriel Beatrice Brown and Frederick Garnet Gray, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Muriel Beatrice Brown may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Frederick Garnet Gray had not been solemnized.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL O².

An Act for the relief of Joseph Gédéon Emilien Tanguay.

Read a first time, Thursday, 18th March, 1937.

The Honourable the Chairman of the
Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
33849 1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL O2.

An Act for the relief of Joseph Gédéon Emilien Tanguay.

Preamble.

WHEREAS Joseph Gédéon Emilien Tanguay, domiciled in Canada and residing at the town of Cap-de-la-Madeleine, in the district of Three Rivers, in the province of Quebec, labourer, has by his petition alleged that on the twenty-sixth day of January, A.D. 1935, at the city of Montreal, in the said province, he and Marie Gérardine Charlotte Pintal, who was then of the said town, a spinster, were married; and whereas by his petition he has prayed that, because of her adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Joseph Gédéon Emilien Tanguay and Marie Gérardine Charlotte Pintal, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Joseph Gédéon Emilien Tanguay may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Marie Gérardine Charlotte Pintal had not been solemnized.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL P2.

An Act for the relief of Mabel Marjorie Powter Johnston.

Read a first time, Thursday, 18th March, 1937.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
34066 1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL P2.

An Act for the relief of Mabel Marjorie Powter Johnston.

Preamble.

WHEREAS Mabel Marjorie Powter Johnston, residing at the city of Montreal, in the province of Quebec, wife of David Henry Johnston, salesman, who is domiciled in Canada and residing at the said city, has by her petition alleged that they were married on the fourteenth day of September, A.D. 1929, at the town of St. Anne-de-Bellevue, in the district of Montreal, in the said province, she then being Mabel Marjorie Powter, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Mabel Marjorie Powter and David Henry Johnston, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Mabel Marjorie Powter may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said David Henry Johnston had not been solemnized.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL Q[2].

An Act for the relief of Evelyn McCaughan McBride.

AS PASSED BY THE SENATE, 1st APRIL, 1937.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING S MOST EXCELLENT MAJESTY
33634 1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL Q2.

An Act for the relief of Evelyn McCaughan McBride.

Preamble.

WHEREAS Evelyn McCaughan McBride, residing at the city of Montreal, in the province of Quebec, wife of John McBride, chauffeur, who is domiciled in Canada and residing at the said city, has by her petition alleged that they were married on the twenty-sixth day of September A.D. 1929, at the said city, she then being Evelyn McCaughan, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Evelyn McCaughan and John McBride, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Evelyn McCaughan may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said John McBride had not been solemnized.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL R2.

An Act for the relief of Marie Liette Fortier Mickles.

AS PASSED BY THE SENATE, 1st APRIL, 1937.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
34579 1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL R2.

An Act for the relief of Marie Liette Fortier Mickles.

Preamble.

WHEREAS Marie Liette Fortier Mickles, residing at the city of Montreal, in the province of Quebec, wife of Joseph Lovell Grant Mickles, junior, merchant, who is domiciled in Canada and residing at the said city of Montreal, has by her petition alleged that they were married on the second day of February, A.D. 1928, at the city of Westmount, in the said province, she then being Marie Liette Fortier, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Marie Liette Fortier and Joseph Lovell Grant Mickles, junior, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Marie Liette Fortier may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Joseph Lovell Grant Mickles, junior, had not been solemnized.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL S[2].

An Act for the relief of Cecile Snyder Rashback.

AS PASSED BY THE SENATE, 1st APRIL, 1937.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
32176 1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL S2.

An Act for the relief of Cecile Snyder Rashback.

Preamble.

WHEREAS Cecile Snyder Rashback, residing at the city of Montreal, in the province of Quebec, storekeeper, wife of Harry Hyman Rashback, chemical engineer, who is now domiciled in Canada and residing at the said city, has by her petition alleged that they were married on the thirty-first day of July, A.D. 1929, at the town of Portsmouth, in the state of Virginia, one of the United States of America, she then being Cecile Snyder, a spinster; that on the sixteenth day of May, A.D. 1930, at the said city of Montreal they were married again; that during the year A.D. 1937, the said Harry Hyman Rashback committed adultery; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriages with the said Harry Hyman Rashback; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriages dissolved.

1. The said marriages between Cecile Snyder and Harry Hyman Rashback, her husband, are, respectively, hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Cecile Snyder may at any time hereafter marry any man whom she might lawfully marry if the said marriages with the said Harry Hyman Rashback had not been solemnized.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL T2.

An Act for the relief of Albert Henry Pergley.

AS PASSED BY THE SENATE, 6th APRIL, 1937.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
32294 1937.

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL T2.

An Act for the relief of Albert Henry Pergley.

Preamble.

WHEREAS Albert Henry Pergley, domiciled in Canada and residing at the city of Montreal, in the province of Quebec, head waiter, has by his petition alleged that on the fourteenth day of September, A.D. 1928, at the said city, he and Ethel Pomeroy, who was then of the said city, a spinster, were married; and whereas by his petition he has prayed that, because of her adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Albert Henry Pergley and Ethel Pomeroy, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Albert Henry Pergley may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Ethel Pomeroy had not been solemnized.

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Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL U2.

An Act for the relief of Suzanne Rosenthal Winnikoff.

AS PASSED BY THE SENATE, 6th APRIL, 1937.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
33090 1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL U2.

An Act for the relief of Suzanne Rosenthal Winnikoff.

Preamble.

WHEREAS Suzanne Rosenthal Winnikoff, residing at the city of Montreal, in the province of Quebec, sales clerk, wife of Samuel Winnikoff, grocer's clerk, who is domiciled in Canada and residing at the said city, has by her petition alleged that they were married on the seventeenth day of January, A.D. 1932, at the said city, she then being Suzanne Rosenthal a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Suzanne Rosenthal and Samuel Winnikoff, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Suzanne Rosenthal may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Samuel Winnikoff had not been solemnized.

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Seeond Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL V2.

An Act for the relief of Kate Mary Briggs Robinson.

AS PASSED BY THE SENATE, 6th APRIL, 1937.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
32177 1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL V2.

An Act for the relief of Kate Mary Briggs Robinson.

Preamble.

WHEREAS Kate Mary Briggs Robinson, residing at the city of Montreal, in the province of Quebec, wife of Clarence Henry Robinson, salesman, who is domiciled in Canada and residing at the said city of Montreal, has by her petition alleged that they were married on the first day of March, A.D. 1929, at the city of Verdun, in the said province, she then being Kate Mary Briggs, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Kate Mary Briggs and Clarence Henry Robinson, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Kate Mary Briggs may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Clarence Henry Robinson had not been solemnized.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL W2.

An Act for the relief of Mildred Gordon Kahn.

AS PASSED BY THE SENATE, 6th APRIL, 1937.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

31358

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL W2.

An Act for the relief of Mildred Gordon Kahn.

Preamble.

WHEREAS Mildred Gordon Kahn, residing at the city of Montreal, in the province of Quebec, sales clerk, wife of Isidore Kahn, commercial traveller, who is domiciled in Canada and residing at the said city, has by her petition alleged that they were married on the twenty-eighth day of June, A.D., 1925, at the said city, she then being Mildred Gordon, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Mildred Gordon and Isidore Kahn, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Mildred Gordon may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Isidore Kahn had not been solemnized.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL X[2].

An Act for the relief of Ernest Arthur Allen.

AS PASSED BY THE SENATE, 6th APRIL, 1937.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

32173

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL X[2].

An Act for the relief of Ernest Arthur Allen.

Preamble.

WHEREAS Ernest Arthur Allen, domiciled in Canada and residing at the city of Verdun, in the province of Quebec, typewriter mechanic, has by his petition alleged that on the fourth day of June, A.D., 1931, at the said city, he and Jane Wardrobe Brown, who was then of the said city, a spinster, were married; and whereas by his petition he has prayed that, because of her adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Ernest Arthur Allen and Jane Wardrobe Brown, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Ernest Arthur Allen may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Jane Wardrobe Brown had not been solemnized.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL Y².

An Act for the relief of Florence Rose Wright Clark.

AS PASSED BY THE SENATE, 6th APRIL, 1937.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
34720 1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL Y2.

An Act for the relief of Florence Rose Wright Clark.

Preamble.

WHEREAS Florence Rose Wright Clark, residing at the city of Verdun, in the province of Quebec, stenographer, wife of William Leslie Clark, salesman, who is domiciled in Canada and residing at the said city, has by her petition alleged that they were married on the seventh day of November, A.D. 1931, at the said city, she then being Florence Rose Wright, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Florence Rose Wright and William Leslie Clark, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Florence Rose Wright may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said William Leslie Clark had not been solemnized.

110

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL Z².

An Act for the relief of Constance Hope Davidson.

AS PASSED BY THE SENATE, 6th APRIL, 1937.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
35340 1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL Z[2].

An Act for the relief of Constance Hope Davidson.

Preamble.

WHEREAS Constance Hope Davidson, residing at the city of Westmount, in the province of Quebec, wife of Wayne Davidson, merchant, who is domiciled in Canada and residing at the said city of Westmount, has by her petition alleged that they were married on the fourteenth day of May, A.D. 1925, at the city of Montreal, in the said province, she then being Constance Hope, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Constance Hope and Wayne Davidson, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Constance Hope may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Wayne Davidson had not been solemnized.

112

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL A3.

An Act for the relief of Rosalie Annie Arathoon Webster.

AS PASSED BY THE SENATE, 7th APRIL, 1937.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
35435 1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL A3.

An Act for the relief of Rosalie Annie Arathoon Webster.

Preamble.

WHEREAS Rosalie Annie Arathoon Webster, residing at the village of Micheldever, Hampshire, England, wife of Harold Leslie Webster, insurance agent, who is domiciled in Canada and residing at the city of Westmount, in the province of Quebec, has by her petition alleged that they were married on the twenty-fourth day of December, A.D. 1920, in the parish of Caversham, Oxfordshire, England, she then being Rosalie Annie Arathoon, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Rosalie Annie Arathoon and Harold Leslie Webster, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Rosalie Annie Arathoon may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Harold Leslie Webster had not been solemnized.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL B[3].

An Act for the relief of Minnie Sidilkofsky Sadegursky.

AS PASSED BY THE SENATE, 7th APRIL, 1937.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
35751 1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL B3.

An Act for the relief of Minnie Sidilkofsky Sadegursky.

Preamble.

WHEREAS Minnie Sidilkofsky Sadegursky, residing at the city of Montreal, in the province of Quebec, wife of Jack Sadegursky, collector, who is domiciled in Canada and residing at the said city, has by her petition alleged that they were married on the twenty-second day of June, A.D. 1924, at the said city, she then being Minnie Sidilkofsky, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Minnie Sidilkofsky and Jack Sadegursky, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Minnie Sidilkofsky may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Jack Sadegursky had not been solemnized.

114

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL C3.

An Act for the relief of Simone Baillargeon Mann.

AS PASSED BY THE SENATE, 7th APRIL, 1937.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
35887 1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL C3.

An Act for the relief of Simone Baillargeon Mann.

Preamble.

WHEREAS Simone Baillargeon Mann, residing at the city of Montreal, in the province of Quebec, wife of James Hedley Mann, merchant, who is domiciled in Canada and residing at the said city, has by her petition alleged that they were married on the seventeenth day of October, A.D. 1932, at the said city, she then being Simone Baillargeon, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Simone Baillargeon and James Hedley Mann, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Simone Baillargeon may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said James Hedley Mann had not been solemnized.

115

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL D[3].

An Act for the relief of Thelma Lucille Farr.

AS PASSED BY THE SENATE, 7th APRIL, 1937.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

34583

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL D3.

An Act for the relief of Thelma Lucille Farr.

Preamble.

WHEREAS Thelma Lucille Farr, residing at the city of Montreal, in the province of Quebec, wife of Reynold Ignatius Farr, otherwise known as Reginald Farr, railway porter, who is domiciled in Canada and residing at the said city, has by her petition alleged that they were married on the tenth day of September, A.D. 1924, at the said city, she then being Thelma Lucille Laurence, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Thelma Lucille Laurence and Reynold Ignatius Farr, otherwise known as Reginald Farr, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Thelma Lucille Laurence may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Reynold Ignatius Farr, otherwise known as Reginald Farr, had not been solemnized.

116

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL E[3].

An Act for the relief of Sybil Geddes.

AS PASSED BY THE SENATE, 7th APRIL, 1937.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

35883

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL E3.

An Act for the relief of Sybil Geddes.

Preamble.

WHEREAS Sybil Geddes, residing at the city of Victoria, in the province of British Columbia, clerk, wife of Robert McLeod Geddes, electrical installer, who is domiciled in Canada and residing at the city of Shawinigan Falls, in the province of Quebec, has by her petition alleged that they were married on the thirteenth day of June, A.D. 1931, in the township of Chapleau, in the district of Sudbury, in the province of Ontario, she then being Sybil Mitchell, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Sybil Mitchell and Robert McLeod Geddes, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Sybil Mitchell may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Robert McLeod Geddes had not been solemnized.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL F[3].

An Act for the relief of Maurice Amédée Tremblay.

AS PASSED BY THE SENATE, 7th APRIL, 1937.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING S MOST EXCELLENT MAJESTY
1937.

35937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL F3.

An Act for the relief of Maurice Amédée Tremblay.

Preamble.

WHEREAS Maurice Amédée Tremblay, domiciled in Canada and residing at the city of Montreal, in the province of Quebec, bond salesman, has by his petition alleged that on the fifteenth day of September, A.D. 1928, in the parish of Notre Dame de L'Assomption des Eboulements, in the county of Charlevoix, in the said province, he and Jeanne Rénée de Sales La Terrière, who was then of the said parish, a spinster, were married; and whereas by his petition he has prayed that, because of her physical incompetence and refusal to consummate the said marriage, their marriage be annulled; and whereas the said marriage and the said incompetence and the non-consummation of the said marriage have been proved by evidence adduced and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage annulled.

1. The said marriage between Maurice Amédée Tremblay and Jeanne Rénée de Sales La Terrière, his wife, is hereby annulled, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Maurice Amédée Tremblay may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Jeanne Rénée de Sales La Terrière had not been solemnized.

Second Session, Eighteenth Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL G[3].

An Act respecting employers and employees.

Read a first time, Thursday, April 8th, 1937.

Honourable SENATOR DUFF.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
36312 1937

2nd Session, 18th Parliament, 1 George VI, 1937.

THE SENATE OF CANADA

BILL G3.

An Act respecting employers and employees.

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 Emancipation of Labour Act.*

"Check off" system and export of trade union funds unlawful.

2. It shall be unlawful, and an offence against this Act, for any employer of labour

(a) to operate or maintain in, on, about or with relation to any work, works, factory, store, shop, trade or business being executed or carried on in Canada by or for such employer any "check off" system, so called, or other system whereby such employer, whether with or without the consent of all or any of his employees concerned, deducts from their wages as paid any dues, fines, assessments or other monies payable or alleged to be payable by them or any of them to or for any trade union; or

(b) to send or transfer out of Canada to or for any trade union any money, or its equivalent, whatsoever.

Trade union funds to be deposited in bank.

3. All monies received in Canada by or for any trade union shall be deposited by the proper officers of such trade union or by the person so receiving them, as the case may be, in a chartered bank in Canada to the credit of the trade union concerned.

Penalty.

(2) Any breach or non-observance of the next preceding sub-section by such trade union shall be deemed, in all proceedings over which the Parliament of Canada has jurisdiction, to be sufficient evidence that such trade union is an unlawful association, and, as well, any such breach or non-observance by such trade union or by such person, as the case may be, shall be an offence against this Act.

Inspection of trade union records.

(3) The books, papers, records and banking accounts of all trade unions in Canada shall be open at all times to inspection, in aid of the enforcement of any statute of Canada, by such person as may be from time to time nominated by the Governor in Council.

Penalties.

(4) Any person who obstructs or impedes any such person so nominated to make such inspection while he is engaged therein or who refuses or omits to produce for inspection by him pursuant to the next preceding subsection any such books, papers, records or banking accounts shall be guilty, daily and every day during which such obstruction, impedance, refusal or omission shall continue, of successive offences against this Act.

Foreign representatives of trade unions may not intervene in strikes.

4. It shall be unlawful, and an offence against this Act, for any officer, employee or servant of any trade union, other than one who is both a Canadian National and a *bona fide* resident of Canada, to advise, counsel or aid the declaration, commencement or maintenance of any strike of any employees in, on, about or with relation to any work works, factory, store, shop, trade or business in Canada or otherwise to intervene in any manner or for any purpose in any such strike whilst the same exists.

Penalty and deportation.

(2) Any breach or non-observance of this section shall be punishable, additionally, by the deportation of the offender, who shall be deemed, for the purposes of his deportation, to be a person who is in Canada in violation of the provisions of the *Immigration Act*.

Penalty for offences.

5. Any person who is guilty of an offence against this Act shall be liable to a fine not exceeding ten thousand dollars or to imprisonment not exceeding two years, or to both fine and imprisonment.

Mode of prosecution.

(2) Such offence may be prosecuted either by way of indictment or summary conviction.

When this Act comes into force.

6. This Act shall come into force on the first day of July, 1937.