





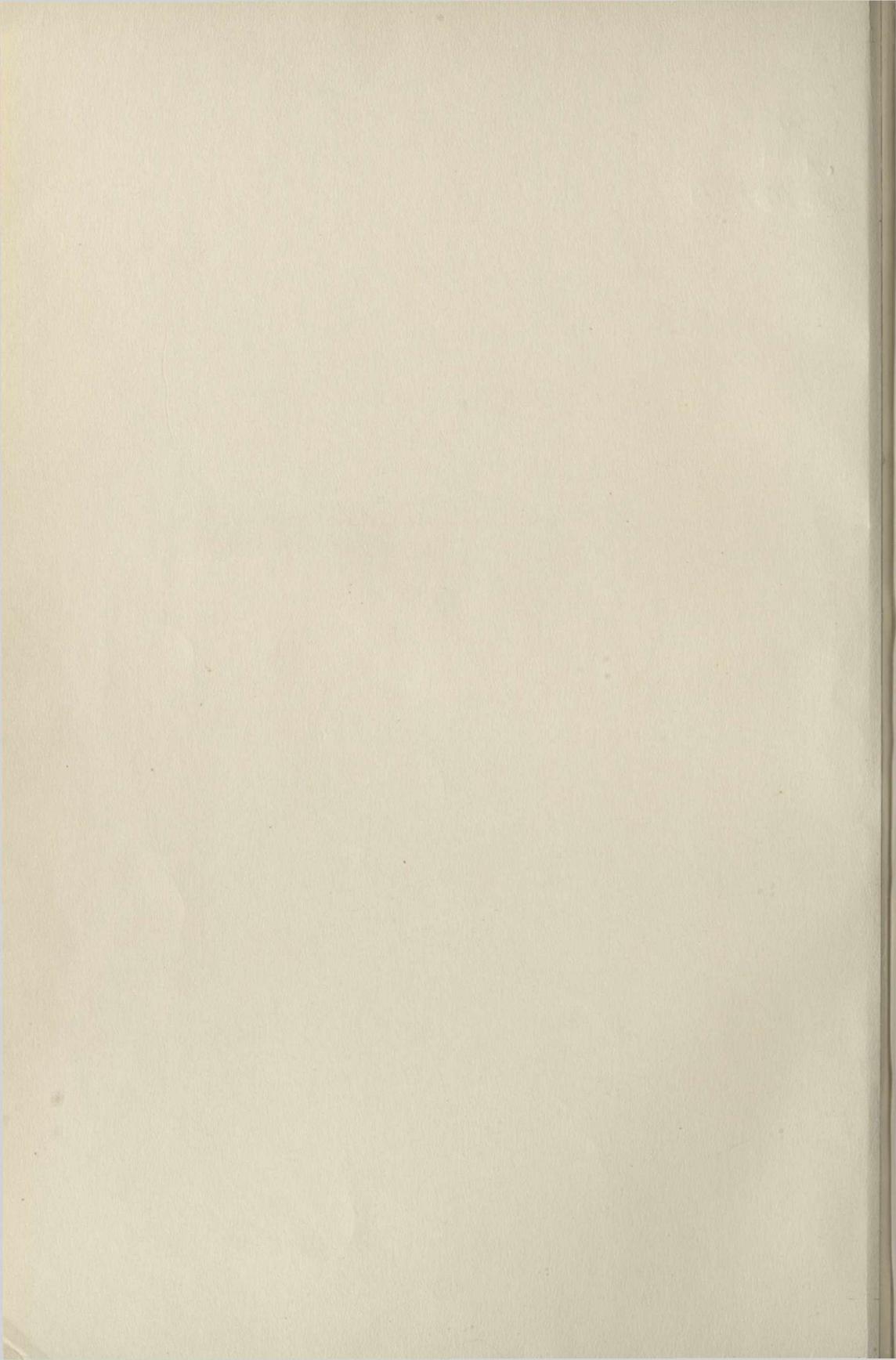
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72

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Canada Central and Hudson Bay Railway Act, (An Act respecting the)	42
Act to amend the	47
City of Toronto, Act to amend and consolidate the several Acts relating to the	49
Grain Act, (Domestic grain), to amend the	5
Grain Act, (An Act to amend the Canadian Anthracite Coal-Company, Limited, Act respecting the)	75
Canadian National Railways, (An Act respecting the) and to authorize the construction of railways to	47
73	
Broadcasting Act, 1932 (An Act to amend the)	32
Beneficial Society, (An Act to amend the Beneficial Society Act to incorporate)	10

INDEX TO BILLS

Fourth Session, 17th Parliament,

23 George V, 1932-33.

Act to amend the	15
Act to amend the	26
Act to amend the	24
Act to amend the	20
<u>PART II</u>	
Act to amend the	57
Act to amend the	57
Act to amend the	57
Act to amend the	73
Act to amend the	3
Act to amend the	30
Act to amend the	34
Act to amend the	32
Act to incorporate)	51
Act to amend the	54
Act to amend the	36
Act to amend the	44

INDEX TO BILLS

Fourth Session, 17th Parliament.

23 George V, 1932-33.

PART II

Algoma Central and Hudson Bay Railway Company. (An Act respecting the) ..	No. 42
Bank Act. (An Act to amend the) .....	27
Board of Trade of the City of Toronto. (An Act to amend and consolidate the several Acts relating to the) .....	29
Canada Grain Act. (Domestic grain). An Act to amend the .....	9
Canada Grain Act. (An Act to amend the).	79
Canadian Anthracite Coal Company, Limited. (An Act respecting the) .....	47
Canadian National Railways. (An Act respecting the) and to authorize the provision of moneys &c.....	73
Canadian Radio Broadcasting Act, 1932. (An Act to amend the) .....	99
Canadian Railway Employees Mutual Benefit Association. (An Act to incorporate) ..	17
Compromises and Arrangements between Companies and their Creditors. (An Act to facilitate) .....	77
Convention between Canada and France concerning the Rights of Nationals and Commercial and Shipping Matters. (An Act respecting a certain) .....	108
Corporation of the City of Ottawa. (An Act to authorize an agreement between His Majesty the King and the) .....	15
Courts of Admiralty. (An Act respecting).	66
Criminal Code. (Unlawful Associations). An Act to amend the .....	24
Criminal Code (Lotteries). An Act to amend the .....	46
Criminal Code. (Offensive Weapons). An Act to amend the .....	53
Criminal Code. (Appeals to Privy Council). An Act respecting the .....	57
Criminal Code. (An Act to amend the) ....	71
Customs Act. (An Act to amend the) .....	6
Customs Act. (An Act to amend the) .....	30
Customs Tariff. (An Act to amend the) ...	13
Customs Tariff. (An Act to amend the) ...	93
Devonshire Jockey Club. (An Act to incorporate) .....	51
Dominion Notes Act. (An Act to amend the).	54
Exchequer Court Act. (An Act to amend the).	26
Exchequer Court Act. (Exclusive jurisdiction). An Act to amend the .....	44

42	Algonquin Central and Hudson Bay Railway Company. (An Act respecting the)
43	Bank Act. (An Act to amend the)
44	Board of Trade of the City of Toronto. (An Act to amend and consolidate the several Acts relating to the)
45	Canada Grain Act. (Domestic grain)
46	Canada Grain Act. (An Act to amend the)
47	Canada Grain Act. (An Act to amend the)
48	Canadian Anthracite Coal Company, Limited. (An Act respecting the)
49	Canadian National Railway. (An Act respecting the) and to authorize the
50	provision of money &c. ....
51	Canadian Radio Broadcasting Act, 1932. (An Act to amend the)
52	Canadian Railway Employees Mutual Benefit Association. (An Act to incorporate)
53	Compromises and Arrangements between Companies and their Creditors. (An Act to facilitate) ....
54	Convention between Canada and France concerning the Rights of Nationals and Citizens and Shipping Matters. (An Act respecting a certain) ....
55	Corporation of the City of Ottawa. (An Act to authorize an agreement between His Majesty the King and the)
56	Courts of Admiralty. (An Act respecting)
57	Criminal Code. (Offensive Weapons)
58	Criminal Code. (Offensive Weapons). An Act to amend the
59	Criminal Code. (Offensive Weapons). An Act to amend the
60	Criminal Code. (Offensive Weapons). An Act respecting the
61	Criminal Code. (An Act to amend the)
62	Customs Act. (An Act to amend the)
63	Customs Act. (An Act to amend the)
64	Customs Tariff. (An Act to amend the)
65	Customs Tariff. (An Act to amend the)
66	Deverehaux Lumber Co. (An Act to incorporate)
67	Deverehaux Lumber Co. (An Act to amend the)
68	Excise Act. (An Act to amend the)
69	Excise Act. (An Act to amend the)
70	Excise Act. (An Act to amend the)

Excise Act. (An Act to amend the) ....	No. 7
Excise Act. (An Act to amend the) ....	94
Export Act. (An Act to amend the) ....	14
Extra-territorial Operation of Acts of the Parliament of Canada. (An Act respecting) .....	74
Fantz (Fred Charles). (An Act respecting a certain Patent application of) .....	49
Forces of His Majesty from other parts of the British Commonwealth or &c. (An Act to make provision with respect to) .....	40
Genter Thickener Company. (An Act respecting a certain patent of) .....	102
Grain Act. (An Act to amend The Canada). (Domestic grain) .....	9
Hay and Straw. (An Act respecting the Inspection and Grading of) .....	22
His Majesty. (An Act granting to) certain sums of money for the public service of the financial year ending the 31st March, 1933 .....	12
His Majesty the King and the Corporation of the City of Ottawa. (An Act to authorize an agreement between) .....	15
His Majesty. (An Act for granting to) certain sums of money for the public service of the financial year ending the 31st March, 1933 .....	52
His Majesty. (An Act for granting to) certain sums of money for the public service of the financial year ending the 31st March, 1934 .....	72
His Majesty. (An Act for granting to) certain sums of money for the public service of the financial year ending the 31st March, 1934 .....	83
His Majesty. (An Act for granting to) certain sums of money for the public service of the financial year ending the 31st March, 1934 .....	109
Immigration Act. (An Act to amend the)..	43
Income War Tax Act. (An Act to amend the).	11
Income War Tax Act. (An Act to amend the).	20
Income War Tax Act. (Declarations on returns). An Act respecting the .....	70
Income War Tax Act. (An Act to amend the).	96



Indian Act. (An Act to amend the) ...	No. 21
Inspection and Grading of Hay and Straw. (An Act respecting the) .....	22
Interest Act. (An Act to amend the) ....	81
Judges Act. (An Act to amend the) .....	84
Migratory Birds Convention Act. (An Act to amend the) .....	19
Montreal Harbour Commissioners' Act, 1894. (An Act to amend the) .....	10
Nipissing Central Railway Company. (An Act respecting the) .....	56
Oaths of Allegiance Act. (An Act to amend the) .....	82
Patent application of Fred Charles Fantz. (An Act respecting a certain) .....	49
Penitentiary Act (Eight Hour Day). An Act to amend the -.....	25
Penitentiary Act. (An Act to amend the) ..	59
Pension Act. (An Act to amend the) .....	78
Pension Act. (An Act to amend the) .....	78
Post Office Act. (An Act to amend the) ...	98
Public Service. (An Act to authorize the raising, by way of loan, of certain sums of money for the) .....	103
Quebec Savings Banks Act. (An Act to amend the) .....	28
Railway Act (Rates on grain). An Act to amend the -.....	18
Railway Act (Return Tickets). An Act to amend the -.....	39
Railway Act (Rate Structure). An Act to amend the -.....	50
Railway Act. (An Act to amend the) .....	80
Relief Measures. (An Act respecting) .....	55
Representation in the House of Commons. (An Act to readjust the) .....	2
Representation in the House of Commons. (An Act to readjust the) .....	2
Royal Canadian Mounted Police Act. (An Act to amend the) .....	58
Saint Nicholas Mutual Benefit Association (An Act respecting the) and to change its name to "Ukrainian Mutual Benefit Association of Saint Nicholas of Canada".	23
Salary Deduction Act, 1932. (An Act to amend the) .....	38

31	No. . . . .	Indian Act (An Act to amend the
32		Inspection and Grading of Highways
33		(An Act respecting the)
34		Interest Act (An Act to amend the)
35		Judges Act (An Act to amend the)
36		Ministry Birds Convention Act (An Act
37		to amend the)
38		Montreal Harbour Commissioners' Act, 1904
39		(An Act to amend the)
40		Nipissing Central Railway Company (An Act
41		respecting the)
42		Order of Alliance Act (An Act to amend
43		the)
44		Patent application of Fred Charles Parke
45		(An Act respecting a certain)
46		Parliamentary Act (Short Hour Day) An
47		Act to amend the
48		Parliamentary Act (An Act to amend the)
49		Pension Act (An Act to amend the)
50		Pension Act (An Act to amend the)
51		Post Office Act (An Act to amend the)
52		Public Service (An Act to authorize the
53		making, by way of loan, of certain sums
54		of money for the)
55		United Savings Banks Act (An Act to amend
56		the)
57		Railway Act (Amendment) An Act to
58		amend the
59		Railway Act (Return Tickets) An Act to
60		amend the
61		Railway Act (Rate Structure) An Act to
62		amend the
63		Railway Act (An Act to amend the)
64		Railway Act (An Act respecting the)
65		Representation in the House of Commons
66		(An Act to restrict the)
67		Representation in the House of Commons
68		(An Act to restrict the)
69		Royal Canadian Mounted Police Act (An Act
70		to amend the)
71		Saint Nicholas Mutual Benefit Association
72		(An Act respecting the) and an amending
73		Act to "Mutual Benefit
74		Association of Saint Nicholas of Canada"
75		Safety Director Act, 1903 (An Act to
76		amend the)

Sarnia-Port Huron Vehicular Tunnel Company. (An Act to incorporate the).	No.41
Shipping Matters. (An Act respecting a certain Convention between Canada and France concerning the Rights of Nationals &c. ....)	108
Soldier Settlement Act. (An Act to amend the) .....	45
Special War Revenue Act. (An Act to amend the) .....	95
Synod of the Diocese of Saskatchewan (An Act respecting the) and to change its name to "Synod of the Diocese of Saskatoon." .....	16
Tariff Board Act. (An Act to amend the).	100
Trade Agreement between the Dominion of Canada and the Union of South Africa. (An Act respecting a certain) .....	3
Trade Agreement between the Dominion of Canada and the Irish Free State. (An Act respecting a certain) .....	4
Trade Agreement between Canada and Southern Rhodesia. (An Act respecting a certain) .....	5
Trade Agreement between His Majesty's Government in Canada and His Majesty's Government in the United Kingdom. (An Act respecting a certain) .....	8
Trade Agreement made between Canada and New Zealand. (An Act to authorize the Governor in Council to agree to extend by proclamation the duration of the)...	97
Trade Agreement between Canada and France. (An Act respecting a certain) .....	107
Vancouver, Victoria and Eastern Railway and Navigation Company and the Northern Pacific Railway Company. (An Act to confirm an agreement made between the).	48
Visiting Forces of His Majesty (An Act respecting) and the exercise of command, discipline and attachments of Commonwealth Forces when serving together ....	40
War Revenue Act. (An Act to amend the Special) .....	95

Canada-Panama Navigation Company, (An Act to incorporate the same) No. 41  
 Shipping Matters, (An Act respecting a certain Convention between Canada and France concerning the Rights of Nationals in) ..... 104  
 Soldier Settlement Act, (An Act to amend the) ..... 45  
 Special War Revenue Act, (An Act to amend the) ..... 88  
 Syndic of the Diocese of Saskatchewan (An Act respecting the) and to change its name to "Syndic of the Diocese of Saskatchewan" ..... 16  
 Treaty Act, (An Act to amend the) ..... 100  
 Trade Agreement between the Dominion of Canada and the Union of South Africa (An Act respecting a certain) ..... 5  
 Trade Agreement between the Dominion of Canada and the Irish Free State, (An Act respecting a certain) ..... 4  
 Trade Agreement between Canada and Southern Rhodesia, (An Act respecting a certain) ..... 8  
 Trade Agreement between the Majesty's Government in Canada and the Majesty's Government in the United Kingdom, (An Act respecting a certain) ..... 9  
 Trade Agreement made between Canada and New Zealand, (An Act to authorize the Governor in Council to agree to extend by proclamation the duration of the) ..... 97  
 Trade Agreement between Canada and France (An Act respecting a certain) ..... 107  
 Vancouver, Victoria and Eastern Railway and Navigation Company, (An Act to confirm an agreement made between the) ..... 88  
 Visiting Forces of His Majesty the King (Respecting) and the exercise of command, (An Act to amend the) ..... 40  
 War Revenue Act, (An Act to amend the) ..... 80

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Fourth Session, Seventeenth Parliament, 23 George V, 1932

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THE HOUSE OF COMMONS OF CANADA.

**BILL 2.**

An Act to readjust the Representation in the House of  
Commons.

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First reading, October 13, 1932.

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THE PRIME MINISTER.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 2.

An Act to readjust the Representation in the House of Commons.

R.S., c. 176.

WHEREAS the results of the census of 1931 necessitate a readjustment of the representation in the House of Commons, pursuant to the provisions of *The British North America Act, 1867*, and the other statutes in that behalf: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Short title.

1. This Act may be cited as *The Representation Act, 1932*.

Number of Members.

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

Division into electoral districts.

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

Construction of schedule.

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

#### EXPLANATORY NOTES.

Section 4 of the existing Representation Act, chapter 176, Revised Statutes, 1927, reads as follows:—

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

Representation in the House of Commons is governed by section 51 of the British North America Act, 1867, which reads as follows:—

"51. On the completion of the census in the year one thousand eight hundred and seventy-one, and of each subsequent decennial census, the representation of the Four Provinces shall be readjusted by such authority, in such manner, and from such time, as the Parliament of Canada from time to time provides, subject and according to the following rules:—

- (1) Quebec shall have the fixed number of sixty-five Members;
- (2) There shall be assigned to each of the other Provinces such a number of members as will bear the same proportion to the number of its Population (ascertained at such census) as the number Sixty-five bears to the number of the population of Quebec (so ascertained);
- (3) In the computation of the number of members for a province a fractional part not exceeding one-half of the whole number requisite for entitling the province to a member shall be disregarded; but a fractional part exceeding one-half of that number shall be equivalent to the whole number;
- (4) On any such readjustment the number of members for a province shall not be reduced unless the proportion which the number of the population of the province bore to the number of the aggregate population of Canada at the then last preceding readjustment of the number of members for the province is ascertained at the then latest census to be diminished by one-twentieth part or upwards;
- (5) Such readjustment shall not take effect until the termination of the then existing Parliament."

Later on, by the British North America Amendment Act of 1886 (49-50 Vict., c. 35), provision was made in Section 1 that "the Parliament of Canada may from time to time make provision for the representation in the Senate and the House of Commons of Canada, or in either of them, for any territories which for the time being form part of the Dominion of Canada, but are not included in any province thereof." Under this section the Yukon Territory was given one representative by Chapter 37 of the Statutes of 1902.

Again in 1915, an Amendment to the British North America Act (5-6 Geo. V, c. 45), was passed by the Imperial Parliament, providing that "notwithstanding anything in the said Act, a province shall always be entitled to a number of members in the House of Commons not less than the number of senators representing such province."

Doubtful cases decided by Chief Electoral Officer.

accordingly construed as intended, unless the contrary is expressed, to include the whole of the contained area, whether particularly mentioned or not, and to include also any area partly surrounded by the areas expressly described which appears to have been intended to be included. 5  
 In any doubtful case the Chief Electoral Officer shall finally determine of what electoral district, if any, any area not expressly referred to was intended to form part, and shall, within the first fifteen days after the session of Parliament next following any such determination, report the same, 10  
 with the reasons therefor, to the Speaker of the House of Commons.

Interpretation.

5. Wherever in the said schedule any word or expression is used to denote the name of any territorial division, such word or expression shall, unless the context otherwise requires, be construed as indicating such territorial division as it exists and is bounded at the date of the passing of this Act. 15

Incorrect description

6. Wherever in the said schedule a municipality or place is wrongfully referred to as a city, or a town, or a village, but there is within the territorial limits of the electoral district, in the description of which the reference occurs, a municipality or place of the same name which is a city, or a town, or a village, but is not of the class,—city, town or village, as the case may be,—specified in the schedule, the reference shall be taken to be to that municipality or place. 20  
 25

Commencement of Act.

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

## SCHEDULE.

The application of the provision of subsection 4 of Section 51 of the British North America Act (quoted above) to Prince Edward Island, Nova Scotia, New Brunswick, Ontario, Manitoba (the provinces in which a decrease in the rate of growth of population as compared with the rate of Canada as a whole, has taken place), is shown in the following statement:—

Province	Proportion which population of each province bears to the total population in Canada		Decrease in proportion from 1921-1931	Ratio of decrease in proportion from 1921 to 1931 to proportion in 1921	Decrease greater than, equal to or less than one-twentieth of proportion in 1931
	1921	1931			
Prince Edward Island.....	·01008426	·00848412	·00160014	·1587	greater
Nova Scotia.....	·05961197	·04942243	·01018954	·1709	greater
New Brunswick....	·04413965	·03933963	·00480002	·1087	greater
Ontario.....	·33384627	·33070769	·00313858	·0094	less
Manitoba.....	·06943053	·06747166	·00195887	·0282	less
Yukon.....	·00047303	·00040764	·00006539	·1382	greater

The above table shows that no reduction should take place in the representation of Ontario or Manitoba, as the proportion which the number of the population of the province bore to the number of the aggregate population of Canada at the re-adjustment of the number of members for the province based on the census of 1921 is ascertained at the census of 1931 to be diminished by less than one-twentieth part.

*Nova Scotia.*—The proportion for Nova Scotia having diminished by more than one-twentieth part, the provisions of subsection 4 of section 51 do not apply and the representation of Nova Scotia should be reduced in accordance with the provisions of section 51, subsections 2 and 3 of the Act by two members.

*Prince Edward Island.*—Prince Edward Island would only have two members on the strict basis of population but its representation remains unchanged at 4 under the British North America Act of 1915.

*New Brunswick.*—The representation of New Brunswick if fixed by the unit of representation (44,186) would be reduced from 11 to 9; but as the Act of 1915 provided that "a province shall always be entitled to a number of members in the House of Commons, not less than the number of Senators representing such province", the representation of New Brunswick will be 10 instead of 9, corresponding with the number of Senators from that Province.

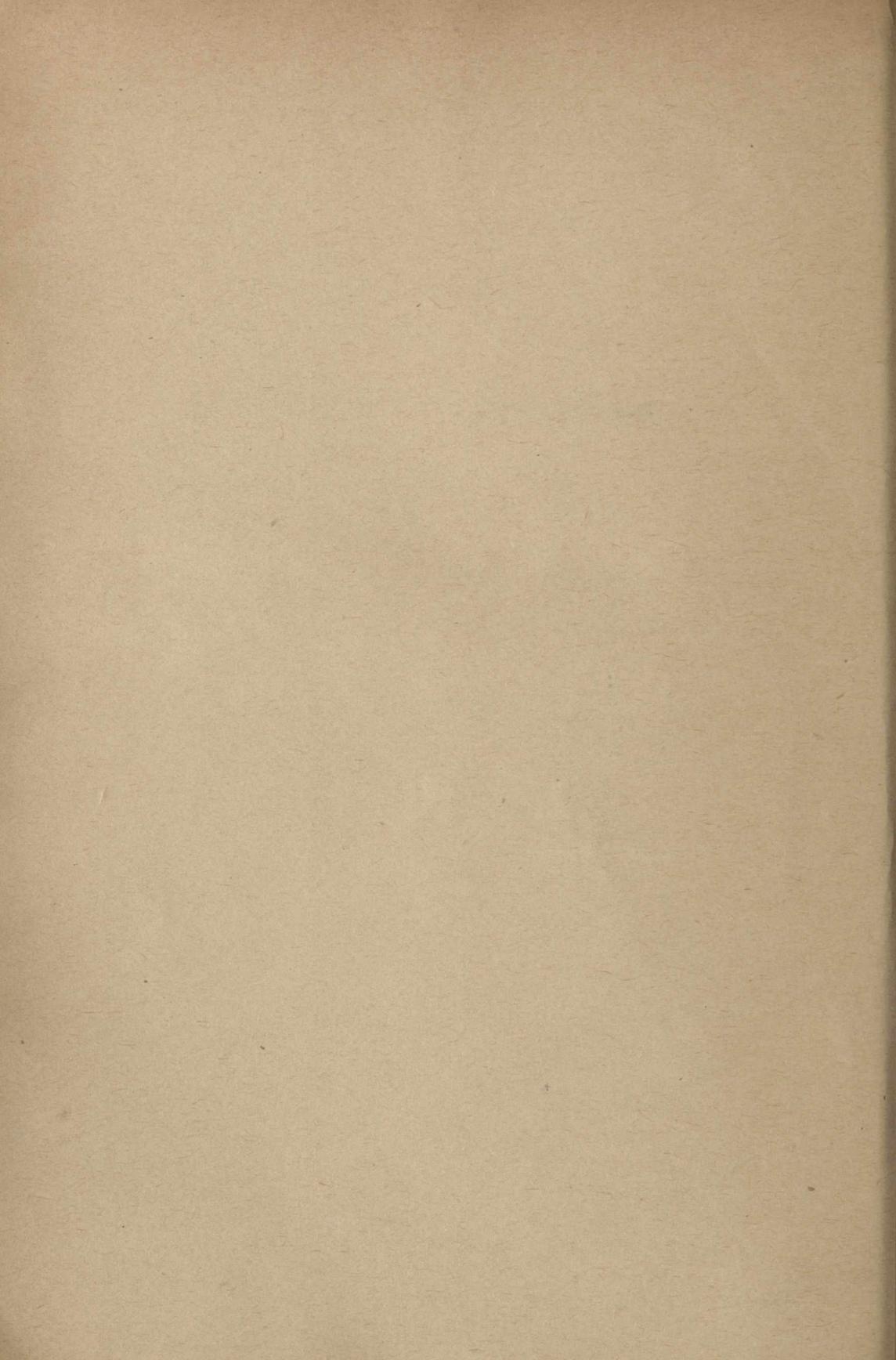
*Yukon.*—The representation of the Yukon is not determined by the B. N. A. Act, but is within the competence of Parliament to decide. In the following statement it is presumed it will continue to be represented.

The representation, therefore, to which each province is entitled as a result of redistribution based upon the 1931 census will be as follows:—

Prince Edward Island.....	4
Nova Scotia.....	12
New Brunswick.....	10
Quebec.....	65
Ontario.....	82
Manitoba.....	17
Saskatchewan.....	21
Alberta.....	17
British Columbia.....	16
Yukon.....	1







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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 2.**

An Act to readjust the Representation in the House of  
Commons.

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REPRINTED AS REPORTED BY THE SELECT SPECIAL  
COMMITTEE.

---

THE PRIME MINISTER.

---

OTTAWA  
J. O. PATENAUDE, ACTING KING'S PRINTER

THE HOUSE OF COMMONS OF CANADA.

**BILL 2.**

An Act to readjust the Representation in the House of Commons.

R.S., c. 176.

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Short title.

**1.** This Act may be cited as *The Representation Act, 1932*.

Number of Members.

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Division into electoral districts.

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

Construction of schedule.

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

#### EXPLANATORY NOTES.

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Representation in the House of Commons is governed by section 51 of the British North America Act, 1867, which reads as follows:—

"51. On the completion of the census in the year one thousand eight hundred and seventy-one, and of each subsequent decennial census, the representation of the Four Provinces shall be readjusted by such authority, in such manner, and from such time, as the Parliament of Canada from time to time provides, subject and according to the following rules:—

- (1) Quebec shall have the fixed number of sixty-five Members;
- (2) There shall be assigned to each of the other Provinces such a number of members as will bear the same proportion to the number of its Population (ascertained at such census) as the number Sixty-five bears to the number of the population of Quebec (so ascertained);
- (3) In the computation of the number of members for a province a fractional part not exceeding one-half of the whole number requisite for entitling the province to a member shall be disregarded; but a fractional part exceeding one-half of that number shall be equivalent to the whole number;
- (4) On any such readjustment the number of members for a province shall not be reduced unless the proportion which the number of the population of the province bore to the number of the aggregate population of Canada at the then last preceding readjustment of the number of members for the province is ascertained at the then latest census to be diminished by one-twentieth part or upwards;
- (5) Such readjustment shall not take effect until the termination of the then existing Parliament."

Later on, by the British North America Amendment Act of 1886 (49-50 Vict., c. 35), provision was made in Section I that "the Parliament of Canada may from time to time make provision for the representation in the Senate and the House of Commons of Canada, or in either of them, for any territories which for the time being form part of the Dominion of Canada, but are not included in any province thereof." Under this section the Yukon Territory was given one representative by Chapter 37 of the Statutes of 1902.

Again in 1915, an Amendment to the British North America Act (5-6 Geo. V, c. 45), was passed by the Imperial Parliament, providing that "notwithstanding anything in the said Act, a province shall always be entitled to a number of members in the House of Commons not less than the number of senators representing such province."

- Doubtful cases decided by Chief Electoral Officer. accordingly construed as intended, unless the contrary is expressed, to include the whole of the contained area, whether particularly mentioned or not, and to include also any area partly surrounded by the areas expressly described which appears to have been intended to be included. In any doubtful case the Chief Electoral Officer shall finally determine of what electoral district, if any, any area not expressly referred to was intended to form part, and shall, within the first fifteen days after the session of Parliament next following any such determination, report the same, with the reasons therefor, to the Speaker of the House of Commons. 10
- Report to Speaker.
- Interpretation. **5.** Wherever in the said schedule any word or expression is used to denote the name of any territorial division, such word or expression shall, unless the context otherwise requires, be construed as indicating such territorial division as it exists and is bounded at the date of the passing of this Act. 15
- Incorrect description. **6.** Wherever in the said schedule a municipality or place is wrongfully referred to as a city, or a town, or a village, but there is within the territorial limits of the electoral district, in the description of which the reference occurs, a municipality or place of the same name which is a city, or a town, or a village, but is not of the class,—city, town or village, as the case may be,—specified in the schedule, the reference shall be taken to be to that municipality or place. 25
- Commencement of Act. **7.** This Act shall take effect only upon the dissolution of the present Parliament.

The application of the provision of subsection 4 of Section 51 of the British North America Act (quoted above) to Prince Edward Island, Nova Scotia, New Brunswick, Ontario, Manitoba (the provinces in which a decrease in the rate of growth of population as compared with the rate of Canada as a whole, has taken place), is shown in the following statement:—

Province	Proportion which population of each province bears to the total population in Canada		Decrease in proportion from 1921-1931	Ratio of decrease in proportion from 1921 to 1931 to proportion in 1921	Decrease greater than, equal to or less than one-twentieth of proportion in 1931
	1921	1931			
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Nova Scotia.....	·05961197	·04942243	·01018954	·1709	greater
New Brunswick....	·04413965	·03933963	·00480002	·1087	greater
Ontario.....	·33384627	·33070769	·00313858	·0094	less
Manitoba.....	·06943053	·06747166	·00195887	·0282	less
Yukon.....	·00047303	·00040764	·00006539	·1382	greater

The above table shows that no reduction should take place in the representation of Ontario or Manitoba, as the proportion which the number of the population of the province bore to the number of the aggregate population of Canada at the re-adjustment of the number of members for the province based on the census of 1921 is ascertained at the census of 1931 to be diminished by less than one-twentieth part.

*Nova Scotia.*—The proportion for Nova Scotia having diminished by more than one-twentieth part, the provisions of subsection 4 of section 51 do not apply and the representation of Nova Scotia should be reduced in accordance with the provisions of section 51, subsections 2 and 3 of the Act by two members.

*Prince Edward Island.*—Prince Edward Island would only have two members on the strict basis of population but its representation remains unchanged at 4 under the British North America Act of 1915.

*New Brunswick.*—The representation of New Brunswick if fixed by the unit of representation (44,186) would be reduced from 11 to 9; but as the Act of 1915 provided that "a province shall always be entitled to a number of members in the House of Commons, not less than the number of Senators representing such province", the representation of New Brunswick will be 10 instead of 9, corresponding with the number of Senators from that Province.

*Yukon.*—The representation of the Yukon is not determined by the B. N. A. Act, but is within the competence of Parliament to decide. In the following statement it is presumed it will continue to be represented.

The representation, therefore, to which each province is entitled as a result of redistribution based upon the 1931 census will be as follows:—

Prince Edward Island.....	4
Nova Scotia.....	12
New Brunswick.....	10
Quebec.....	65
Ontario.....	82
Manitoba.....	17
Saskatchewan.....	21
Alberta.....	17
British Columbia.....	16
Yukon.....	1

## SCHEDULE.

### ONTARIO.

There shall be in the province of Ontario eighty-two electoral districts, named and described as follows, each of which shall return one member:—

1. ALGOMA EAST consisting of the territorial district of Manitoulin and those parts of the territorial districts of Algoma and Sudbury bounded on the south by Lake Huron and the said district of Manitoulin, and on the west by a line described as commencing on the south boundary of Canada at the intersection (east of St. Joseph's Island in Lake Huron) of the projection southerly of the east boundary of the township of Plummer Additional and running north to and along the east boundary of the said township and of the line of townships lying north thereof to the south boundary of the twenty-first range of townships, east along the said south boundary to a point directly south of the southwest corner of township 32, and north along the west boundary of the said township and of the line of townships lying north thereof to the northwest corner of the township of Doherty, then east along the north boundary of the said township to the northeast corner of Shanly township, thence south along the easterly boundary of said township to the southeast corner of Lougheed township, thence easterly to the northeast corner of the township of Frey, thence southerly along the east side of said township and all townships in a line due south to where southeast corner of Mackinnon township joins Lake Huron.

2. ALGOMA WEST consisting of those parts of the territorial districts of Algoma and Sudbury bounded on the south by the southerly boundary of the said district of Algoma; on the east by the west boundary of the electoral district of Algoma East as above described, and on the west at the point where the line between townships 30 and 31 joins Lake Superior and north on the said line to the north line of the 23rd range of townships and east on said base line of the 23rd range to the line between townships 29 and 30 and north along the east boundary of township thirty and its projection due north, not including the village of Hornepayne, thence east along the south boundary of the township of McCoig to the southeast corner of the township of McMillan, thence south to the northwest corner of the township of Dowsley, thence east along the north boundary of the Township of Dowsley to the northeastern boundary of the township of Ebbs, thence south along the east boundary of the township of Ebbs to the northwestern boundary of the township of Doherty.



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

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

5. BRUCE consisting of the present riding of Bruce North, and in addition, the following townships from the riding of Bruce South—Huron, Kinloss, Culross, and Greenock.

6. CARLETON consisting of the townships of Fitzroy, Gloucester, Goulbourn, Huntley, March, Marlborough, Nepean, North Gower, Osgoode, Torbolton, the village of Richmond and that part of the city of Ottawa lying west of the centre of Parkdale avenue.

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

8. DUFFERIN-SIMCOE consisting of the present riding of Dufferin-Simcoe, less the townships of East Luther and East Garafraxa.

9. DURHAM consisting of the county of Durham.

10. ELGIN consisting of the County of Elgin, including the city of St. Thomas.



11. ESSEX EAST consisting of that part of the County of Essex included in the towns of Ford City and Walkerville and the villages of Riverside, Tecumseh and the townships of Maidstone, Rochester, Tilbury (North and West), Sandwich East and Sandwich South, and that part of Windsor south of the Tecumseh Road.

12. ESSEX SOUTH consisting of that part of the County of Essex included in the townships of Anderdon, Malden, Colchester (North and South), Gosfield (North and South), Mersea and Pelee Island.

13. ESSEX WEST consisting of the city of Windsor, the town of Sandwich and the township of Sandwich West but not including the towns of Ford City and Walkerville and the villages of Riverside, Tecumseh and St. Clair Shores, and that part of the city of Windsor south of the Tecumseh Road.

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

15. FRONTENAC-ADDINGTON consisting of the County of Lennox and Addington, and the County of Frontenac, excepting the City of Kingston and the village of Portsmouth.

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

17. GREY NORTH consisting of the present riding of Grey North, and, in addition, the townships of Osprey and Holland.

18. GREY SOUTHEAST consisting of the present riding of Grey Southeast excepting the townships of Holland and Osprey and including that part of the County of Bruce comprised in the township of Elderslie, Carrick and Brant.



19. HALDIMAND consisting of the county of Haldimand.
20. HALTON consisting of the County of Halton.
21. HAMILTON EAST consisting of that part of the city of Hamilton lying east of Wellington street and west of Ottawa street.
22. HAMILTON WEST consisting of that part of the city of Hamilton lying west of Wellington street, east of Paradise road, and north of Croate's Paradise.
23. HASTINGS-PETERBOROUGH consisting of that part of the County of Peterborough lying east of a line described as commencing at the northwest corner of the township of Anstruther and following the west boundary of the said township and of the townships of Burleigh, Dummer and Asphodel to the south boundary of the said County, together with that part of the County of Hastings lying north of a line described as commencing at the southwest corner of the township of Rawdon and following the south boundary of the said township, the south and east boundaries of the township of Huntingdon and the south boundary of the townships of Madoc and Elzevir to the east boundary of the said county.
24. HASTINGS SOUTH consisting of that part of the County of Hastings included in the townships of Hungerford, Tyendinaga, Thurlow and Sydney, and including the city of Belleville and towns of Trenton and Deseronto.
25. HURON NORTH consisting of the present riding of Huron North and including the township of Goderich and the village of Clinton.
26. HURON SOUTH consisting of that part of the County of Huron comprised in the townships of Stanley, Hay, Stephen, Hullett, Tuckersmith, Osborne and McKillop, and that part of the County of Perth comprised in the Township of Hibbert and Fullerton.
27. KENORA-RAINY RIVER consisting of that portion of Ontario bounded on the south by the International boundary, on the west and north by the boundary of the Province of Manitoba, and on the east by the 4th meridian.
28. KENT consisting of the county of Kent, including the city of Chatham, the town of Tillbury and the village of Wheatly which two municipalities are now in the electoral districts of Essex East and Essex South respectively, but less the Gore of Chatham, Walpole Island, St. Anne's Island and the other islands at the mouth of the river St. Clair, the Gore of Camden, Camden and Zone.



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

30. LAMBTON-KENT consisting of the present riding and Lambton East, less the township of Bosanquet but including the following; the township of Sombra now in London West and the following municipalities from the county of Kent—Walpole Island, St. Anne's Island, and the other islands at the mouth of the river St. Clair and the Gore of Chatham, the Gore of Camden, Camden and Zone and the town of Wallaceburg.

31. LAMBTON WEST consisting of the present riding of Lambton West less the township of Sombra, Walpole Island, St. Anne's Island and the other islands at the mouth of the St. Clair river but including the township of Bosanquet.

32. LANARK consisting of the county of Lanark.

33. LEEDS consisting of the county of Leeds.

34. LINCOLN consisting of the county of Lincoln.

35. LONDON consisting of that part of the city of London lying west of a line described as commencing at the intersection of Adelaide street with the north boundary of the said city and following Adelaide street and Oxford street to the northeast corner of Wolsley Barracks area, thence following the easterly boundary of the barrack area and its projection southerly to the intersection of the projection of the south side of Central avenue to the south side of Middleton avenue, thence following the said projection and the south side of the said street easterly to its intersection with the west side of Glasgow street, thence following the said west side of Glasgow street and its projection southerly to the north side of Lorne avenue, thence following the said north side of Lorne avenue and its projection easterly to Burbrook place, thence following Burbrook place southerly to Dundas street and Dundas street easterly to its intersection with the projection northerly of Swinyard street, thence southerly along the said projection, the said street and its projection southerly to Pine street, thence westerly and southerly along Pine street, Elm street, Trafalgar street, Adelaide street and its projection southerly to the centre line of the south branch of the river Thames, thence along the said centre line downstream to its intersection with the projection northerly of Beverly street, thence southerly along the said projection and Wellington street south to the south boundary of the said city.

36. MIDDLESEX EAST consisting of that part of the County of Middlesex lying east of a line described as commencing at the northwest corner of the township of Bid-



dulph and following the west boundary of the said township and of the townships of London and Westminster to the south boundary of the said County, together with that part of the city of London not included in the electoral district of London as hereinbefore described.

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

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

39. NIPISSING EAST consisting of that part of the present riding of Nipissing lying east of a line drawn northerly and southerly between the present townships of Grant and Charlton, and Pedley and Beauceage and including the townships of Clara, Maria and Head, at present in the riding of Renfrew North.

40. NIPISSING WEST consisting of bounded on the west by eastern line of Algoma East commencing at northwest corner of township of Crothers and from that point southerly to where said line reaches Lake Huron between the townships of MacKinnon and Mongowin. On the north and east by line drawn from northwest corner of township of Crothers easterly along northerly boundary of said township to north east corner of township of Zavitz thence due southerly along eastern boundary of said township to northeast corner of township of Unwin, thence easterly along northerly boundary of township of Stull to north east corner of township of Sladen thence southerly to north east corner of township of McNish and thence easterly along northerly boundary of township of Pardo to northeast corner of township of Sisk thence southerly along eastern boundary of said township due south to waters of Lake Nipissing and thence westerly along northerly boundary of Parry Sound and the easterly and northerly boundary of Manitoulin to the intersection of the eastern boundary of the riding of Algoma East.

41. NORFOLK consisting of the County of Norfolk.

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



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

44. OTTAWA NORTH EAST consisting of that part of the city of Ottawa comprised in the following wards: Rideau, Ottawa, By, St. George's; that part of Victoria Ward lying east of Parkdale avenue; that part of Riverdale Ward lying east of centre line of Rideau Canal projected southerly to the intersection of Riverdale avenue and Echo Drive, thence easterly along Riverdale avenue to the intersection of Main street, thence southerly along centre line of Main street projected to the city limit, together with the town of Eastview and the village of Rockcliffe.

45. OTTAWA SOUTH consisting of that part of the city of Ottawa comprised in the following wards: Central, Capital, Wellington, Dalhousie, that part of Riverdale Ward lying west of a centre line of Main street projected southerly to the southerly limits of the city of Ottawa and south of centre line of Riverdale avenue and that part of Elmdale Ward lying east of Parkdale avenue.

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

47. PARRY SOUND consisting of the territorial district of Parry Sound.

48. PEEL consisting of the county of Peel.

49. PERTH NORTH consisting of that part of Perth county contained in the townships of Ellice, Logan, Mornington, Elma and Wallace, and the city of Stratford, towns of Listowel and Mitchell.

50. PERTH-OXFORD consisting of that part of the county of Oxford included in the townships of Nissouri East, Zorra (West and East), Blandford and Blenheim, together with the townships of North Easthope, South Easthope, Downie and Blanchard and the town of St. Mary's in the county of Perth.

51. PETERBOROUGH WEST consisting of that part of the County of Peterborough included in the townships of Galway, Cavendish, Harvey, Ennismore, Smith, Douro,



Otanabee and North Monaghan, and that part of the County of Northumberland included in the township of South Monaghan, together with the city of Peterborough.

52. PORT ARTHUR consisting of the present riding of Port Arthur-Thunder Bay lying east of the fourth meridian but excluding that portion of township thirty (30) heretofore described in Algoma West and the village of Michipicoten.

53. PRINCE EDWARD-LENNOX consisting of the county of Prince Edward and the Coutny of Lennox and including Amherst Island.

54. RENFREW NORTH consisting of the present riding of Renfrew North, excepting the townships of Cameron, Clara Maria and Head.

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

56. RUSSELL-PRESCOTT consisting of the counties of Russell and Prescott.

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

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

59. STORMONT-GLENGARRY consisting of the Counties of Stormont and Glengarry.

60. TIMISKAMING consisting of that part of the territorial district of Timiskaming lying south of a line described as commencing on the west boundary of the said district at the north west corner of the township of Hillary, thence following the northerly boundary of the row of townships of which Hillary is the most westerly, to the north-east corner of the township of Ossian on the east boundary of the said district, and thence following the eastern boundary in a southerly direction along the Ontario-Quebec



boundary to southeast corner of the township of Eddy thence westerly to the southwest corner of the township of Lyman and thence northerly to the northwest corner of the township of Kenney, thence westerly to the southwest corner of Clement, thence northerly to the northwest corner of Medina, thence westerly to the southwest corner of Dufferin, thence northerly along the present boundary to the northwest corner of Hillary.

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

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

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

64. WELLAND consisting of the county of Welland.

65. WELLINGTON NORTH consisting of the present riding of Wellington North together with the township of Erin and the townships of East Luther and East Garafraxa from the County of Dufferin.

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

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

68. YORK EAST comprising all that part of the County of York lying south of the township of Whitechurch, east of the center of Yonge Street, north of the city of Toronto, and including the village of Stouffville.



69. YORK NORTH consisting of all that part of the County of York lying north of the southerly boundary of the townships of North York and Whitechurch, excepting therefrom the village of Stouffville.

70. YORK SOUTH consisting of all that portion of the township of York not included in the electoral district of West York, the town of Weston and the village of Forest Hill.

71. YORK WEST consisting of all that portion of the Township of York lying west of a line drawn as follows:— Commencing at the limits of the City of Toronto at the intersection of the centre line of Weston Road and the centre line of Northlands Avenue, thence northerly along the centre line of Weston Road to its intersection with Lambton Avenue, thence westerly along the centre line of Lambton Avenue to the Humber River, the Township of Etobicoke, the towns of Mimico and New Toronto and the villages of Long Branch and Swansea.

#### CITY OF TORONTO.

The city of Toronto is divided into eleven electoral districts, named and described as follows:—

72. BROADVIEW bounded on the east by the centre line of Leslie Avenue projected to the southern city limit, and northerly along the centre line of Leslie Avenue to the centre line of Eastern Avenue, and westerly along the centre line of Eastern Avenue to the centre line of Rushbrook Avenue and northerly along the centre line of Rushbrook Avenue to the centre line of Queen Street; thence westerly along the centre line of Queen Street to the centre line of Jones Avenue; northerly along the centre line of Jones Avenue to the centre line of Danforth Avenue; thence westerly along the centre line of Danforth Avenue to the centre line of Langford Avenue; thence northerly along the centre line of Langford Avenue to the City Limits; thence westerly along the City Limits to the centre of the channel of the Don River; thence southerly and westerly along the centre of the channel of the Don River to where it enters Toronto Bay; thence southerly along the centre line of the Eastern Channel to the southern City Limits; thence easterly along the City Limits of Toronto to the point of commencement.

73. DANFORTH bounded on the south by the City Limits; on the north by the City Limits; on the east by the City Limits; on the west where the centre line of Wood-



bine Avenue produced intersects the southern city Limits, thence northerly along the centre line of Woodbine Avenue to the City Limits.

74. DAVENPORT bounded on the east by the westerly limit of Trinity Riding; on the north from the intersection of the centre line of Oakwood Avenue and the north City Limit, thence westerly and northerly along the north City Limit to the line of the Canadian National Railway; thence southerly along the Canadian National Railway line to the line of the Canadian Pacific Railway; thence easterly along the line of the Canadian Pacific Railway to its intersection with the centre line of Lansdowne Avenue; thence southerly along the centre line of Lansdowne Avenue to the centre line of College Street; thence easterly along the centre line of College Street to the centre line of Dufferin Street; thence southerly along the centre line of Dufferin Street to Lake Ontario; thence easterly along Lake Ontario to the westerly limit of Trinity Riding.

75. GREENWOOD bounded on the south by the City Limits; on the east by the centre line of Woodbine Avenue projected to the southern city limits, and northerly along the centre line of Woodbine Avenue to the City Limits; thence northerly and westerly along the line of the City Limits to where the said line intersects Langford Avenue; thence southerly along the eastern boundary of Broadview Riding to where the said boundary crosses the southern city limits.

76. HIGH PARK consists of Ward Seven of the City of Toronto and that part of Ward Six lying west of a line drawn as follows:—Commencing at the point of intersection of the centre line of Bloor Street and the centre line of Indian Road; thence southerly along the centre line of Indian Road to the centre line of Howard Park Avenue; thence easterly along the centre line of Howard Park Avenue to the point of intersection with the centre line of Sunnyside Avenue; thence southerly along the centre line of Sunnyside Avenue to the shore of Lake Ontario.

77. EGLINTON consists of Ward Nine of the City of Toronto.

78. PARKDALE bounded on the east by the westerly limit of Davenport Riding from Lake Ontario to the line of the Canadian Pacific Railway; thence westerly along the line of the Canadian Pacific Railway to the boundary between Ward Six and Ward Seven of the City of Toronto; thence southerly along the boundary between Ward Six and Ward Seven to the point where it intersects Bloor Street; thence westerly along the centre line of Bloor Street to the centre



line of Indian Road; thence southerly along the centre line of Indian Road to the centre line of Howard Park Avenue; thence easterly along the centre line of Howard Park Avenue to its intersection with the centre line of Sunnyside Avenue; thence southerly along the centre line of Sunnyside Avenue to Lake Ontario; thence easterly along Lake Ontario to Dufferin Street.

79. ROSEDALE bounded on the south by the City Limits; on the east by the centre line of the Don Channel and the boundary of Ward Two to where it intersects Ward Nine; on the north by Ward Nine; on the west by the centre line of Sherbourne Street projecting south to Toronto Bay, and northerly to the centre line of Bloor Street and westerly along the centre line of Bloor Street to the centre line of Yonge Street; thence northerly along the centre line of Yonge Street to where it intersects the Boundary of Ward Nine.

80. ST. PAUL'S bounded on the east by the centre line of Sherbourne Street projecting to Toronto Bay and north to Bloor Street, following the centre line of Bloor Street west to Yonge Street and the centre line of Yonge Street north to the belt line railway, following the belt line railway in a north-westerly direction to the westerly limit of the city; thence following the westerly limit of the city to where it crosses the centre line of Dunvegan Road; thence southerly along the centre line of Dunvegan Road to the centre line of St. Clair Avenue; thence easterly along the centre line of St. Clair Avenue to the centre line of Poplar Plains Road; thence southerly along the centre line of Poplar Plains Road to Dupont Street; thence westerly along the centre line of Dupont Street to the centre line of St. George Street; thence southerly along the centre line of St. George and Beverley Streets to the centre line of Queen Street; thence easterly along the centre line of Queen Street to the centre line of John Street thence southerly along the centre line of John Street projected to Toronto Bay; thence along the northerly limit of Toronto Bay to Sherbourne Street projected.

81. SPADINA on the east by the westerly boundary of St. Paul's Riding; on the north by the city limits; on the west commencing at the intersection of Christie street with the city limits; thence southerly along the centre line of Christie street and Grace street to Dundas street; thence easterly along the centre line of Dundas street to the centre line of Bathurst street; thence southerly along the centre line of Bathurst street produced to Toronto Bay, inclusive of Toronto Island.



82. TRINITY bounded on the east by the westerly boundary of Spadina Riding to a point where Christie street intersects the north city limits; thence westerly along the north city limits to the centre line of Oakwood avenue; thence southerly along the centre line of Oakwood avenue to the centre line of Davenport Road; thence westerly along the centre line of Davenport Road to the centre line of Dovercourt Road; thence southerly along the centre line of Dovercourt Road to the southerly end thereof and along the continuation of said centre line to and along the centre line of Atlantic avenue and the same produced in a straight line to Lake Ontario; thence easterly along Lake Ontario to the westerly limit of Spadina Riding.



## QUEBEC.

There shall be in the Province of Quebec, outside of the Island of Montreal, 49 electoral districts, named and described as follows, each of which shall return one member.

## 1. ARGENTEUIL consisting of:

- (a) The County of Argenteuil;
- (b) That portion of the County of Two-Mountains lying north of the North River;
- (c) That portion of the County of Papineau as included in the municipalities of Notre-Dame de Bonsecours, Notre-Dame de Bonsecours North, Ste-Angélique, Cœur-très Pûr de la Bienheureuse Vierge-Marie de Plaisance, St-André-Avellin, Notre-Dame de la Paix, and the villages of Montebello, Papineauville, and St-André.

## 2. BEAUCE consisting of:—

- (a) The County of Beauce, excepting such part thereof as is included in the municipalities of St-Séverin and St-Elzéar;
- (b) That part of the County of Dorchester included in that part of the municipality of St-Benjamin lying the Seigniories of Rigaud Vaudreuil and Aubin-Delisle, together with that part of the County of Dorchester as is included in the municipality of St-Maxime;
- (c) That part of the County of Frontenac as is included in the municipalities of Ditchfield and Spalding, Gayhurst, Gayhurst, S.E., Risborough and Marlow, St-Augustin-de-Woburn, St-Gédéon, St-Hilaire-de-Dorset, St-Hubert-de-Spalding and the village of St-Ludger.

## 3. BEAUHARNOIS-LAPRAIRIE consisting of:

- (a) The County of Beauharnois except such part thereof as is included in the municipality of St-Etienne;
- (b) the County of Laprairie except such part thereof as is included in the concessions of St-Lambert, La Pinière, l'Ange-Gardien, les prairies of the municipality of Laprairie;
- (c) that part of the County of Châteauguay as is included in the municipalities of Ste-Philomène, St-Joachim and the town of Léry and of Châteauguay;
- (d) that part of the County of Huntingdon as is included in the municipality of Ste-Barbe.



4. BELLECHASSE consisting of:
- (a) The County of Bellechasse, excepting that part of the municipality of Honfleur lying in the seigniories of Lauzon and Joliette, and that part of the municipality of Ste-Sabine lying in the township of Langevin et Ware;
  - (b) That part of the County of Lévis, included in the municipalities of Rivière Boyer, St-Henri de Lauzon, St-Jean Chrysostôme, St-Henri Village;
  - (c) That part of the county of Dorchester as is included in the parish municipality of St-Luc de Dijon;
  - (d) That part of the county of Montmagny as is included in the municipalities of Berthier and St-François de la Rivière-du-Sud.
5. BERTHIER-MASKINONGE consisting of the Counties of Berthier and Maskinongé.
6. BONAVENTURE consisting of:
- (a) the county of Bonaventure;
  - (b) that part of the county of Matapedia comprised in the municipalities of Ste. Florence, Ste. Marguerite and Causapscaal (parish and village).
7. BROME-MISSISQUOI consisting of the Counties of Brome and Missisquoi.
8. CHAMBLY-ROUVILLE consisting of:
- (a) The County of Chambly;
  - (b) the County of Rouville excepting such part thereof as is included in the municipalities of St-Paul-d'Abbotsford, St-Ange-Gardien, St-Césaire, and the the villages of Canrobert and St-Césaire;
  - (c) that part of the County of Verchères included in the municipality of the town of Belœil, the village of McMasterville, and the municipalities of Ste-Julie and St-Mathieu;
  - (d) that part of the County of Laprairie as is included in the concessions of St-Lambert, La Pinière, L'Ange-Gardien, les Prairies of the municipality of Laprairie.
9. CHAMPLAIN consisting of that portion of the County of Champlain included in the following municipalities: The City of Cap-de-la-Madeleine, town of St-Tite and the village of Champlain, La Visitation de Champlain, Notre-Dame-du-Mont-Carmel, St-Adelphe, Ste-Anne, Ste-Anne-de-la-Pérade, Batiscan, Ste-Geneviève-de-Batiscan, St-Louis-de-France, St-Luc, Ste-Marthe, St-Maurice, St-Narcisse, St-Prosper, St-Séverin, St-Stanislas, Ste-Thècle, St-Théophile, St-Timothée et St-Tite.



## 10. CHAPLEAU consisting of:—

- (a) The County of Abitibi, excepting such part thereof as is included in the following territory: Starting from the north-west corner of the township of Hebecourt at the interprovincial boundary thence in an easterly direction following the north boundary of the said township of Hebecourt to the north-east corner of the township of Villemontel, thence south to the north-east corner of the township of Preissac, thence in an easterly direction to the north-east corner of the township of Varsan, thence in an easterly direction to Bell River, thence in a southerly direction following the course of the said Bell River to the north boundary of Temiskaming County, thence in a westerly direction along the north boundary of the County of Temiskaming to the south-west corner of the township of Montbray on the Interprovincial boundary, thence north to the north-west corner of the township of Hebecourt, point of departure.
- (b) All that portion of the County of St-Maurice and the County of Champlain lying north of the prolongation of the south boundary of Abitibi County to its intersection with the north-West boundary of the Quebec County, thence north along the said north-east boundary in a westerly direction to the south-west boundary of Lake St-John County and along said boundary to the County of Abitibi.

## 11. CHARLEVOIX-SAGUENAY consisting of:

- (a) The Counties of Charlevoix-East and Charlevoix West and l'Île aux Coudres;
- (b) The County of Saguenay;
- (c) The territory of New Quebec, the Island of Anticosti;
- (d) The County of Montmorency No. 1, excepting such part thereof as is included in the municipalities of St-Jean de Boischatel and l'Ange-Gardien.

## 12. CHATEAUGUAY-HUNTINGDON consisting of:

- (a) The County of Chateauguay except such part thereof as is included in the municipalities of Ste-Philomene, St-Joachim, the town of Lery and of Chateauguay;
- (b) the County of Huntingdon except such part thereof as is included in the municipality of Ste-Barbe;
- (c) that part of the County of Beauharnois as is included in the municipality of St-Etienne;
- (d) that part of the County of St-John as is included in the municipality of St-Bernard de Lacolle, Notre-Dame du Mont-Carmel and the village of Lacolle.

## 13. CHICOUTIMI consisting of the County of Chicoutimi.



## 14. COMPTON consisting of:

- (a) The County of Compton;
- (b) So much of the County of Stanstead as is included in that part of the municipality of St-Hermenegilde lying in the township of Hereford;
- (c) That part of the County of Sherbrooke included in the municipalities of Compton (township and village) and Waterville;
- (d) That part of the County of Frontenac included in the municipalities of Marston South, Ste-Cecile de Whitton, Chesham, Winslow South, Clinton, St-Leonde-Marston, Winslow North and the town of Megantic.

## 15. DORCHESTER consisting of:

- (a) The County of Dorchester, except that part of the municipality of St-Benjamin, lying in the seigniories of Rigaud-Vaudreuil and Aubin-Delisle, and that part as is included in the municipalities of St-Luc and St-Maxime;
- (b) That portion of the County of Bellechasse included in that part of the municipality of Honfleur, lying in the seigniories of Lauzon and Joliette and that part of the municipality of Ste-Sabine lying in the townships of Langevin and Ware.

## 16. DRUMMOND-ARTHABASKA consisting of the Counties of Drummond and Arthabaska.

## 17. GASPE consisting of:

- (a) The Counties of Gaspé East and Gaspé West and the Madeleine Islands;
- (b) That part of the County of Matane included in the townships of Dalibaire and Romieu West.

## 18. HULL consisting of:

- (a) That part of the County of Hull included in the city of Hull and in the municipalities or townships of Pointe-Gatineau, Templeton East, Templeton West, Templeton North and the east part of Templeton East;
- (b) That part of the County of Papineau included in the municipalities or townships of L'Ange-Gardien, Buckingham, Buckingham South-East, Buckingham West, Derry (but not Mulgrove), Portland East, Portland West, Bowman, Villeneuve and the town of Buckingham;
- (c) That part of the County of Labelle included in the municipalities or townships of Bigelow, Wells, McGill, Wabasse and Dudley.

## 19. JOLIETTE-MONTCALM consisting of:

- (a) The County of Joliette including the City of Joliette;
- (b) the County of Montcalm.



## 20. KAMOURASKA consisting of:

- (a) The county of Kamouraska;
- (b) That part of the County of Temiscouata as is included in that part of the municipality of Notre-Dame-du-Portage (complete);
- (c) That part of the County of l'Islet as is included in the municipalities of Ashford, Ste-Louise, Ste-Perpetue, St-Roch-des-Aulnaies and Tourville.

## 21. LABELLE consisting of:

- (a) All those parts of the Counties of Labelle and Papineau, not included in the electoral districts of Hull, Wright and Argenteuil (Municipalities of Notre-Dame-du-Bonsecours North and Notre-Dame-du-Bonsecours (Fassett), Ste-Angélique, Coeur Tres Pur de la Bienheureuse Vierge-Marie-de-Plaisance, St-Andre-Avellin, Notre-Dame de la Paix and the villages of Papineauville, Montebello and St-Andre-Avellin).

## 22. LAFLECHE-ST-MAURICE consisting of:

- (a) The County of St-Maurice, except such part thereof as is included in the municipalities of Pointe-du-Lac, La Pointe-du-Lac (Visitation), Ste-Anne de Yamachiche, St-Barnabé-de-Gatineau, St-Etienne-des-Grès, St-Sévère, Notre-Dame des Trois-Rivières, City of Trois-Rivières, the village of Yamachiche and Potherie;
- (b) Such part of the County of Champlain as is included in the municipalities of the town of Grand'Mere, LaTuque, the village of Almaville and Notre-Dame de la Présentation d'Almaville, St-Jean-des-Piles, St-Jacques-des-Piles, St-Joseph de Mekinac, St-Roch de Mekinac together with all the territory situated north of these municipalities and south of the limits of the new electoral district of Chapleau.

## 23. LAKE ST-JOHN-ROBERVAL consisting of the Counties of Lake St-John East and Lake St-John West.

## 24. L'ASSOMPTION-TERREBONNE consisting of:

- (a) The County of L'Assomption;
- (b) The County of Terrebonne except such part thereof as is included in the municipalities of Ste-Thérèse (town and parish) and St-Janvier-de-Blainville.

## 25. LAVAL-TWO-MOUNTAINS consisting of:

- (a) The County of Laval, excepting such part thereof as is included in the municipalities of Pont-Viau, the town of Laval-des-Rapides, and that part of the village of l'Abord-à-Plouffe lying east of the River-Road in the west part of the municipality;



- (b) The County of Two-Mountains, except such part thereof as lying north of the North-River being the municipality of St-Colomban together with that northern part of St-Canut;
- (c) That part of the County of Terrebonne as is included in the municipality of Ste-Thérèse-de-Blainville, (town and parish), and St-Janvier-de-Blainville.

26. LEVIS consisting of that portion of the County of Lévis included in the municipalities of the City of Lévis, town of Lauzon, Village de Charny, St-David de l'Aube-Rivière, Ste-Hélène-de-Breakeyville, St-Joseph-de-la-Pointe-de-Lévis, St-Louis de Gonzague-de-Pintendre, St-Romuald d'Etchemin and St-Télesphore.

27. LOTBINIERE consisting of:

- (a) The County of Lotbinière;
- (b) That part of the County of Nicolet as is included in the municipalities of Lemieux, St-Pierre-les-Becquets, Ste-Cécile-de-Lévrard, Ste-Sophie-de-Lévrard, Ste-Marie-de-Blandford, St-Joseph-de-Blandford and the village of Manseau;
- (c) That part of the County of Lévis as is included in the municipalities of St-Etienne-de-Lauzon, St-Lambert-de-Lauzon, St-Nicholas, St-Nicholas Sud, the village of St-Rédempteur;
- (d) That part of the County of Mégantic as is included in the village of Lyster and the municipalities of Ste-Anastasie-de-Nelson, Nelson, Leeds, Leeds East, St-Jacques-de-Leeds;
- (e) That part of the County of Beauce as is included in the municipalities of St-Elzéar and St-Séverin.

28. MATAPEDIA-MATANE consisting of:

- (a) The County of Matane except that part thereof as is included in the townships of Dalibaire and Romieu West;
- (b) The County of Matapedia, except Ste-Florence, Ste-Marguerite and Causapséal (parish and village).

29. MEGANTIC-FRONTENAC consisting of:

- (a) The County of Mégantic except that part as is included in the municipalities of Leeds, Leeds East, St-Jacques-de-Leeds, Nelson, Ste-Anastasie-de-Nelson and the village of Lyster;
- (b) that part of the county of Frontenac as is included in the municipalities of Courcelles, St-Vital-de-Lambton, St-Evariste-de-Forsyth, St-Méthode d'Adstock, St-Sébastien and the villages of Lambton and St-Evariste Station;



(c) that part of the County of Wolfe as is included in the municipalities of Garthby, Stratford, Wolfestown, d'Israel and the village of Beaulac and D'Israeli.

30. MONTMAGNY-L'ISLET consisting of:

(a) the County of Montmagny, Ile aux Grues and adjoining Islands, except such part thereof as is included in the municipality of Berthier, St-François-de-la-Rivière-du-Sud;

(b) the county of L'Islet, except such part thereof as is included in the municipalities of Ashford, Ste-Louise, St-Roch-des-Aulnaies, Ste-Perpétue and Tourville.

31. NICOLET-YAMASKA consisting of:

(a) The County of Nicolet except such part thereof as is included in the municipalities of Lemieux Ste-Cecile-de-Levrard, St-Joseph-de-Blandford, Ste-Marie-de-Blandford, St-Pierre-les-Becquets, Ste-Sophie-de-Levrard and the village of Manseau;

(b) The County of Yamaska except such part thereof as lying west of the river Yamaska.

32. PONTIAC consisting of:

(a) The County of Pontiac;

(b) The County of Temiskaming;

(c) That part of the County of Abitibi described as follows: Starting from the north-west corner of the township of Hebecourt at the interprovincial boundary, thence in an eastern direction following the north boundary of the said township of Hebecourt to the north-east corner of the township of Villemontel, thence south to the northeast corner of the township of Preissac, thence in an easterly direction to the north-east corner of the township of Lacorne, thence south to the north-east corner of the township of Varsan, thence in the easterly direction to Bell River, thence in a southerly direction following the course of Bell River to the north boundary of Temiskaming County, thence in a westerly direction along the north boundary of the County of Temiskaming to the south-West corner of the township of Montbray at the Interprovincial boundary, thence north to the north-west corner of the township of Hebecourt, point of departure.

33. PORTNEUF consisting of:

(a) The County of Portneuf, except such part thereof as is included in the Camp of Valcartier;

(b) that portion of the County of Quebec as is included in the Municipality of St-Gerard-Majella, together with all that portion of the County lying north of the township of Stoneham and the south boundary of the township of Neilson.



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

35. QUEBEC SOUTH consisting of all that portion of the City of Quebec lying south and east of a line described as commencing at the northwest corner of the said city and drawn along Ste-Foye road and St-John street to the eastern boundary of the electoral district of Quebec East, thence north along the said eastern boundary to the St-Charles river, thence easterly to St-Lawrence river.

36. QUEBEC SOUTH WEST consisting of all that part of the City of Quebec not included in the electoral districts of Quebec East and Quebec South, together with that part of the County of Quebec included in the municipalities of Petite Rivière and the town of Quebec West.

37. QUEBEC-MONTMORENCY consisting of:

- (a) The County of Quebec, except such part thereof as is included in the municipalities of the City of Quebec, town of Quebec West and the municipalities of La Petite Rivière, St-Gérard-Majella and St-Michel-Archange, also all that portion of the County of Quebec lying north of township of Stoneham and the south boundary of the township of Neilson;
- (b) that portion of the County of Montmorency as is included in the municipalities of St-Jean-de-Boischatel, L'Ange-Gardien and the Island of Orléans;
- (c) all that portion of the County of Portneuf as is included in the Camp of Valcartier.

38. RICHELIEU-VERCHERES consisting of:

- (a) The county of Richelieu;
- (b) The county of Verchères except such part thereof as is included in the municipalities of Ste-Julie, St-Mathieu, the town of Belœil and the village of McMasterville;
- (c) That portion of the County of Yamaska as is included in that part of the municipality and the village and St-Michel village lying west of Yamaska River.



(d) That part of the County of St-Hyacinthe, as is included in the municipalities of St-Barnabé, St-Bernard Sud and St-Jude-de-St-Ours, St-Charles-de-la-Rivière-Chambly and St-Denis-de-la-Rivière-Chambly and the villages of St-Charles and St-Denis.

39. RICHMOND-WOLFE consisting of:

- (a) The County of Richmond;
- (b) The County of Wolfe, except such part thereof as is included in the municipalities of Stratford, d'Israeli, Garthby, Wolfestown, Village of Beaulac and d'Israeli.

40. RIMOUSKI consisting of:

- (a) The County of Rimouski;
- (b) That part of the County of Témiscouata as is included in the municipalities of Bégon (St-Jean-de-Dieu), Ste-Françoise and Trois-Pistoles (Town and Parish).

41. ST-JOHN-IBERVILLE consisting of:

- (a) The County of St-John except such part thereof as is included in the Municipalities of N.-D. du Mont-Carmel, St-Bernard de Lacolle and the village of Lacolle.
- (b) The County of Iberville.
- (c) The County of Napierville.

42. ST-HYACINTHE-BAGOT consisting of:

- (a) The County of St-Hyacinthe except such part thereof as is included in the municipalities of St-Barnabé, St-Bernard part south, St-Jude-de-St-Ours, St-Charles, St-Denis of La Rivière Chambly and the villages of St-Charles and St-Denis;
- (b) The County of Bagot;
- (c) That part of the County of Rouville as is included in the municipalities of St-Césaire (parish and village) St-Paul d'Abbotsford, St-Ange-Gardien and the village of Courobert.

43. SHEFFORD consisting of the county of Shefford including the City of Granby.

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

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



46. TEMISCOUATA consisting of the County of Témiscouata, except that part thereof as is included in the municipalities of Notre-Dame-du-Portage (complete), Bégou, St-François, Trois-Pistoles (town and parish).

47. THREE RIVERS consisting of:

- (a) That portion of the County of St-Maurice as is included in the municipalities of Pointe-du-Lac, La Pointe-du-Lac (Visitation), Ste-Anne-de-Yamachiche St-Barnabé-de-Gatineau, St-Etienne-des-Grès, St-Séver, the village of Yamachiche and Potherie Island;
- (b) Notre-Dame-des-Trois-Rivières and the city of Three-Rivers.

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

49. WRIGHT consisting of:

- (a) That part of the County of Hull not included in the electoral district of Hull;
- (b) That part of the County of Labelle included in the township of Blake.

ISLAND OF MONTREAL. There shall be in that part of the Province of Quebec, included in the Island of Montreal, 16 electoral districts named and described as follows, each of which shall return one member.

50. CARTIER consisting of that part of the City of Montreal bounded by a line starting at the intersection of St. Denis street with Craig street following the centre of Craig street to the centre of St. Laurent boulevard, thence following the centre of St. Laurent boulevard to the centre of Pine avenue, thence following the centre of Pine avenue to the centre of Park avenue, thence following the centre of Park avenue to the centre of Duluth avenue, thence following the centre of Duluth avenue to the centre of Esplanade avenue, thence following the centre of Esplanade avenue to the centre of Mount Royal avenue, thence following the centre of Mount Royal avenue to the centre of Hutchison avenue, thence following the centre of Hutchison avenue to the centre of Laurier avenue, thence following the centre of Laurier avenue to the centre of St. Laurent boulevard, thence following the centre of St. Laurent boulevard to the centre of Mount Royal avenue, thence following the centre of Mount Royal avenue to the centre of St. Denis street, thence following the centre of St. Denis street to the point of departure.

51. HOCHELAGA-ST-MARIE consisting of that part of the city of Montreal bounded by a line starting at the intersection of Rachel street with the centre of DeLormier street thence following the centre of DeLormier street to



the bank of the St. Lawrence river, thence following the bank of the St. Lawrence river to the centre of boulevard Pie IX thence following the centre of boulevard Pie IX to the centre of Nolan street thence following the centre of Nolan street to the centre of Iberville street thence following the centre of Iberville street to the centre of Rachel street thence following the centre of Rachel street to the point of departure.

52. JACQUES CARTIER consisting of all that portion of the Island of Montreal and those parts of the city of Montreal lying south of a line starting from the Rivière-des-Prairies at the extension of the centre line of Notre-Dame des Anges street, thence following said extension and the centre of said street to the centre of boulevard Gouin, thence following the centre of boulevard Gouin to the centre of boulevard O'Brien, thence following the centre of boulevard O'Brien to the northwestern limit of the parish of St-Laurent, thence following the northwestern limit of the parish of St. Laurent together with the northern limit of said parish to the northern limit of the town of Mount-Royal, thence following the limit of the town of Mount Royal to the western limit of the City of Outremont, thence following the western limit of the city of Outremont to the eastern limit of the town of Mount Royal, thence following the eastern and southeastern limit of the town of Mount-Royal to the centre of the Canadian Pacific Railway tracks, thence following the Canadian Pacific Railway tracks to the centre of Côte des Neiges road, thence following the centre of Côte-des-Neiges road to the centre of DeL'Oratoire avenue, thence following the centre of DeL'Oratoire avenue to the dividing line between cadastral of lots 159 and 160, thence along said dividing line to its intersection with the western limit of the city of Westmount, thence following said western boundary of the city of Westmount to the centre of Kingston road, thence following the centre of Kingston road to the centre of Miller avenue, thence following the centre of Miller avenue to the centre of Queen Mary road, thence following the centre of Queen Mary road to the dividing line between Mont-Royal ward and Notre-Dame-de-Grâce ward of the city of Montreal, thence following said dividing line to the eastern limit of the village of Côte St. Luc, thence following the eastern limit of the village of Côte St. Luc and the western limit of the town of Hampstead to the south limit of said town, thence following said limit of the town of Hampstead to the centre of Côte St-Luc road, thence following the centre of Côte St. Luc road to the Canadian Pacific Railway tracks, thence following the Canadian Pacific Railway track to its intersection with the Canadian National Railway tracks at the north limit of the city of



Lachine, thence following the centre of the Canadian National Railway tracks to the centre of 6th avenue of the city of Lachine, thence following the centre of the 6th Avenue to the centre of the city of Lachine to its intersection of the Canadian National Railways tracks running parallel to Victoria St., thence following the centre of the Canadian National Railways tracks to the centre of 15th avenue of the city of Lachine thence following the centre of 15th avenue to lake St. Louis, together with the Island of the town of Dorval and Bizard Island.

53. LAFONTAINE consisting of that part of the city of Montreal bounded by a line starting at the intersection of Iberville and Rachel streets, thence following the centre of Rachel street to the centre of DeLanaudière street thence following of DeLanaudière street to the centre of Côte St. Michel road thence following the centre of Côte St. Michel road to its intersection with the south boundary of the town of St. Michel De Laval thence following said boundary to the eastern boundary of the town of St. Michel De Laval thence following the said boundary to the centre of First avenue thence following the centre of First avenue to the centre of Iberville street thence following the centre of Iberville street to the centre of Rachel street thence following the centre of Rachel street to the point of departure.

54. LAURIER consisting of that part of the city of Montreal bounded by a line starting at the intersection of Mount Royal avenue with St. Laurent boulevard, thence following the centre of St. Laurent boulevard to the centre of Laurier avenue, thence following the centre of Laurier avenue to the centre of Hutchison avenue, thence following the centre of Hutchison avenue to the centre of the Canadian Pacific Railway tracks, thence following the centre of the Canadian Pacific Railway tracks to its intersection with the prolongation of the centre of De Lanaudière thence following the extension and the centre of DeLanaudière street to the centre of Mount Royal avenue, thence following the centre of Mount Royal avenue to the centre of St. Laurent boulevard to the point of departure together with part of the city of Outremont bounded by a line starting at the intersection of the boundary of Outremont and the centre of Côte Ste. Catherine, thence following the centre of Côte Ste. Catherine Road to the centre of Bloomfield avenue, thence following the centre of Bloomfield avenue to the Canadian Pacific Railway tracks, thence following the Canadian Pacific Railway tracks to the North eastern boundary of the city of Outremont, thence following the North eastern boundary of the City of Outremont to the point of departure.



55. MAISONNEUVE-ROSEMONT consisting of that part of the city of Montreal bounded by a line, starting at the intersection of Iberville street with Nolan; thence following the centre of Nolan street to the centre of boulevard Pie IX; thence following centre of boulevard Pie IX to the bank of the river St. Lawrence thence following the bank of River St. Lawrence to its intersection with the centre of Viau street; thence following the centre of Viau street and its prolongation to its intersection with the centre of Masson street; thence following the centre of Masson street to the centre of 45th avenue; thence following the centre of 45th avenue to the eastern boundary of the town of St-Léonard-de-Port-Maurice and of the city of St-Michel-de-Laval to its intersection with First avenue, then following the centre of First avenue to the centre of Bélanger avenue; thence following the centre of Bélanger avenue to the centre of Iberville street; thence following the centre of Iberville street to the point of departure.

56. MERCIER consisting of that part of the city of Montreal bounded by a line starting from the intersection of De Lanaudière street with Côte St. Michel road, thence following the centre of Côte St. Michel road, to the centre of Lemay street, thence following the centre of Lemay street to the centre of Poucher street, thence following the centre of Poucher street to the centre of Guizot street, thence following the centre of Guizot street and its extension to the centre of the Canadian Pacific Railway tracks, thence following the centre of the Canadian Pacific railway tracks to the centre of Crémazie boulevard, thence following the centre of Crémazie boulevard to its intersection with the southwestern limit of the city of Montreal, thence following the southwestern limit of the city of Montreal to its intersection with the centre of boulevard O'Brien, thence following the centre of Boulevard O'Brien to the centre of boulevard Gouin, thence following the centre of boulevard Gouin to the centre of Notre-Dame-des-Anges street, thence following the centre of Notre-Dame-des-Anges street and the extension of said street to the River-des-Prairies, thence following the course of the River-des-Prairies to its intersection with the extension and the said northern limit of the city of Montreal, thence following the northern limit of the city of Montreal to the centre of Côte St. Michel road, thence following the centre of Côte St. Michel road to the point of departure, together with the other part of Montreal known as Mercier ward, together with the municipalities of L'Abord-à-Plouffe, Laval-des-Rapides, Pont-Viau on Jésus Island, this other part of the Island of Montreal as included in the town of Montreal North, Rivière des-Prairies, St. Michel de Laval, St. Léonard de Port-Maurice,



Parish of St. Léonard-de-Port-Maurice, town of Montreal East, St. Jean de Dieu Asylum, Town of Pointe-aux-Trembles, town of Laval of Montreal.

57. MOUNT ROYAL consisting of that part of the city of Montreal bounded by a line starting at intersection of St-Jacques street with Grouard avenue; thence following St-Jacques street to the southern limit of the city of Westmount; thence following the southern limit of the city of Westmount to its intersection with the centre of Kingston road; thence following the centre of Kingston road to the centre of Miller avenue; thence following the centre of Miller avenue to the centre of Queen Mary road; thence following the centre of Queen Mary road to the southern-limit of Mont Royal ward of the city of Montreal; thence following the said limit to the eastern limit of Côte-St-Luc village thence following the said limit of Côte-St-Luc village to the northeastern limit of the town of Hampstead, including the town of Hampstead and following southeastern boundary of the town of Hampstead to its intersection with Côte-St-Luc road; thence following the centre of Côte-St-Luc road to its intersection with the centre of the Canadian Pacific Railway tracks; thence following the centre of the Canadian Pacific Railway tracks to its intersection with the centre of the Canadian National Railway tracks in the town of St-Pierre; thence following the centre of the Canadian National Railway tracks to its intersection with the centre of 6th Avenue of the city of Lachine; thence following the centre of 6th Avenue to the centre of the Canadian National Railway tracks running parallel to Victoria street of the city of Lachine; thence following the centre of the Canadian National Railway tracks to the centre of 15th Avenue; thence following the centre of the 15th avenue to the Bank of Lake St-Louis; thence following the bank of Lake St-Louis and the centre of Lachine canal; thence following the centre of Lachine canal to the extension of Girouard avenue across the Canadian National Railway yard (Turcot); thence following said extension to the centre of Girouard avenue to the point of departure.

58. OUTREMONT consisting of that part of the city of Montreal bounded by a line starting with the intersection of Henri Julien and the Canadian Pacific Railway tracks thence following the centre of Henri Julien Avenue to the centre of Mozart street, thence following the centre of Mozart street to the centre of Drolet street thence following the centre of Drolet street to the centre of Jean Talon street thence following the centre of Jean Talon street to its intersection with the centre of the Canadian Pacific Railway tracks thence following the centre of the Canadian Pacific Railway tracks to the centre of Boulevard Cré-



mazie thence following the centre of Boulevard Crémazie to its intersection with the centre of Allan avenue, thence following the centre of Allan avenue to the centre of Beaumont avenue thence following the centre of Beaumont avenue to the western limits of the city of Outremont together with that part of the city of Outremont lining south of the centre of Bloomfield avenue and Côte Ste. Catherine road also that part of Montreal bounded by a line starting at the intersection of Côte des Neiges and the Canadian Pacific Railway tracks thence following the Canadian Pacific Railway tracks to its intersection with the eastern limit of the town of Mount Royal thence following the said limit to the south boundary of the town of Outremont thence following the southern boundary of the town of Outremont to the eastern boundary of Mount Royal Park thence following the eastern boundary of Mount Royal Park and the centre of Shakespeare road to the centre of Côte des Neiges Road thence following the centre of Côte des Neiges Road to the point of departure.

59. ST. ANN, consisting of that part of the City of Montreal bounded by a line starting from the intersection of Craig street and St. Denis street, thence following the centre of Craig street to the centre of McGill street, thence following the centre of McGill street to the centre of Notre Dame street, thence following the centre of Notre Dame street to the centre of Des Seigneurs, thence following the centre of Des Seigneurs street and its prolongation to the centre of Lachine Canal, thence following the centre of Lachine canal to its intersection with the centre of Church street, thence following the centre of Church street to the centre of the Montreal water works tail race, thence following the Montreal water works tail race to the river St. Lawrence, thence following the banks of the river St. Lawrence to the extension of the centre of St. Denis street, thence following the extension of the centre of St. Denis street and the centre of St. Denis street to the point of departure, together with St. Helen Island and Green Island.

60. ST-ANTOINE-WESTMOUNT consisting of the city of Westmount and bounded by a line starting from the intersection of Des-Seigneurs street with Notre-Dame street, thence following the centre of Notre-Dame street, thence following the centre of Notre-Dame street to the centre of McGill street, thence following the centre of McGill street to the centre of Craig street, thence following the centre of Craig street to the centre of St-Antoine street, thence following the centre of St-Antoine street to the centre of Guy street, thence following the centre of Guy street to the centre of Sherbrooke street, thence following the centre of Sherbrooke street to the centre of



Ontario avenue, thence following the centre of Ontario avenue to the centre of Pine avenue thence following the centre of Pine avenue to its intersection with an air line over the tunnel of the C.N.R. thence following said air line over the tunnel of the C.N.R. to its intersection with the limits of Mount Royal Park, thence following the limits of Mount Royal Park to its intersection with Shakespeare road, thence following the centre of Shakespeare road to the centre of Côte-des-Neiges road, thence following the centre of Côte-des-Neiges road to the centre of L'Oratoire avenue thence following the centre of l'Oratoire road to the dividing line between cadastral lots 159 and 160, thence following said dividing line to the north western limit of the city of Westmount, thence following the western and southern boundary of the city of Westmount, thence following the north eastern limit to the centre of St-Antoine street, thence following the centre of St-Antoine street to Des-Seigneurs street, thence following the centre of Des-Seigneurs street to the point of departure.

61. ST. DENIS consisting of that part of the city of Montreal bounded by a line starting at the intersection of Côte St. Michel road and DeLanaudière street, thence following the centre of Côte St. Michel road to the centre of Lemay street, thence following the centre of Lemay street to the centre of Foucher street, thence following the centre of Foucher street to the centre of Guizot street, thence following the centre of Guizot street and its prolongation to the Canadian Pacific Railway tracks thence following the centre of the Canadian Pacific Railway tracks to its intersection with the centre of Jean Talon street, thence following the centre of Jean Talon street to the centre of Violet street, thence following the centre of Violet street to the centre of Mozart street, thence following the centre of Mozart street to the centre of Henri Julien street, thence following the centre of Henri Julien street to its intersection with the Canadian Pacific tracks thence following the centre of the Canadian Pacific tracks to the centre of DeLanaudière street, thence following the centre of DeLanaudière street to the point of departure.

62. ST-HENRI consisting of that part of the city of Montreal, starting at the intersection of the southern boundary of the city of Westmount with the centre of the extension of St-Rémi street; thence following the centre of the extension of St-Rémi street and the centre of the said street to the centre of St-Jacques street; thence following the centre of St-Jacques street to its intersection with the centre of Girouard avenue; thence following the prolongation of Girouard avenue across Turcot yard, C.N.R. to the centre of the Lachine canal; thence following the



center of Lachine canal to its intersection with the north-eastern limit of the town of Lasalle; thence following the said boundary of the town of Lasalle to its intersection with the Montreal waterworks; thence northerly along the centre of said Montreal waterworks to its intersection with the center of Church avenue; thence westerly along the said centre of Church avenue to the centre of Lachine canal; thence easterly along the centre of the said Lachine canal to its intersection with the prolongation of Des Seigneurs street; thence along said prolongation and the centre of Des Seigneurs street to its intersection with the centre of St-Antoine street; thence following the centre of St-Antoine street to its intersection with the north-eastern limit of the city of Westmount; thence following the eastern limit of the city of Westmount to the point of departure.

63. ST. JAMES consisting of that part of the city of Montreal bounded by a line starting at the intersection of Mount Royal and St. Denis street, thence following the centre of St. Denis street to the bank of the St. Lawrence river, thence following the bank of the St. Lawrence river to the extension of the centre of De Lorimier avenue, thence following said extension and the centre of De-Lorimier avenue to the centre of Rachel street, thence following the centre of Rachel street to the centre of De-Laudière street, thence following the centre of DeLaudière street to the centre of Mount Royal avenue, thence following the centre of Mount Royal avenue to the centre of St. Denis street to the point of departure.

64. ST. LAWRENCE-ST. GEORGE consisting of that part of the city of Montreal bounded by a line starting with the intersection of Craig street and St. Laurent boulevard, thence following the centre of St. Laurent boulevard to the centre of Pine avenue, thence following the centre of Pine avenue to the centre of Park avenue, thence following the centre of Park avenue to the centre of Mont Royal avenue, thence following the centre of Mont Royal avenue to the Mont Royal Park northwestern limit, thence following the northwestern limit of Mont Royal Park to its intersection with an air line over the tunnel of the Canadian National Railways, thence following said air line of the Canadian National Railways to the centre of Pine avenue, thence following the centre of Pine avenue to the centre of Ontario avenue, thence following the centre of Ontario avenue to the centre of Sherbrooke street, thence following the centre of Sherbrooke street to the centre of Guy street, thence following the centre



of Guy street to the centre of St-Antoine street, thence following the centre of St-Antoine street and the centre of Craig street to the point of departure.

65. VERDUN, consisting of that part of the Island of Montreal as is included in the municipalities of the city of Verdun and the town of Lasalle.



## NOVA SCOTIA.

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

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

2. CAPE BRETON NORTH and VICTORIA consisting of the County of Victoria and that part of the County of Cape Breton contained in the municipal districts of Balls Creek and Edwardsville (No. 2), Big Pond (No. 13), Boisdale (No. 9), Boularderie (No. 10), East Bay North (No. 19), East Bay South (No. 8), Enon (No. 21), Frenchvale (No. 22), George's River (No. 23), Grand Narrows (No. 14) and Little Bras d'Or (No. 4), and including the Town of Sydney Mines and North Sydney.

3. CAPE BRETON SOUTH, consisting of that part of the County of Cape Breton contained in the municipal districts of Dominion No. 6 (No. 11), Hillside (No. 3), Lingan (No. 20), Port Morien (No. 12), Reserve Mines (No. 1) and South Forks (No. 18), and including the City of Sydney and the Towns of Glace Bay, New Waterford and Dominion.

4. INVERNESS-RICHMOND, consisting of the Counties of Inverness and Richmond and that part of the County of Cape Breton contained in the municipal districts of Bateston (No. 24), Catalone (No. 15), Gabarus (No. 7), Grand Mira (No. 17), Louisburg Parish (No. 6), Main-à-Dieu (No. 5) and Trout Brook (No. 16), and including the Town of Louisburg.

5. COLCHESTER-HANTS consisting of the Counties of Colchester and Hants.

6. CUMBERLAND consisting of the County of Cumberland.

7. EVANGELINE consisting of the Counties of Kings and Annapolis and that part of the County of Digby exclusive of the Municipality of Clare.

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

9. PICTOU consisting of the County of Pictou.

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

11. SHELBURNE-YARMOUTH consisting of the Counties of Shelburne and Yarmouth and that part of the County of Digby contained in the Municipality of Clare.



## NEW BRUNSWICK.

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

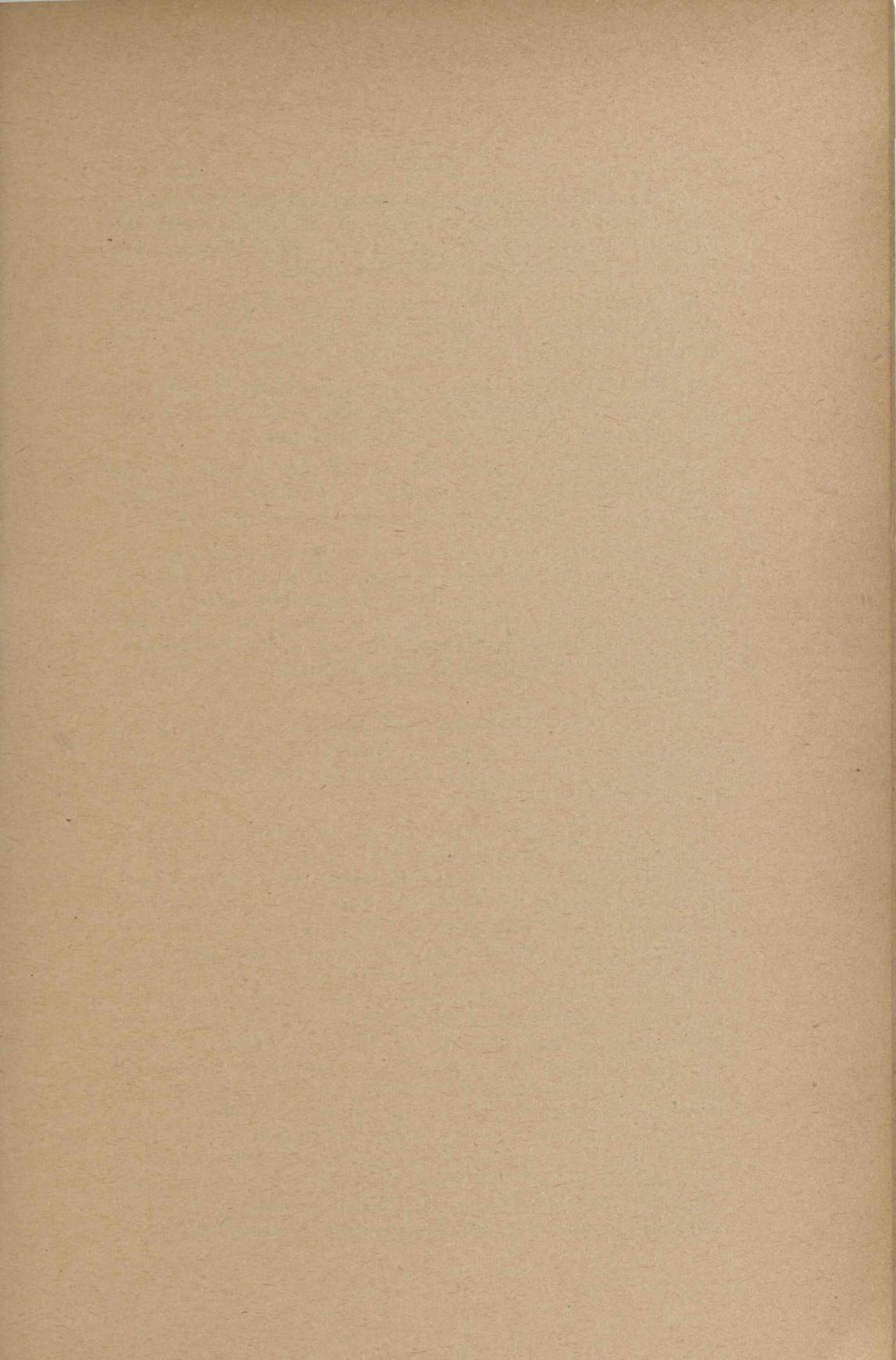
1. CHARLOTTE consisting of the county of Charlotte.
2. GLOUCESTER consisting of the county of Gloucester.
3. KENT, consisting of the county of Kent.
4. NORTHUMBERLAND consisting of the county of Northumberland.
5. RESTIGOUCHE-MADAWASKA consisting of the counties of Restigouche and Madawaska.
6. ROYAL consisting of the counties of Kings and Queens.
7. ST. JOHN-ALBERT consisting of the city of St. John and the counties of St. John and Albert.
8. VICTORIA-CARLETON consisting of the counties of Victoria and Carleton.
9. WESTMORLAND consisting of the county of Westmorland.
10. YORK-SUNBURY consisting of the counties of York and Sunbury.



## PRINCE EDWARD ISLAND.

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

1. KINGS consisting of the county of Kings.
2. PRINCE consisting of the county of Prince.
3. QUEENS consisting of the county of Queens, which shall return two members.



## MANITOBA

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

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

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

2. CHURCHILL consisting of all that portion of the province bounded on the south by the electoral districts of Springfield, Selkirk, and Dauphin hereinafter defined.

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

4. LISGAR consisting of townships one (1) to four (4) inclusive in ranges one (1) to thirteen (13) inclusive, and township five (5) in ranges one (1) and two (2) all west of the first principal meridian.

5. MACDONALD consisting of township five (5) in ranges three (3) to eighteen (18) inclusive; so much of township six (6) to twelve (12) inclusive, whole or fractional, in ranges one (1) to three (3) inclusive as lie south of Assiniboine river; townships six (6) to nine (9) inclusive in ranges four (4) to seventeen (17) inclusive; that portion of township six (6) in range eighteen (18) lying east and south of the centre line of Souris river, all the foregoing townships and ranges being west of the first principal meridian; townships eight (8) and nine (9) whole or fractional in ranges one (1) to three (3) inclusive east of the first principal meridian and west of Red river and not including river lots; together with lots one (1) to one hundred and twelve (112) inclusive in the Outer Two Miles and river lots one (1) to one hundred and twelve (112) inclusive of the Parish of St. Francois Xavier, and River Lots one (1) to one hundred and two (102) inclusive of the Parish of Baie St. Paul, all the said lots and river lots lying south of Assiniboine river.



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

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

8. PORTAGE LA PRAIRIE consisting of so much of township eleven (11) in range one (1), and of townships twelve (12) to eighteen (18) inclusive in ranges one (1) to three (3) inclusive as lie north of Assiniboine river; townships ten (10) to seventeen (17) inclusive in ranges four (4) to nine (9) inclusive; so much of township eighteen (18) in ranges four (4) to nine (9) inclusive as lie east of the west shore of Lake Manitoba, all the said townships and ranges being west of the first principal meridian; and so much of townships ten (10) to twelve (12) inclusive, in ranges one (1) to three (3) inclusive east of the first principal meridian and of the lots on the Assiniboine river as are not included in the electoral districts of Winnipeg North Centre, Winnipeg South Centre, and Macdonald as herein defined.

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

10. SELKIRK consisting of so much of townships nineteen (19) to thirty-one (31) inclusive in ranges one (1) to ten (10) inclusive as lie east of the west shore of Lake Manitoba; townships thirty-two (32) to forty-seven (47) inclusive in ranges one (1) to eleven (11) inclusive; so much of township forty-six (46) in ranges twelve (12) to fourteen (14) inclusive as lie north of the fifty third parallel of north latitude; townships forty-seven (47) to fifty-three (53) inclusive in ranges eleven (11) to fourteen (14) inclusive; townships fifty-four (54) to sixty (60) inclusive in ranges one (1) to fourteen (14) inclusive, all the foregoing townships and ranges being west of the first principal meridian; so much of townships thirteen (13) to thirty-five (35) inclusive in ranges one (1) to seven (7) inclusive east of the first principal meridian as lie west of Red River and of Lake Winnipeg; together with all islands in the said Lake Winnipeg and the river lots on the west bank of Red river north of the electoral districts of Winnipeg North and Winnipeg North Centre hereinafter defined.



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

12. SOURIS consisting of townships one (1) to four (4) inclusive in ranges fourteen (14) to eighteen (18) inclusive; townships one (1) to six (6) inclusive in ranges nineteen (19) to twenty-nine (29) inclusive; and that portion of township six (6) range eighteen (18) lying west and north of the centre line of Souris river, all the said townships and ranges being west of the first principal meridian.

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

14. WINNIPEG NORTH consisting of that part of the city of Winnipeg west of Red river lying north of the centre line of the main line of the Canadian Pacific Railway and east of the centre line of Arlington Street; together with that part of the said city of Winnipeg lying east of Red river.

15. WINNIPEG NORTH CENTRE consisting of section twenty-three (23), the west half of section twenty-four (24), the west half of section fourteen (14), and the northwest quarter of section eleven (11) in township eleven (11) in range two (2) east of the Principal Meridian; the village of Brooklands; and such and so much of the river lots in the Parish of St. James as lie between the city of Winnipeg and the west boundary of the said parish and north of the centre line of the right-of-way of the southwestern branch of the Canadian Pacific railway; together with that part of the city of Winnipeg lying north of a line described as commencing at the intersection of Ellice avenue with the west boundary of the city and following Ellice avenue, Balmoral street, Notre Dame avenue,



Portage avenue, Main street, Notre Dame avenue east and the projection of Notre Dame Avenue East to the east boundary of the city, excepting thereout the electoral district of Winnipeg North hereinbefore defined.

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

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



## BRITISH COLUMBIA

There shall be in the province of British Columbia sixteen electoral districts, named and defined as follows, each of which shall return one member:—

1. CARIBOO consisting of the territory bounded as follows: Commencing at the northeast corner of the province of British Columbia; thence southerly along the easterly boundary of the said province to the southeasterly corner of Mount Robson Park; thence westerly along the southerly boundary of the said Mount Robson Park to its southerly southwest corner; thence westerly in a straight line to the north-east corner of lot five thousand six hundred and ninety (5690) of Cariboo Land district; thence westerly along the north boundaries of lots five thousand and six hundred and ninety (5690), five thousand six hundred and eighty-nine (5689) and five thousand six hundred and eighty-eight (5688) of said Cariboo Land District to the northwest corner of said lot five thousand six hundred and eighty-eight (5688); thence southwesterly in a straight line to Mica Mountain; thence westerly along the height of land between Teté (Sand) Creek and McLennan River to the northerly boundary of Kamloops Land District; thence northwesterly and southerly along the northerly and westerly boundaries respectively of said Kamloops Land District to the southeast corner of Lillooet Land District; thence westerly and southerly along the southerly boundary of said Lillooet Land District to the westerly boundary of the said Lillooet Land District; thence northerly along the said westerly boundary of the Lillooet Land District to the fifty-first parallel of north latitude; thence westerly along the said fifty-first (51) parallel to the one hundred and twenty-fifth (125) meridian; thence northerly along the said one hundred and twenty-fifth (125) meridian to the fifty-seventh (57) parallel of north latitude; thence westerly along the said fifty-seventh (57) parallel to the one hundred and twenty-eighth (128) meridian; thence northerly along the said one hundred and twenty-eighth (128) meridian to the north boundary of the province of British Columbia; thence easterly along the said north boundary of the province to the point of commencement.

2. COMOX-ALBERNI consisting of the territory bounded as follows: Commencing at the northeast corner of Range One (1) of Coast Land District; thence southerly along the easterly boundary of the said Coast Land District to the northerly boundary of New Westminster Land

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District; thence westerly along the said northerly boundary of New Westminster Land District to the height of land between the waters flowing into Jervis Inlet on the east and Powell Lake on the west; thence southerly along the said height of land and the height of land between the waters flowing into Jervis Inlet on the east and Lois River on the west to the head waters of the creek flowing into Baker Bay (West) through Lot three thousand five hundred and fifty-seven (3557) of New Westminster Land District; thence southerly and southwesterly along the centre lines of the said creek, Baker Bay (West), Hotham Sound, and Jervis Inlet, passing west of Hardy Island, to the westerly boundary of New Westminster Land District; thence southeasterly along the said westerly boundary of New Westminster Land District to a point due west of Prospect Point Light-house; thence southwesterly through the Strait of Georgia and Middle Channel passing to the north of Newcastle Island through Departure Bay to the north-east corner of Mountain Land District; thence westerly along the northerly boundary of the said Mountain Land District and the northerly boundary of Dunsmuir Land District to the northwest corner of the said Dunsmuir Land District; thence southerly along the westerly boundary of the said Dunsmuir Land District to the easterly boundary of Barclay Land District; thence southeasterly along the said easterly boundary of Barclay Land District to the centre line of Nitinak Creek; thence southwesterly following the said centre line of Nitinak Creek and the centre line of Nitinak Lake to the westerly coast of Vancouver Island; thence northwesterly following the said westerly coast, including all off-shore islands, to the fifty-first parallel of north latitude; thence easterly along the said fifty-first parallel to the point of commencement.

3. FRASER VALLEY consisting of the territory bounded as follows: Commencing at the intersection of the south boundary of the province of British Columbia with the easterly boundary of the municipality of Langley; thence northerly along the said easterly boundary of the said municipality and its projection northerly to the centre line of Fraser river; thence westerly following the said centre line of Fraser river, passing north of McMillan and Barnston islands and east of Douglas island to the centre line of Pitt river; thence northerly along the said centre line of Pitt river, passing east of Siwash island, and the centre line of Pitt lake, passing west of Goose island, to a point in the northerly reach of said Pitt lake due south of the northwest corner of section thirty-five (35), township six (6), range five (5) west of the seventh principal meridian; thence due north to a point due east of the north-east corner of section fifteen (15) township seven (7) range six (6) west of the



seventh principal meridian; thence due west to the said north-east corner of said section fifteen (15); thence westerly along the north boundary of sections fifteen (15) to eighteen (18) inclusive township seven (7) range six (6) west of the seventh principal meridian to the centre line of Hixon creek; thence northerly along the said centre line of Hixon creek to its head waters and along the height-of-land between the waters flowing into Pitt and Lillooet rivers and Lillooet lake on the east and Cheakamus and Green rivers on the west to the south boundary of Cariboo Electoral District hereinbefore defined; thence easterly and northerly along the said southerly boundary of Cariboo Electoral District to the north boundary of township sixteen (16) range twenty-nine (29) west of the sixth principal meridian; thence easterly along the north boundaries of townships sixteen (16), ranges twenty-nine (29), twenty-eight (28), twenty-seven (27), and twenty-six (26) to the northeast corner of township sixteen (16), range twenty-six (26) all west of the sixth principal meridian; thence southerly along the east boundary of townships sixteen (16) and fifteen (15), range twenty-six (26) to the north boundary of township fourteen (14); thence easterly along the said north boundary to the north-east corner of said township fourteen (14), range twenty-five (25), west of the sixth principal meridian; thence southerly along the east boundary of said range twenty-five (25) and its projection southerly to the south boundary of the province; thence westerly along the said south boundary of the province to the point of commencement.

4. KAMLOOPS consisting of the territory bounded as follows: Commencing at the intersection of the easterly boundary of the province of British Columbia with the southerly boundary of Cariboo Electoral District hereinbefore defined; thence westerly and southerly along the said southerly boundary of Cariboo Electoral District to the northerly boundary of the Fraser Valley Electoral District hereinbefore defined; thence easterly and southerly along the northerly and easterly boundaries respectively of the said Fraser Valley electoral district to the north boundary of township seven (7); thence easterly along the said north boundary of township seven (7) to the southerly boundary of the British Columbia Railway Belt; thence due east to a point due north of the North-west corner of lot forty-two (42) in Kamloops Land District; thence due south to the north-west corner of the said lot forty-two (42); thence easterly along the north boundaries of lots forty-two (42), nine hundred and seventy-one (971), nine hundred and seventy-eight (978), and three thousand seven hundred and seventy-seven (3777) to the centre line of Hayes or Five Mile Creek; thence northerly and easterly following



said centre line of Hayes Creek and the centre line of Chain, Link and Osprey Lakes to the south-west corner of lot two thousand and eighty-four (2084) of Kamloops Land District; thence easterly along the southerly boundaries of the said lot two thousand and eighty-four (2084) and of lot four thousand one hundred and seventy-one (4171) to the centre line of Empress Creek; thence easterly along the said centre line of Empress creek and the centre line of Trout Creek to the easterly boundary of Kamloops Land District; thence northerly following said easterly boundary of Kamloops Land District to the southerly boundary of the British Columbia Railway Belt; thence easterly along said southerly boundary of the British Columbia Railway Belt to the east boundary of township seventeen (17) range twelve (12) west of the sixth principal meridian; thence northerly along the east boundary of said township seventeen (17) to the centre line of Salmon River; thence easterly and northerly along the said centre of line Salmon River to the north boundary of township nineteen (19); thence easterly along said north boundary of townships nineteen (19) ranges ten (10) and nine (9) west of the sixth principal meridian to the east boundary of the said range nine (9); thence northerly along the said east boundary of said range nine (9) to the north boundary of township twenty (20); thence easterly along the said north boundary of township twenty (20) to the east boundary of range two (2) west of the sixth principal meridian; thence southerly along the said east boundary of said range two (2) to the northerly boundary of Kootenay West Electoral District hereinafter defined; thence easterly along the said northerly boundary of said Kootenay West Electoral District to the westerly boundary of Kootenay East Electoral District hereinafter defined; thence northerly along the said westerly boundary of said Kootenay East Electoral District to the easterly boundary of the province; thence northerly along the said easterly boundary of the province to the point of commencement.

5. KOOTENAY EAST consisting of the territory bounded as follows: Commencing at the south-east corner of the province of British Columbia; thence northerly along the easterly boundary of the said province to the northerly boundary of Kootenay Land District; thence westerly along the said northerly boundary of Kootenay Land District to centre line of Canoe River; thence southerly along the said centre line of Canoe River to the centre line of Columbia River; thence southerly along the height of land between the waters flowing into Columbia and Kootenay Rivers on the east and Columbia and Duncan Rivers and Kootenay Lake on the west to the head waters of Akokli Creek; thence westerly following the centre line



of said Akokli Creek to the centre line of Kootenay Lake; thence southerly along the said centre line of Kootenay Lake and the centre line of the main channel of Kootenay River to the southern boundary of the province of British Columbia; thence easterly along the said southern boundary to the point of commencement.

6. KOOTENAY WEST consisting of the territory bounded as follows: Commencing at the intersection of the westerly boundary of Kootenay Land District with the southern boundary of the province of British Columbia; thence northerly along said westerly boundary of Kootenay Land District to the southerly boundary of the British Columbia Railway Belt; thence easterly along said southerly boundary of the British Columbia Railway Belt to the centre line of Columbia River; thence south-easterly along the said centre line of Columbia River passing through the northerly channel into Upper Arrow Lake to the centre line of North East Arm of said Upper Arrow Lake; thence northeasterly along the said centre line of the said North East Arm to its intersection with the projection westerly of the north boundary of lot seven thousand five hundred and eighty-six (7586) of Kootenay Land District; thence easterly along the said projection and the said north boundary of the said lot to its northeast corner; thence in a straight line to the height-of-land between the waters flowing into Beaton Creek on the east and Hill Creek on the west; thence southerly along the said height-of-land to the height-of-land between the waters flowing into Upper Arrow Lake on the west and Trout Lake on the east; thence northeasterly along the height-of-land between the waters flowing into Trout Lake and Duncan River on the east and Upper Arrow Lake and Incomappleux River on the west to the westerly boundary of Kootenay East Electoral District hereinbefore defined; thence southerly along the said westerly boundary of Kootenay East Electoral District to the southern boundary of the province of British Columbia; thence westerly along said southern boundary to the point of commencement.

7. NANAIMO consisting of that part of Vancouver Island, including all off-shore islands, lying south of the Electoral District of Comox hereinbefore defined and west of New Westminster Land District; excepting thereout the Electoral District of Victoria hereinafter defined.

8. NEW WESTMINSTER consisting of that part of New Westminster Land District lying west and south of the electoral district of Fraser Valley hereinbefore defined, and south of the electoral districts of Vancouver East, Vancouver North, and Vancouver South hereinafter defined.



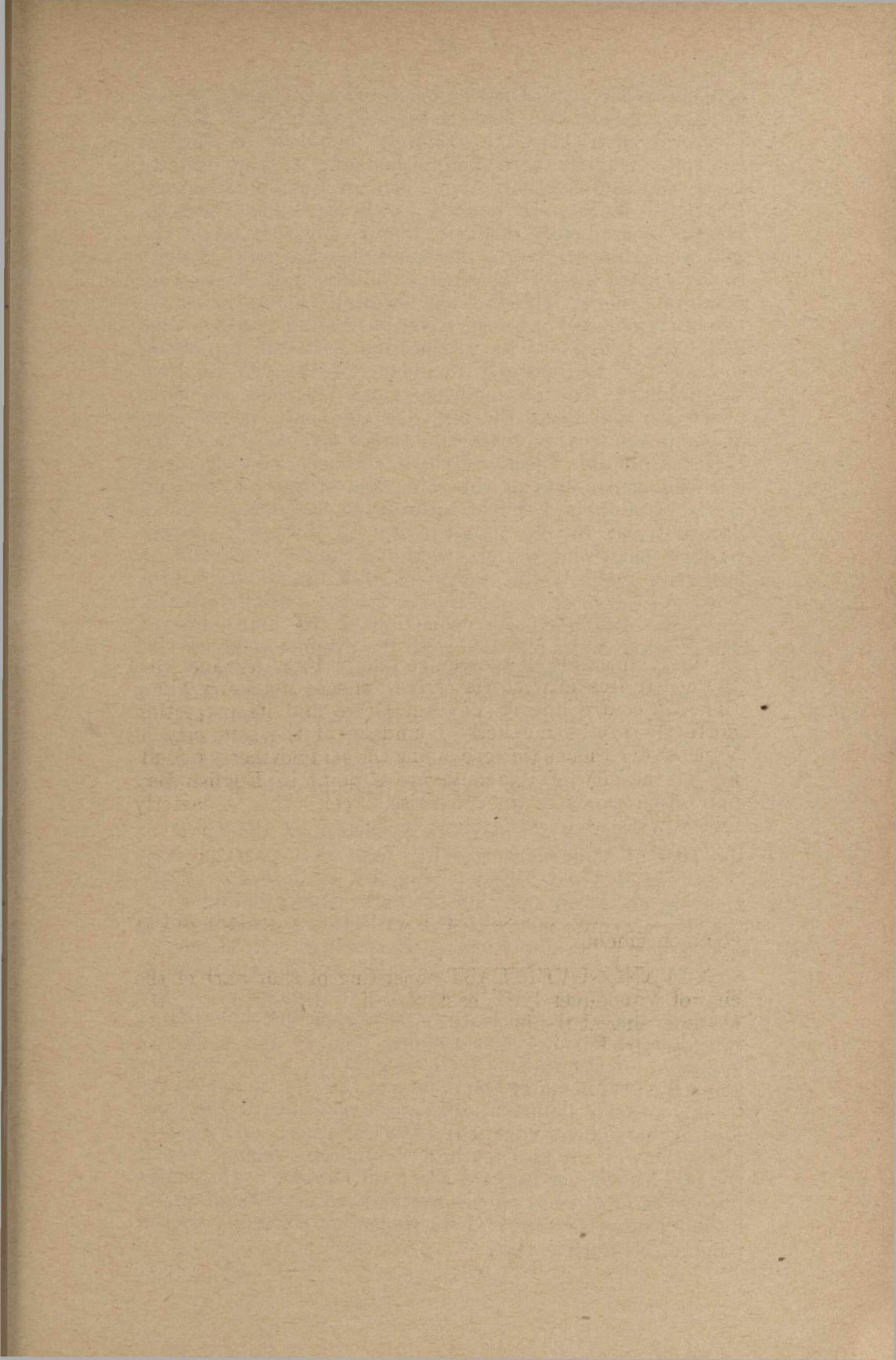
9. SKEENA consisting of that part of the province of British Columbia lying west of the electoral district of Cariboo hereinbefore defined and north of the electoral district of Comox hereinbefore defined, including the Queen Charlotte Islands and all the islands lying off the coast of that said part of the province.

10. VANCOUVER-BURRARD consisting of that part of the city of Vancouver bounded as follows: Commencing at the intersection of the centre lines of Sixteenth Avenue and Alma Road; thence northerly along the centre line of Alma Road and its projection northerly to the northerly boundary of the city of Vancouver; thence easterly along the said northerly boundary to the southerly boundary of the electoral district of Vancouver Centre hereinafter defined; thence easterly along the said southerly boundary of the said electoral district to the centre line of Victoria Drive; thence southerly along the said centre line of Victoria Drive to the centre line of Fifteenth Avenue; thence westerly along the centre lines of Fifteenth Avenue, Knight Street, Sixteenth Avenue, Wolfe Avenue, Fifteenth Avenue, Marpole Avenue, and Sixteenth Avenue to the point of commencement.

11. VANCOUVER CENTRE consisting of that part of the city of Vancouver bounded as follows: Commencing at the intersection of the centre line of First Avenue with the centre line of Victoria Drive; thence northerly along the said centre line of Victoria Drive and its projection northerly to the northerly boundary of the said city of Vancouver; thence westerly along the said northerly boundary of the city of Vancouver to a point in English Bay opposite the centre line of False Creek; thence easterly following the said centre line of False Creek to its intersection with the projection westerly of the centre line of Terminal Avenue; thence easterly along the said projection of the said centre line of Terminal Avenue and the centre lines of Terminal Avenue and First Avenue to the point of commencement.

12. VANCOUVER EAST consisting of that part of the city of Vancouver lying east of a line defined as follows: Commencing at the intersection of the projection southerly of the centre line of Fraser Avenue with the south boundary of the city of Vancouver, thence following the said projection and the centre lines of Fraser Avenue, Sixteenth Avenue, Knight Street, Fifteenth Avenue, Victoria Drive and its projection northerly to the north boundary of the said city.

13. VANCOUVER NORTH consisting of the territory bounded as follows: Commencing at a point on the northerly boundary of the city of Vancouver due north of Prospect Point Lighthouse; thence due west to the easterly boundary



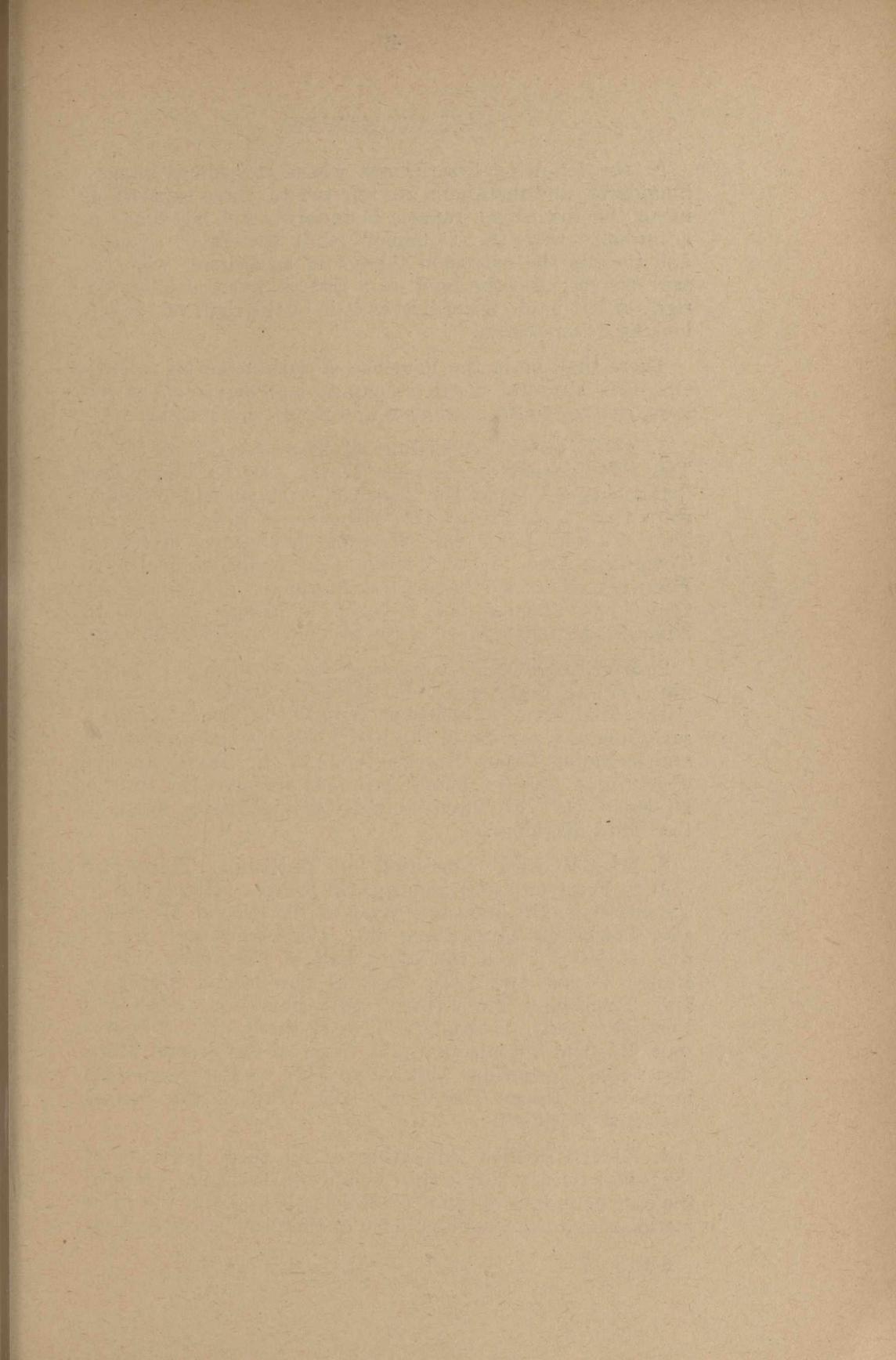
of Comox Electoral District hereinbefore defined; thence northerly along the said easterly boundary of Comox Electoral District to the southerly boundary of Cariboo Electoral District hereinbefore defined; thence easterly along the said southerly boundary of Cariboo Electoral District to the westerly boundary of Fraser Valley Electoral District hereinbefore defined; thence southerly along the said westerly boundary of Fraser Valley Electoral District to the centre line of the channel of Fraser River passing north of Douglas Island; thence westerly along the centre line of the channel of Fraser River passing north of Douglas and Tree Islands to its intersection with the projection southerly of the easterly boundary of the city of New Westminster; thence northerly along the said southerly projection and along the limits of the said City of New Westminster to the centre line of the right-of-way of the British Columbia Electric Railway; thence westerly along the said centre line of the said right-of-way of the said British Columbia Electric Railway to the centre line of Sprott street in the municipality of Burnaby; thence westerly along the said centre line of Sprott street and its projection westerly to intersection with the northerly projection of the centre line of Sussex Street; thence southerly along the said northerly projection of the centre line of Sussex street to intersection with the projection easterly of the centre line of Garden Street; thence westerly along the said projection of the centre line of Garden Street and the centre line of Garden Street to the easterly boundary of the city of Vancouver; thence northerly and westerly along the easterly and northerly boundaries respectively of the said city of Vancouver to the point of commencement.

14. VANCOUVER SOUTH consisting of that part of the city of Vancouver together with that part of New Westminster Land District bounded as follows: Commencing at the intersection of the southerly boundary of the city of Vancouver with the projection southerly of the centre line of Fraser Avenue; thence westerly along the said southerly boundary of the said city of Vancouver to the south-west corner of the said city of Vancouver; thence westerly, northerly and easterly paralleling the shore-line in the Gulf of Georgia and English Bay to the northerly boundary of the said city of Vancouver; thence easterly along the said northerly boundary of the city of Vancouver to the westerly boundary of Vancouver-Burrard Electoral District hereinbefore defined; thence southerly and easterly along the westerly and southerly boundaries respectively of the said Vancouver-Burrard Electoral District to the centre line of Fraser Avenue; thence southerly along the said centre line of Fraser Avenue and its projection southerly to the point of commencement.



15. VICTORIA consisting of all of the city of Victoria, the municipality of Oak Bay, the municipality of Esquimalt and that part of the municipality of Saanich lying south of the centre lines of North Dairy Road, Richmond Avenue and Argyle Avenue; including Trial islands and offshore islands.

16. YALE consisting of the territory bounded as follows: Commencing at the intersection of the southern boundary of the province of British Columbia with the westerly boundary of Kootenay Land District; thence northerly along the westerly boundary of Kootenay West electoral district hereinbefore defined to the southerly boundary of Kamloops Electoral District hereinbefore defined; thence westerly along the southerly boundary of the said Kamloops Electoral District to the easterly boundary of Fraser Valley Electoral District hereinbefore defined; thence southerly along the easterly boundary of the said Fraser Valley Electoral District to the southern boundary of the Province of British Columbia; thence easterly along said southern boundary of the province to the point of commencement.



## SASKATCHEWAN.

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

There shall be in the Province of Saskatchewan twenty-One (21) electoral districts, named and described as follows, each of which shall elect and return one member:—

1. ASSINIBOIA consisting of Townships One (1) to Ten (10) inclusive in Ranges Thirty (30) to Thirty-four (34) inclusive West of the Principal Meridian and of Townships One (1) to Eleven (11) inclusive, in Ranges One (1), Two (2) and Three (3), West of the Second Meridian; Townships One (1) to Twelve (12) inclusive in Range Four (4), West of the Second Meridian and Townships One (1) to Thirteen (13) inclusive in Ranges Five (5) to Nine (9), inclusive, West of the Second Principal Meridian.

2. BATTLEFORD consisting of Townships Thirtynine (39) to Forty-eight (48) inclusive in Ranges Sixteen (16) to Eighteen (18) inclusive, West of the Third Meridian, excluding any portion of the Red Pheasant Indian Reserve and including Indian Reserve No. 112 B., also Townships Thirtynine (39) to Fifty-three (53) inclusive in Ranges Nineteen (19) to Twenty-eight (28) inclusive, West of the Third Meridian.

3. HUMBOLDT consisting of Townships Thirty-two (32) to Forty-two (42) inclusive, in Ranges Fifteen (15) to Twenty-five (25) inclusive, West of the Second Meridian; also Townships Forty-three (43), Forty-four (44), Forty-five A. (45 A.) and the south half of Forty-five (45) in Range Twenty-two (22), West of the Second Meridian, and Townships Forty-three (43), Forty-four (44) and Forty-five (45), in Ranges Twenty-three (23), Twenty-four (24) and Twenty-five (25), West of the Second Meridian; also Townships Thirty-two (32) to Forty-one (41) inclusive in Range Twenty-six (26), West of the Second Principal Meridian.

4. KINDERSLEY consisting of all these portions of townships twenty (20) to thirty-eight (38) inclusive, between the east boundary of range seventeen (17) west of the third meridian and the west boundary of the province of Saskat-



chewan lying north of the centre line of Red Deer river and of South Saskatchewan river downstream from its point of confluence with the said Red Deer river.

5. LAKE CENTRE consisting of these portions of Townships Twenty-two (22) to Thirty (30) inclusive, in Ranges One (1) to Seven (7) inclusive, West of the Third Meridian, and lying East of the centre line of Qu'Appelle River, Eyebrow Lake and the continuation of flow of Aik-tow Creek and South Saskatchewan River centre line; those portions of Townships Sixteen (16) to Thirty-One (31) inclusive, in Ranges Twenty (20) to Twenty-three (23) inclusive, which are not included within the boundaries of the City of Regina; those portions of Townships Eighteen (18) to Thirty (30) inclusive, in Ranges Twenty-four (24) to Twenty-nine (29) inclusive, West of the Second Meridian, lying North of the centre line of Qu'Appelle River and also Townships Thirty-one (31) in Ranges Twenty-four (24), Twenty-five (25) and Twenty-six (26), West of the Second Meridian.

6. MACKENZIE consisting of those portions of Saskatchewan extending North from the North boundary of Townships Twenty-nine (29) to the North Boundary of the Province in Ranges Thirty (30) West of the Principal Meridian to Range Six (6) West of the Second Meridian both inclusive, saving and excepting thereout and therefrom Sections One (1) to Twelve (12) inclusive in Township Thirty (30), Range Thirty-two (32), West of the Principal Meridian; those portions of Ranges Seven (7) to Ten (10) inclusive, West of the Second Meridian, lying North of the North boundary of Townships Fifty (50); Townships Thirty (30) and Thirty-one (31) in Range Seven (7) West of the Second Meridian; and Townships Thirty-two (32) to Forty-one (41) inclusive, in Ranges Seven (7) to Fourteen (14) inclusive, West of the Second Meridian.

7. MAPLE CREEK consisting of Townships One (1) to Thirteen (13) inclusive in Ranges Ten (10) to Seventeen (17) inclusive, West of the Third Meridian, and Townships One (1) to Fifteen (15) inclusive in Ranges Eighteen (18) to Thirty (30) inclusive, West of the Third Meridian.

8. MELFORT consisting of Townships Forty-two (42) in Ranges Seven (7) to Fourteen (14) inclusive, West of the Second Meridian; Townships Forty-three (43) to Fifty (50) inclusive, in Ranges Seven (7) to Twenty-one (21) inclusive, West of the Second Meridian; and all of Ranges Eleven (11) to Twenty-one (21) inclusive, extending from the North boundary of Townships Fifty (50) to the Northerly boundary of the Province; also fractional Section Twenty-four (24), and sections Twenty-five (25) and Thirty-six (36) in Township Forty-six (46), in Range Twenty-two (22), West of the Second Meridian.



MELVILLE consisting of all those portions of Range 30 west of 1st Meridian to Range 6 west of 2nd Meridian, both inclusive, lying north of the centre line of the Qu'Appelle river and south of Township 25; also all those portions of Range 7 west of 2nd Meridian to Range 19 west of 2nd Meridian, both inclusive, lying north of the centre line of the Qu'Appelle river and south of Township 26; also those portions of sections 1, 2 and 3 in Township 21 and sections 34, 35 and 36 in Township 20, both in Range 13 west of 2nd Meridian, lying south of the centre line of the Qu'Appelle river.

10. MOOSE JAW consisting of Townships Eleven (11) to Fifteen (15) inclusive in Ranges Twenty-one (21), Twenty-two (22) and Twenty-three (23), West of the Second Meridian and those portions of Townships Eleven (11) to Twenty-three (23) inclusive in Ranges Twenty-four (24) to Thirty (30) inclusive, West of the Second Meridian, and in Ranges One (1), Two (2) and Three (3), West of the Third Meridian, lying South of the centre line of Qu'Appelle River, Buffalo Pound Lake, Eyebrow Lake and Aitkow Creek, where they respectively cross the said Ranges.

11. PRINCE ALBERT consisting of all those portions of Ranges Twenty-two (22), West of the Second Meridian to seven (7), West of the Third Meridian, both inclusive, lying north of a line described as follows: Commencing at the South West corner of Township Forty-six (46) in the said Range Seven (7); thence Easterly along the South boundary of Townships Forty-six (46) to the North West corner of fractional Township Forty-five (45), in Range Three (3), West of the Third Meridian; thence South to the South West corner of said fractional Township Forty-five (45); thence East along the South boundary of fractional Townships Forty-five (45) to its intersection with the centre line of South Saskatchewan River; thence downstream along the centre line of the said River to its intersection with a continuation Westerly of the North boundary of Township Forty-five A. (45 A.) in Range Twenty-six (26), West of the Second Meridian; thence Easterly along the said North boundary and continuation thereof to the Westerly boundary of Township Forty-five (45) in Range Twenty-two (22), West of the Second Meridian; thence North along the Westerly boundary of said Township Forty-five (45) to the centre line of the said Township at the northwest corner of section Eighteen (18); thence Easterly along the said centre line of the said Township to the Easterly boundary of Range Twenty-two (22); saving and excepting thereout and therefrom, fractional Section



Twenty-four (24), and Sections Twenty-five (25) and Thirty-six (36), in Township Forty-six (46), in Range Twenty-two (22), West of the Second Meridian.

12. QU'APPELLE consisting of townships eleven (11) to sixteen (16) inclusive in ranges thirty (30) to thirty-four (34) inclusive, west of the principal meridian; townships twelve in ranges one (1) to three (3) inclusive, and townships thirteen (13) in ranges one (1) to four (4) inclusive, west of the second meridian; townships fourteen (14) to sixteen (16) inclusive in ranges one (1) to nine (9) inclusive, west of the second meridian; townships sixteen (16) in ranges seventeen (17) to nineteen (19) inclusive west of the second meridian; and all those portions of townships seventeen (17) to twenty-one (21) inclusive, in ranges thirty (30) to thirty-three (33) inclusive west of the principal meridian and in ranges one (1) to nineteen (19) inclusive west of the second meridian, lying south of the centre line of Qu'Appelle river, excepting the City of Regina and sections one (1), two (2) and three (3) in townships twenty-one (21) range thirteen (13) and sections thirty-four (34), thirty-five (35) and thirty-six (36) in township twenty (20) range thirteen (13), west of the second meridian.

13. REDBERRY consisting of townships thirty-nine (39), Forty (40) and forty-one (41) in Range seven (7), West of the Third Meridian; all of Ranges Eight (8) to Fifteen (15) inclusive north of Township Thirty-eight (38), together with the portion of the Red Pheasant Indian Reserve No. 108, included in Range Sixteen (16), but excepting that part of Indian Reserve No. 112 B., included in Range Fifteen (15); all those portions of Ranges Sixteen (16), Seventeen (17) and Eighteen (18) lying North of Townships Forty-eight (48); and those portions of Ranges Nineteen (19) to Twenty-eight (28) inclusive, lying north of Townships Fifty-three (53), all said Ranges being West of the Third Meridian.

14. REGINA CITY consisting of the City of Regina.

15. ROSETOWN-BIGGAR consisting of all those portions of Ranges Five (5) to Sixteen (16) inclusive, West of the Third Meridian, lying North and West of the centre line of the South Saskatchewan River and South of the Northern boundary of Townships Thirty-four (34); also those portions of Townships Twenty-eight (28), Twenty-nine (29) and Thirty (30), in Range Eight (8), West of the Third Meridian, lying East of the centre line of the South Saskatchewan River; also Townships Thirty-five (35) to Thirty-eight (38) inclusive, in Ranges Seven (7) to Sixteen (16) inclusive, West of the Third Meridian.



16. ROSTHERN consisting of townships thirty-one (31) to forty-one (41) inclusive, in ranges twenty-seven (27) to twenty-nine (29) inclusive, west of the second meridian and in ranges one (1) to three (3) inclusive west of the third meridian; all those portions of townships thirty-one (31) to thirty-four (34) inclusive, in ranges four (4) to eight (8) inclusive, west of the third meridian; lying east of the centre line of South Saskatchewan river; townships thirty-eight (38) to forty-one (41) inclusive in ranges four (4) to six (6) inclusive, west of the third meridian; and all those portions of ranges twenty-six (26) to west of the second meridian to range seven (7) west of the third meridian, both inclusive lying north of townships forty-one (41) and south of a line which may be described as follows:—Commencing at the northeast corner of township forty-five A (45A) in range twenty-six (26) west of the second meridian; thence westerly along the northerly boundary of the said township forty-five A (45A) to its intersection with the centre line of South Saskatchewan river; thence upstream along the said centre line of South Saskatchewan river to its intersection with the south boundary of township forty-five (45) range one (1) west of the third meridian; thence westerly along the south boundary of township and fractional townships forty-five (45) to the east boundary of range four (4); thence northerly along the said east boundary of range four (4) to the northeast corner of township forty-five (45), range four (4) west of the third meridian; thence westerly along the north boundary of township forty-five (45) to the east boundary of range eight (8).

17. SASKATOON CITY consisting of Townships Thirty-five (35), Thirty-six (36) and Thirty-seven (37) inclusive, in Ranges Four (4), Five (5) and Six (6) inclusive, West of the Third Meridian, including the City of Saskatoon.

18. SWIFT CURRENT consisting of all those portions of Townships Fourteen (14) to Twenty-five (25) inclusive, in ranges Four (4) to Seventeen (17), inclusive, West of the Third Meridian, lying South of the centre line of the Qu'Appelle River, Eyebrow Lake, Aitkow Creek and South Saskatchewan Rivers; and all those portions of Townships Sixteen (16) to Twenty-four (24) inclusive, included between the east boundary of range eighteen (18) west of the third meridian, and the west boundary of the province of Saskatchewan lying south of the centre line of Red Deer river and of South Saskatchewan river downstream from its confluence with the said Red Deer river.

19. TOUCHWOOD consisting of Townships 25 to 29, both inclusive, in Range 30 west of 1st Meridian to Range 6



west of 2nd Meridian, both inclusive; Townships 26 to 29, both inclusive, in Range 7 west of 2nd Meridian and Townships 26 to 31, both inclusive, in Range 8 west of 2nd Meridian to Range 19 west of 2nd Meridian, both inclusive; also sections 1 to 12, both inclusive, in Township 30 in Range 32 west of Principle Meridian.

20. WEYBURN consisting of Townships One (1) to Fifteen (15) inclusive, in Ranges Ten (10) to Twenty (20) inclusive, West of the Second Meridian; Townships One (1) to Ten (10) inclusive, in Range Twenty-one (21), West of the Second Meridian, and Townships Sixteen (16), in Ranges Ten (10) to Sixteen (16) inclusive, West of the Second Meridian.

21. WOOD MOUNTAIN consisting of Townships One (1) to Ten (10) inclusive, in Ranges Twenty-two (22), West of the Second Meridian, to Range Three (3) West of the Third Meridian, both inclusive, and Townships One (1) to Thirteen (13) inclusive, in Ranges Four (4) to Nine (9) inclusive, West of the Third Meridian.



## ALBERTA.

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

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

1. ACADIA consisting of those portions of townships thirty (30) to thirty-seven (37) inclusive, in ranges one (1) to twenty-two (22) inclusive, west of the fourth meridian lying to the east of Red Deer river, and of those portions of townships twenty-one (21) to twenty-nine (29) inclusive, in ranges one (1) to seventeen (17) inclusive, west of the fourth meridian, lying to the north of Red Deer river.

2. ATHABASKA consisting of all portions of townships fifty-three (53) to sixty (60) inclusive, in ranges one (1) to eleven (11) inclusive, west of the fourth meridian lying north of North Saskatchewan river; townships fifty-nine (59) and sixty (60) in ranges twenty-three (23) to twenty-seven (27) inclusive, west of the fourth meridian and all portions of the Province of Alberta between the fourth and fifth meridians lying north of the north boundary of township sixty (60).

3. BATTLE RIVER consisting of townships thirty-eight (38) to fifty (50) inclusive, in ranges one (1) to ten (10) inclusive, west of the fourth meridian and all portions of townships fifty-one (51) to fifty-six (56) inclusive, ranges one (1) to (11) inclusive, west of the fourth meridian, lying south of the left bank of North Saskatchewan river.

4. BOW RIVER consisting of those portions of townships twenty-five (25) to twenty-seven (27) inclusive, in ranges fifteen (15) to seventeen (17) inclusive, west of the fourth meridian, lying west of the left bank of Red Deer river; townships twenty-five (25) to twenty-nine (29) inclusive, in ranges eighteen (18) to twenty-nine (29), inclusive, west of the fourth meridian; township thirty (30), in ranges twenty-one (21) to twenty-nine (29) inclusive, west of the fourth meridian, lying west of the left bank of Red Deer river; all of townships twenty-one (21) to twenty-four (24) inclusive, in ranges twenty-six (26) to twenty-nine (29)



inclusive, west of the fourth meridian and of township twenty-three (23), range one (1), west of the fifth meridian, lying north and east of Bow river, including such parts as are within the boundaries of the city of Calgary; all those portions of sections 25, 26, 35 and 36 in township twenty-three (23), range one (1), west of the fifth meridian, lying west of the left bank of Bow river; townships twenty-five (25) to thirty (30) inclusive in range one (1), west of the fifth meridian, townships twenty-six (26) to thirty (30) inclusive, in range two (2), west of the fifth meridian and that portion of the East  $\frac{1}{2}$  of township twenty-four (24), range one (1), west of the fifth meridian, outside the boundaries of the city of Calgary, together with that part of the city of Calgary in township twenty-four (24), range one (1), west of the fifth meridian, lying East of a line which may be described as follows: Commencing at the intersection of the north boundary of township twenty-three (23), range one (1), west of the fifth meridian with the centre line of 6th Street E.; thence northerly along the said centre line of 6th Street E. to its intersection with the centre line of 25th Avenue S.E.; thence westerly along the said centre line of 25th Avenue S.E., to the centre line of Elbow river; thence northerly and following the centre line of the said Elbow river to its intersection with the centre line of 17th Avenue S.E.; thence westerly along the said centre line of 17th Avenue, S.E., to its intersection with the centre line of 4th Street E.; thence northerly along the said centre line of 4th Street E. to the south end of Langevin bridge at Bow river; thence northerly across the said Langevin bridge to the Edmonton Trail; thence northerly along the centre line of the said Edmonton Trail to its point of intersection with the centre line of 8th Avenue, N.E.; thence easterly along the said centre line of 8th Avenue N.E., to its intersection with the centre line of 6th Street E.; thence northerly and following the centre line of the said 6th Street E. to the northern boundary of the city of Calgary.

5. CALGARY EAST consisting of all portions of townships twenty (20) to twenty-three (23) inclusive, in ranges twenty-six (26) to twenty-nine (29) inclusive, west of the fourth meridian and in range one (1) west of the fifth meridian lying south and west of the left bank of Bow river, excepting sections 25, 26, 35 and 36 in township twenty-three (23), range one (1), west of the fifth meridian; all townships twenty (20) to twenty-three (23) inclusive lying west of the east boundary of range two (2) west of the fifth meridian; Sarcee Indian reserve 145; and that portion of the city of Calgary in township twenty-four (24) range one (1) west of the fifth meridian, lying between and not included in the electoral districts of Bow River and Calgary West.



6. CALGARY WEST consisting of all townships twenty-four (24) to thirty (30) inclusive, lying west of the east boundary of range three (3) west of the fifth meridian; townships twenty-four (24) and twenty-five (25) range two (2), west of the fifth meridian, together with that portion of the west half of township twenty-four (24), range one (1), west of the fifth meridian, outside the boundaries of the city of Calgary, together with that part of the city of Calgary in the said township lying west of a line which may be described as follows: Commencing at the intersection of the north boundary of township twenty-three (23), range one (1), west of the fifth meridian, with the centre line of 4th Street W.; thence northerly along the said centre line of 4th Street W. to the centre line of Elbow river; thence northerly and following the centre line of the said Elbow river to its most northerly intersection with the centre line of 4th Street W.; thence northerly along the said centre line of 4th Street W. to its intersection with the centre line of the main line of the Canadian Pacific Railway; thence westerly along the said centre line of the Canadian Pacific Railway to its intersection with the centre line of 8th Street W.; thence northerly along the said centre line of 8th Street W. to its intersection with the centre line of 4th Avenue S.W.; thence westerly along the said centre line of 4th Avenue S.W. to Louise bridge at Bow river; thence northerly across Louise bridge to the centre line of 10th Street N.W.; thence northerly along the said centre line of 10th Street N.W. to its intersection with the centre line of 24th Avenue N.W.; thence easterly along the said centre line of 24th Avenue N.W. to its intersection with the centre line of 9th Street N.W.; thence northerly along the said centre line of 9th Street N.W. to its intersection with the centre line of 29th Avenue N.W.; thence westerly along the said centre line of 29th Avenue N.W. to its intersection with the centre line of 10th Street N.W.; thence northerly along the centre line of said 10th Street N.W. to the north boundary of the city of Calgary.

7. CAMROSE consisting of townships thirty-eight (38) to fifty (50) inclusive, in ranges eleven (11) to twenty-one (21) inclusive, west of the fourth meridian and those portions of townships thirty-eight (38) and thirty-nine (39), range twenty-two (22), west of the fourth meridian, lying to the east and north of Red Deer river.

8. EDMONTON EAST consisting of all that portion of sections seven (7), seventeen (17), eighteen (18) and nineteen (19) and of Lot forty-two (42) of Edmonton Settlement in township fifty-three (53), range twenty-three (23), and of that portion of township fifty-three (53), range twenty-four (24) west of the fourth meridian lying south



of the north boundaries of sections twenty-one (21), twenty-two (22), twenty-three (23) and twenty-four (24) including Edmonton Settlement, outside the boundaries of the city of Edmonton and lying north and west of North Saskatchewan river; together with all that portion of the said city of Edmonton lying to the east of a line which may be described as follows: Commencing at the intersection of the south boundary of the city of Edmonton with the centre line of the Calgary and Edmonton branch of the Canadian Pacific Railway right-of-way; thence northerly along the said centre line of the said Canadian Pacific Railway right-of-way to Whyte Avenue, thence westerly to the east boundary of the street lying immediately west of the said right-of-way, thence northerly along the said east boundary to the intersection of Saskatchewan Avenue, thence easterly along the north boundary of Saskatchewan Avenue to the east boundary of Riverside Park, thence northerly along the said boundary to the left bank of North Saskatchewan river; thence along the said left bank of North Saskatchewan river to its point of intersection with the projection southerly of the centre line of 101st street; thence northerly along the said projection of the said centre line of said 101st street and the said centre line of said 101st street to the northerly boundary of the city of Edmonton.

9. EDMONTON WEST. All those portions of townships fifty-one (51) to fifty-four (54) inclusive, in ranges twenty-two (22) to twenty-five (25) inclusive, west of the fourth meridian, lying north of the North Saskatchewan river and outside the boundaries of the electoral district of Edmonton East hereinbefore defined, together with all that portion of the city of Edmonton lying to the west of a line which may be described as follows: Commencing at the intersection of the south boundary of the city of Edmonton with the centre line of the Calgary and Edmonton branch of the Canadian Pacific Railway right-of-way; thence northerly along the said centre line of the said Canadian Pacific Railway right-of-way to Whyte Avenue, thence westerly to the east boundary of the street lying immediately west of the said right-of-way, thence northerly along the said east boundary to the intersection of Saskatchewan Avenue, thence easterly along the north boundary of Saskatchewan Avenue to the east boundary of Riverside Park, thence northerly along the said boundary to the left bank of North Saskatchewan river; thence along the said left bank of the said North Saskatchewan river to its point of intersection with the projection southerly of the centre line of 101st street; thence northerly along the said projection of the said centre line of said 101st street and the said centre line of said 101st street to the northerly boundary of the city of



Edmonton; together with those portions of township fifty-four (54) in ranges twenty-two (22) and twenty-three (23), west of the fourth meridian, lying to the east of the left bank of North Saskatchewan river and of that portion of township fifty-five (55), range twenty-two (22), west of the fourth meridian contained within the boundaries of the town of Fort Saskatchewan.

10. JASPER-EDSON consisting of all townships forty-one (41) to sixty-four (64) inclusive comprised between the east boundary of range nineteen (19) west of the fifth meridian and the west boundary of the Province of Alberta; those portions of townships fifty (50) to fifty-four (54) inclusive, in ranges twenty-six (26) to twenty-eight (28) inclusive, west of the fourth meridian lying north of North Saskatchewan river; townships fifty-five (55) to fifty-eight (58) inclusive, in ranges twenty-three (23) to twenty-seven (27) inclusive, west of the fourth meridian; those portions of townships forty-one (41) to fifty-one (51) inclusive, in ranges one (1) to eighteen (18) inclusive west of the fifth meridian lying north of Blackstone river, Brazeau river and of North Saskatchewan river downstream from its confluence with the said Brazeau river; townships fifty-two (52) to sixty-four (64) inclusive, in ranges one (1) to eighteen (18) inclusive, west of the fifth meridian and townships sixty-five (65) to sixty-eight (68) inclusive, in ranges one (1) to seven (7) inclusive, west of the fifth meridian.

11. LETHBRIDGE consisting of townships one (1) to eleven (11) inclusive, in ranges fifteen (15) to twenty-four (24) inclusive, west of the fourth meridian, excepting those portions of township eleven (11) range fifteen (15) and the east half of township eleven (11) range sixteen (16), lying north of Oldman river and that portion of township seven (7) range twenty-four (24) lying west of Belly river; townships one (1) and two (2), in ranges twenty-five (25) to thirty (30) inclusive and townships three (3) and four (4), in ranges twenty-five (25) to twenty-eight (28) inclusive, lying east of Belly river and extending to the left bank thereof; together with the Blood Indian Reserve; all the afore-mentioned townships being west of the fourth meridian.

12. MACLEOD consisting of all townships from one (1) to nineteen (19) inclusive comprised between the fifth meridian and the west boundary of the Province of Alberta; townships three (3) to eleven (11) inclusive in ranges twenty-five (25) to thirty (30) inclusive west of the fourth meridian, lying west and north of Belly river; townships twelve (12) to nineteen (19) inclusive in ranges twenty-six (26) to thirty (30) inclusive, west of the fourth meridian and those portions of Blackfoot Indian Reserve and of townships



twelve (12) to twenty-two (22) inclusive in ranges seventeen (17) to twenty-five (25) inclusive west of the fourth meridian lying south and west of the left bank of Bow river.

13. MEDICINE HAT consisting of townships one (1) to twenty (20) inclusive, in ranges one (1) to fourteen (14) inclusive, west of the fourth meridian; of all those portions of townships twenty-one (21) to twenty-four (24) inclusive, in ranges one (1) to fifteen (15) inclusive, lying south of Red Deer river and extending to the left bank thereof; all those portions of township eleven (11), range fifteen (15), the east-half of township eleven (11), range sixteen (16) and of township twelve (12), range sixteen (16), lying north of Oldman river; of townships twelve (12) to twenty (20) inclusive, in range fifteen (15); of townships thirteen (13) to twenty-four (24) inclusive, in range sixteen (16) and of all those portions of Blackfoot Indian Reserve and of townships seventeen (17) to twenty-four (24) inclusive, in ranges seventeen (17) to twenty-five (25) inclusive, lying north of Bow river; all the said townships being west of the fourth meridian.

14. PEACE RIVER consisting of all that portion of the Province of Alberta, lying west of the fifth meridian and north of the north boundary of township sixty-four (64) excepting that area comprised in townships sixty-five (65) to sixty-eight (68) inclusive, in ranges one (1) to seven (7) inclusive, west of the fifth meridian.

15. RED DEER consisting of townships thirty-one (31) to thirty-nine (39) inclusive, in ranges twenty-three (23) to twenty-nine (29) inclusive, west of the fourth meridian, and in ranges one (1) and two (2) west of the fifth meridian: those portions of townships thirty-one (31) to thirty-nine (39) inclusive, in ranges twenty-one (21) and twenty-two (22) west of the fourth meridian lying west of the Red Deer river and extending to the left bank thereof; all of townships thirty-one (31) to forty (40) inclusive lying west of the east boundary of range three (3) west of the fifth meridian, and all townships forty-one (41) to forty-six (46) inclusive, in ranges seven (7) to eighteen (18) inclusive, west of the fifth meridian, lying west of North Saskatchewan river, south of Blackstone River and south of the left bank of Brazeau river downstream from its point of confluence with the said Blackstone river.

16. VEGREVILLE consisting of townships fifty-one (51) to fifty-four (54) inclusive, in ranges twelve (12) to twenty-one (21) inclusive, west of the fourth meridian and townships fifty-five (55) to sixty (60) inclusive, in ranges twelve (12) to twenty-two (22) inclusive, west of the fourth meridian, excepting that part of township fifty-five (55), range twenty-two (22), contained within the boundaries of the town of Fort Saskatchewan.



17. WETASKIWIN consisting of townships forty-one (41) to forty-nine (49) inclusive, in ranges twenty-two (22) to twenty-eight (28) inclusive, west of the fourth meridian; and in ranges one (1) to five (5) inclusive west of the fifth meridian; township forty (40), in ranges twenty-two (22) to twenty-eight (28) inclusive, west of the fourth meridian and in ranges one (1) and two (2) west of the fifth meridian; all portions of townships forty-one (41) to fifty (50) inclusive, in ranges six (6) to nine (9) inclusive, west of the fifth meridian, lying east of the left bank of North Saskatchewan river; and all portions of townships fifty (50) to fifty-three (53) inclusive, in ranges twenty-two (22) to twenty-eight (28) inclusive, west of the fourth meridian and in ranges one (1) to five (5) inclusive, west of the fifth meridian, lying south of the left bank of North Saskatchewan river, excepting that portion of townships fifty-two (52) and fifty-three (53), in ranges twenty-four (24) and twenty-five (25), west of the fourth meridian, contained within the boundaries of the city of Edmonton.



## YUKON TERRITORY.

The Yukon Territory as bounded or described in the schedule to the Yukon Act shall form and constitute the electoral district of Yukon, and shall return one member. 1924, c. 63, Sch.









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Fourth Session, Seventeenth Parliament, 23 George V, 1932.

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THE HOUSE OF COMMONS OF CANADA.

**BILL 3.**

An Act respecting a certain Trade Agreement between  
the Dominion of Canada and the Union of South Africa.

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First reading, October 13, 1932.

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THE PRIME MINISTER.

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

THE HOUSE OF COMMONS OF CANADA.

**BILL 3.**

An Act respecting a certain Trade Agreement between the Dominion of Canada and the Union of South Africa.

**H**IS 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 Union of South Africa Trade Agreement Act, 1932.*

5

Trade Agreement approved.

**2.** The Trade Agreement between the Dominion of Canada and the Union of South Africa, copy of which is set forth in the Schedule to this Act, is hereby approved.

Rates of duties on goods imported from the Union of South Africa.

**3.** After the said Agreement is brought into force, and so long as it remains in force, goods mentioned in the said Agreement, the produce or manufacture of the Union of South Africa, imported into the Dominion of Canada in the manner provided in the said Agreement, shall be admitted to the Dominion of Canada at the rates of duties provided in the said Agreement.

15

Orders in Council authorized.

**4.** The Governor in Council may make such orders and regulations as are deemed necessary to carry out the provisions and intent of this Act and of the said Agreement.

Suspension of inconsistent laws.

**5.** The operation of all laws inconsistent with the giving to the provisions of the said Agreement and of this Act their full effect shall from time to time be suspended to the extent of such inconsistency.



## SCHEDULE.

TRADE AGREEMENT BETWEEN THE DOMINION  
OF CANADA AND THE UNION OF SOUTH  
AFRICA

His Majesty's Government in the Dominion of Canada and His Majesty's Government in the Union of South Africa, desiring to facilitate and extend still further their mutual relations of trade and commerce, have agreed upon the following Articles:—

## ARTICLE I

1. Subject to the provisions of the Customs Tariff of Canada, except as hereinafter provided, goods, the produce or manufacture of the Union of South Africa, enumerated in Schedule A to this Agreement, shall, on importation into the Dominion of Canada, enjoy the tariff concessions set forth in the said Schedule.

2. To enjoy the benefit of the tariff advantages provided for in Section 1 of this Article goods originating in and coming from the Union of South Africa shall be imported direct into Canada.

## ARTICLE II

1. Subject to the provisions of the laws of the Union of South Africa relating to Customs, goods, the produce or manufacture of the Dominion of Canada, enumerated in Schedule B to this Agreement, shall, on importation into the Union of South Africa, enjoy the tariff concessions set forth in the said Schedule.

2. To enjoy the benefit of the tariff advantages provided for in Section 1 of this Article, goods originating in and coming from the Dominion of Canada shall be conveyed, without transshipment, from a port of the Dominion of Canada, or if transhipped, then only if it be proved to the satisfaction of the Commissioner of Customs of the Union of South Africa that the intended destination of the goods when originally shipped from the Dominion of Canada was the Union of South Africa.

## ARTICLE III

1. Goods, the produce or manufacture of the Union of South Africa, enumerated in Schedule A to this Agreement, shall, on importation into the Dominion of Canada, enjoy the benefit of the lowest rates of customs duty applicable to similar goods imported from any country. Provided that such goods shall not be entitled to the benefit now



accorded to the products of the British West Indies, Bermuda, British Guiana, and British Honduras, by virtue of the trade agreement existing between the Governments of these colonies and the Government of Canada.

2. Similarly, goods the produce or manufacture of the Dominion of Canada, enumerated in Schedule B to this Agreement, shall, on importation into the Union of South Africa, enjoy the benefit of the lowest rates of customs duty applicable to similar goods imported from any country. Provided that such goods shall not be entitled to the privileges accorded to the products of Southern and Northern Rhodesia and of the territories of Basutoland, Swaziland, and the Bechuanaland Protectorate, by virtue of the customs agreements now existing or agreements of a like nature hereafter concluded between the Governments of the Union of South Africa and of the said countries and territories, nor to the privileges accorded to the produce of Mocambique under Schedule A of the Convention between the Government of the Union of South Africa and the Government of the Portuguese Republic of the 11th September, 1928.

#### ARTICLE IV

His Majesty's Government in the Dominion of Canada will, in regard to the goods enumerated in Schedule "A", maintain the margins of tariff concession represented by the difference between the rates accorded to Union goods in that Schedule and the presently existing rates on similar goods when imported from any foreign country.

His Majesty's Government in the Union of South Africa will maintain the margins of preference accorded in Schedule "B" to Canadian goods over similar goods when imported from any foreign country.

#### ARTICLE V

1. Indian corn or maize, the produce of the Union of South Africa, imported into the Dominion of Canada at a price not lower than that quoted for Indian corn or maize of similar quality on the Baltic Exchange, London, shall not be subject to the provisions of Section 6 of the Customs Tariff of Canada.

2. The provisions of this Article will cease to be operative if after the thirtieth of April, 1934, the export of Indian corn or maize from the Union of South Africa to the Dominion of Canada be subsidized.

#### ARTICLE VI

In determining the value for duty purposes of motor vehicles, the manufacture of the Dominion of Canada,



imported into the Union of South Africa, a deduction shall be made of the amount of any drawback of customs duty granted by the Government of the Dominion of Canada in respect of material used in, wrought into, or attached to, such motor vehicles.

#### ARTICLE VII

For the purposes of this agreement the Mandated Territory of South West Africa shall be deemed to be part of the Union of South Africa.

#### ARTICLE VIII

This Agreement shall be subject to the approval of the Parliaments of the Dominion of Canada and of the Union of South Africa. Upon approval being given it shall be brought into force upon a date to be agreed upon between the Governments of the Dominion of Canada and the Union of South Africa. It shall remain in force for a period of five years from the date of its coming into force and thereafter until the expiration of six months from the date on which either Government shall have given to the other notice of its intention to terminate the Agreement.

Done, in duplicate, at Ottawa, this twentieth day of August, one thousand nine hundred and thirty-two.

R. B. BENNETT

N. C. HAVENGA

Signed on behalf of His  
Majesty's Government in  
the Dominion of Canada.

Signed on behalf of His  
Majesty's Government in  
the Union of South Af-  
rica.



## SCHEDULE A

Tariff Item	Article	Tariff Rate
12a	Sausage skins or casings, cleaned.....	Free.
53	Cornmeal.....	Free.
54	Indian corn for purposes of distillation, subject to regulations to be approved by the Governor in Council..... per bushel	7½ cts.
54a	Indian corn, not including Indian corn for purposes of distillation, when imported or taken out of warehouse by manufacturers of starch or of cereal products for human consumption, for use exclusively in the manufacture of starch or such cereal products, in their own factories, under regulations prescribed by the Minister.....	Free.
55	Indian corn, n.o.p.....	Free.
79b	Flowers and foliage, natural, cut, whether in designs or bouquets, or not.....	British Preferential.
92	Fruits, fresh, in their natural state, the weight of the packages to be included in the weight for duty:	
	(d) Peaches.....	Free, December 1 to April 30.
	(e) Pears.....	Free, February 1 to April 30.
	(f) Plums or prunes.....	Free, December 1 to April 30.
	(i) Quinces and nectarines.....	Free, February 1 to May 31.
93	Apples, fresh, in their natural state, the weight of the packages to be included in the weight for duty.....	Free, April 1 to June 30.
94	Grapes, fresh, in their natural state, the weight of the packages to be included in the weight for duty.....	Free, February 1 to June 30.
95	Cantaloupes and muskmelons, the weight of the packages to be included in the weight for duty.....	Free.
99a	Plums or prunes, dried, unpitted.....	Free.
99c	Raisins and dried currants.....	Free.
99g	Apricots, nectarines, pears and peaches, dried, desiccated, evaporated or dehydrated.....	Free.
100	Grape fruit.....	Free, May 1 to December 31.
101	Oranges and mandarines.....	Free, May 1 to December 31.
104a	Fruit pulp, other than grape pulp, not sweetened, in air-tight cans or other air-tight packages.....	Free.
105	Fruit pulp, with sugar or not, n.o.p., and fruits, crushed or frozen....	British Preferential.
105a	Lemon and orange rinds and citron in brine.....	British Preferential.
105d	Jellies, jams, marmalades, preserves, fruit butters and condensed mince meats.....	British Preferential.
105e	Fruits and peels, crystallized, glace, candied or drained; cherries and other fruits of creme de menthe, marachino or other flavour.	British Preferential.
106	Fruits, prepared, in air-tight cans or other air-tight containers, the weight of the containers to be included in the weight for duty:	
	Ex. (a) Apricots..... per pound	1 ct.
	(b) Pineapples..... per pound	1 ct.
	Ex. (c) Cape gooseberries, plums, figs, quinces, guavos, paw-paws..... per pound	1 ct.



## SCHEDULE A—Continued

Tariff Item	Article	Tariff Rate
Ex. 109	Peanuts, shelled.....	Free.
109a	Peanuts, green, in the shell or not further processed than shelled....	Free.
134	<p>All sugar above number sixteen Dutch standard in colour, and all refined sugars of whatever kinds, grades or standards not covered by tariff item No. 135, and sugar syrups testing over fifty-six degrees of polarization.....</p> <p>Provided that refined sugar shall be entitled to entry under the British Preferential Tariff upon evidence satisfactory to the Minister, that such refined sugar has been manufactured wholly from raw sugar produced in the British colonies and possessions, and not otherwise.</p> <p>Provided further that sugar imported under this item shall not be subject to special duty in excess of three-fourths of one cent per pound.</p>	British Preferential.
135	<p>Sugar above number sixteen Dutch standard in colour when imported or purchased in bond in Canada by a recognized sugar refiner, for refining purposes only, under regulations by the Minister; and sugar, n.o.p., not above number sixteen Dutch standard in colour, sugar drainings or pumpings drained in transit, melado or concentrated melado, tank bottoms, sugar concrete, and molasses testing over fifty-six degrees and not exceeding seventy-six degrees when not exceeding seventy-six degrees of polarization.....</p> <p>Provided that sugar imported under this item shall not be subject to special duty.</p>	British Preferential.
Ex. 135	<p>Sugar above number 16 Dutch standard in colour when imported or purchased in bond in Canada by a recognized sugar refiner for refining purposes only, under regulations by the Minister, when exceeding 98 degrees, but not exceeding 99 degrees polarization, effective on and after 22nd August, 1931.....</p>	British Preferential.
135a	<p>Invert sugar, and syrups the product of the sugar cane or beet, and all imitations thereof or substitutes therefor, not including molasses and not including syrups in receptacles of such size that the gross weight of receptacles and contents does not exceed sixty pounds.....</p>	British Preferential.
136	<p>Molasses produced in the process of the manufacture of cane sugar from the juice of the cane without any admixture with any other ingredient, when imported direct from the place of production or its shipping port, in the original package in which it was placed at the point of production and not afterwards subjected to any process of treating or mixing, testing by the polariscope not less than thirty-five degrees, nor more than fifty-six degrees, under regulations prescribed by the Minister.....</p>	British Preferential.
136a	<p>Molasses of cane, testing by polariscope under thirty-five degrees but not less than twenty degrees.....</p>	British Preferential.
137	<p>Molasses, testing not more than fifty-six degrees by the polariscope, the produce of any British country entitled to the benefits of the British Preferential Tariff, when produced from sugar-cane and imported direct by ship from the country of production, or from any British country, in the original package in which it was placed at the point of production, and not afterwards subjected to any process of treating or mixing.....</p> <p>Provided, however, that the said molasses may be transferred in bond under excise regulations for purposes of distillation.</p>	British Preferential.
139	<p>Glucose or grape sugar, glucose syrup and corn syrup, or any syrups containing an admixture thereof, n.o.p.....</p>	British Preferential.
140	<p>Syrups and molasses of all kinds, the product of the sugar-cane or beet, n.o.p., and all imitations thereof or substitutes therefor..</p>	British Preferential.
140a	<p>Shredded sugar-cane.....</p>	British Preferential.



## SCHEDULE A—Continued

Tariff Item	Article	Tariff Rate
141	Sugar candy and confectionery, n.o.p., including sweetened gums, candied popcorn, candied nuts, flavouring powders, custard powders, jelly powders, sweetmeats, 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.....	British Preferential.
142	Tobacco, unmanufactured, for excise purposes under conditions of the Excise Act.....	British Preferential.
Ex. 152	Orange, lemon and passion fruit juices, n.o.p.....	Free.
152c	Grape juice in containers of more than one gallon capacity each....	British Preferential.
Ex. 156	Brandies and Van der Hum.....per proof gallon	\$8.00
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.....	British Preferential.
162	Medicinal or medicated wines, including vermouth and ginger wine, containing not more than forty per cent of proof spirit.....	British Preferential.
Ex. 163	Wines of the fresh grape of all kinds, not sparkling, imported in barrels or in bottles, containing less than 35 p.c. proof spirit... ..per gallon..	25 cts.
164	Wines of all kinds, except sparkling wines, containing 35 per cent or over but not more than 40 per cent of proof spirit, whether imported in wood or in bottles (six quart bottles or twelve pint bottles to be held to contain a gallon) when the produce or manufacture of the Union of South Africa.....per gallon	55 cts.
165	Champagne and all other sparkling wines: (a) in bottles containing each not more than a quart but more than a pint (old wine measure).....per doz. bottles (b) in bottles containing not more than a pint each, but more than one-half pint (old wine measure).....per doz. bottles (c) in bottles containing one-half pint each or less (old wine measure).....per doz. bottles (d) in bottles containing over one quart each (old wine measure).....per gallon	\$7.44 \$3.72 \$1.86 \$3.60
549	Wool, the hair of the camel, alpaca, goat or other like animal, not further prepared than combed..... Provided that importations under this Item, wholly the product of any British country, when imported direct from the United Kingdom into a sea, lake or river port of Canada, shall be entitled to the benefits of the British Preferential Tariff.	British Preferential.
599	Hides and skins, raw, whether dry, salted or pickled; and raw pelts..... Provided, that importations under this Item, wholly the product of any British country, when imported direct from the United Kingdom into a sea, lake or river port of Canada, shall be entitled to the benefits of the British Preferential Tariff.	British Preferential.



## SCHEDULE B

Tariff Item	Article	Preferential Rebate
15(a)(i)	Wheat in the grain.....per 100 lbs.	2d.
15(a)(i)	Wheat ground or otherwise so prepared.....per 100 lbs.	4d.
Ex. 19 (e)	Fish, tinned (not specially provided for).....per lb.	1½d.
Ex. 22 (a)	Apples, fresh or green, from October 1 to December 31. <i>ad val.</i>	5 p.c.
Ex. 46 (b)	Peas, corn, and tomatoes, tinned or otherwise preserved.....	Lowest rate to any country.
70	Hosiery:—	
	(a) Socks..... <i>ad val.</i>	5 p.c.
	(b) Stockings..... <i>ad val.</i>	5 p.c.
81 (1)(a)	Twine; seaming and binder, and harvest yarn..... <i>ad val.</i>	5 p.c.
94	Cash registers and calculating machines.....	Lowest rate to any country.
95 (d)	Chain in the length for the making of non-skid chains for motor vehicles, under such conditions as the Minister may prescribe.....	Lowest rate to any country.
97	(1) Cranes, mechanical excavators and loaders, winches not being for whaling, trawling or mining purposes, hoisting crabs, chain blocks, spiral shutes, gravity conveyors and shears..... <i>ad val.</i>	7 p.c.
	(2) Bucket conveyors and conveyor belts and belting (not being for mining or industrial purposes) and mechanical storage lifting apparatus..... <i>ad val.</i>	7 p.c.
Ex. 101 (c)	Cream separators.....	Lowest rate to any country.
113 (3)	Vacuum cleaners (electric)..... <i>ad val.</i>	5 p.c.
Ex. 118 (a)	Machinery, apparatus, appliances and implements (not specially provided for, and not including material, domestic machines or vehicles):—For agricultural purposes (whole item except sprayers and sprinklers).....	Lowest rate to any country.
119 (b)	Batteries, electrical: Wet or dry, primary or secondary, including accumulators, except those of which each cell or unit is of a capacity greater than 150 ampere hours at a one-hour rate of discharge..... <i>ad val.</i>	10 p.c.
Ex. 129 (a) to (h)	Motor cars:— Motor cars, chassis, spare parts and accessories.....	Lowest rate to any country.
Ex. 130 (a) to (e)	Motor trucks and motor vans for the conveyance of goods, and steam wagons, and trailers for the same, and motor charabancs, omnibuses and ambulance vans.....	Lowest rate to any country.
Ex. 134	Pipes, piping, tubes, and fittings, of metal: gas, steam, drainage, sewerage, irrigation, water supply and water pumping; not including grids, manhole covers and fittings, and surface boxes:—	
	(a) Wrought iron or steel pipes and tubes, not riveted, except down-pipes and guttering.....per 100 lbs.	1s.
	(b) Cast-iron pipes and tubes, except down-pipes and guttering.....per 100 lbs.	8d.
	(d) Down-piping and guttering and fittings therefor, and riveted wrought iron or steel pipes and tubes..... <i>ad val.</i>	5 p.c.
	(e) Cocks and taps, and meters and pipe fittings, n.e.c.; spare parts of water meters falling under paragraph (h)..... <i>ad val.</i>	5 p.c.
	(g) Cisterns..... <i>ad val.</i>	5 p.c.
	(h) Water meters for house connections, not exceeding 1-inch piping.....each	3s.



## SCHEDULE B—Continued

Tariff Item	Article	Preferential Rebate
143 (b)	Electrical cooking and heating appliances (including kettles and irons): not being machinery elsewhere provided for and not including electric irons and electric steam irons used for industrial purposes..... <i>ad val.</i>	5 p.c.
146	Tools, mechanics': being tools ordinarily used by mechanics and artisans, and not being agricultural implements or machine tools..... <i>ad val.</i>	3 p.c.
192	Lead, white:— (a) Dry..... per 100 lbs.	1s.
	(b) Ground in oil: (i) in packages containing 50 lbs. weight or over..... per 100 lbs.	1s.
	(ii) in packages containing less than 50 lbs. weight..... per 100 lbs.	1s.
238	Perfumery and toilet preparations, not elsewhere enumerated, including powders, washes, pomatums, cosmetics, pastes, dyes, hair oils, but not including tooth powders, tooth pastes and tooth washes.....	Lowest rate to any country.
251 (c)	Cotton canvas shoes of the plimsoll, tennis or gymnasium type, the soles of which, excluding the socking are wholly of rubber: (i) Adult size, 5 and upwards per pair.....	Difference between 30 p.c. <i>ad val.</i> , or 1s. 6d. per pair, whichever is greater, and 30 p.c. <i>ad val.</i> or 2s. 6d. per pair, whichever is greater.
251 (d)	Unspecified boots and shoes, of any material, including goloshes	Lowest rate to any country.
Ex. 253 (a)	Rubber water (garden) hose: (i) Plain..... per lb.	$\frac{3}{4}$ d.
	(ii) Armoured..... per lb.	$\frac{3}{4}$ d.
260	Rubber pneumatic tyres and tubes: (a) Tyres, including the weight of the immediate wrapper: (iii) Other than those imported with or for attachment to chassis for bodies to be built in the Union..... per lb.	2d.
	(b) Tubes for motor vehicles other than motor cycles..... per lb.	1½ d.
	(c) Tubes for motor cycles and cycles..... per lb.	2d.
261	Rubber tyres, solid: complete or in lengths or in the piece..... per lb.	1d.
Ex. 263 (a)	(i) Boxes, wooden: empty or in shooks:— for packing citrus fruits..... <i>ad val.</i>	5 p.c.
270 (b)	Handles, wooden, for picks, shovels, mechanics' tools, and agricultural implements, except those shaped but otherwise in the rough.....	Lowest rate to any country.
275	Shingles..... <i>ad val.</i>	10 p.c.
279	Wood:— (a) Unmanufactured: (i) Softwood (coniferous)..... per 100 super. ft.	9d.
	(ii) Other..... <i>ad val.</i>	3 p.c.
	(b) Ceiling and flooring boards: planed, tongued and grooved; and parquet flooring.....	Lowest rate to any country.
Ex. 287	Cardboard, linenboard, leatherboard, strawboard and mill-board, but not including pulpboard for building purposes....	Lowest rate to any country.



SCHEDULE B—*Concluded*

Tariff Item	Article	Preferential Rebate
295	Paper:— (c) Newsprint in reels or in the flat..... <i>ad val.</i> (d) Plain or composite, not elsewhere enumerated:— (i) In the original mill wrappers, flat or folded, not less than 16 inches by 15 inches..... (ii) In reels, including paper in reels used for the mono-type typesetting machine..... (f) Wrappings (including browns, casings, sealings, nature or ochre browns, sulphites, krafts and bag papers), in original mill wrappers, or in sheets or in rolls, when the weight of the paper at a size of 29 ins. by 45 ins., or its equivalent, is not less than 30 lb. per ream of 480 sheets, but not including waxed, oiled, greaseproof, vegetable and imitation parchment and cover paper for use in the process of manufacturing boots and shoes, and printed papers, cartridge papers, and tinfoil and similar metallic papers.....	5 p.c.  Lowest rate to any country.  Lowest rate to any country.  Lowest rate to any country.
Ex. 296 (k)	Unspecified printed, ruled, lithographed and embossed matter (not being metal and not including embossed paper serviettes, d'oyleys and paper mats).....	Lowest rate to any country.
Ex. 335	Ice chests..... <i>ad val.</i> Wire gauze (mosquito and fly netting)..... <i>ad val.</i> Pulpboard and wallboard.....	5 p.c. 5 p.c. Lowest rate to any country.

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Fourth Session, Seventeenth Parliament, 23 George V, 1932.

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THE HOUSE OF COMMONS OF CANADA.

**BILL 4.**

An Act respecting a certain Trade Agreement between  
the Dominion of Canada and the Irish Free State.

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First reading, October 13, 1932.

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THE PRIME MINISTER.

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

THE HOUSE OF COMMONS OF CANADA.

**BILL 4.**

An Act respecting a certain Trade Agreement between the Dominion of Canada and the Irish Free State.

**H**IS 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 Irish Free State Trade Agreement Act, 1932.*

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Trade Agreement approved.

**2.** The Trade Agreement between the Dominion of Canada and the Irish Free State, copy of which is set forth in the Schedule to this Act, is hereby approved.

Extension of advantage to Irish Free State.

**3.** After the said Agreement is brought into force, and so long as it remains in force, goods, the produce or manufacture of the Irish Free State, which are imported into the Dominion of Canada, shall be admitted into the Dominion of Canada on the terms granted to similar articles, the produce or manufacture of the United Kingdom of Great Britain and Northern Ireland.

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Orders in Council authorized.

**4.** The Governor in Council may make such orders and regulations as are deemed necessary to carry out the provisions and intent of this Act and of the said Agreement.

Suspension of inconsistent laws.

**5.** The operation of all laws inconsistent with the giving to the provisions of the said Agreement and of this Act their full effect shall from time to time be suspended to the extent of such inconsistency.

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## SCHEDULE.

TRADE AGREEMENT BETWEEN THE DOMINION  
OF CANADA AND THE IRISH FREE STATE

His Majesty's Government in the Dominion of Canada and His Majesty's Government in the Irish Free State, desiring to facilitate and extend still further their mutual relations of trade and commerce, have agreed upon the following Articles:—

## ARTICLE I

Goods, the produce or manufacture of Canada, imported into the Irish Free State, shall not be subject to other or higher duties than those paid on similar goods, the produce or manufacture of any other country.

## ARTICLE II

Goods, the produce or manufacture of the Irish Free State, imported into Canada, shall not be subject to other or higher duties than those paid on similar goods, the produce or manufacture of the United Kingdom of Great Britain and Northern Ireland.

## ARTICLE III

This Agreement shall be subject to the approval of the Parliaments of the Dominion of Canada and of the Irish Free State. Upon approval being given, it shall be brought into force upon a date to be agreed upon by the Governments of the Dominion of Canada and of the Irish Free State. It shall be in force for a period of five years from the date of its coming into force and thereafter until the expiration of six months from the date on which either Government shall have given to the other notice of its intention to terminate the Agreement.

Done, in duplicate, at Ottawa, this twentieth day of August, one thousand nine hundred and thirty-two.

Signed on behalf of His  
Majesty's Government  
in the Dominion of  
Canada.

Signed on behalf of His  
Majesty's Government  
in the Irish Free State.

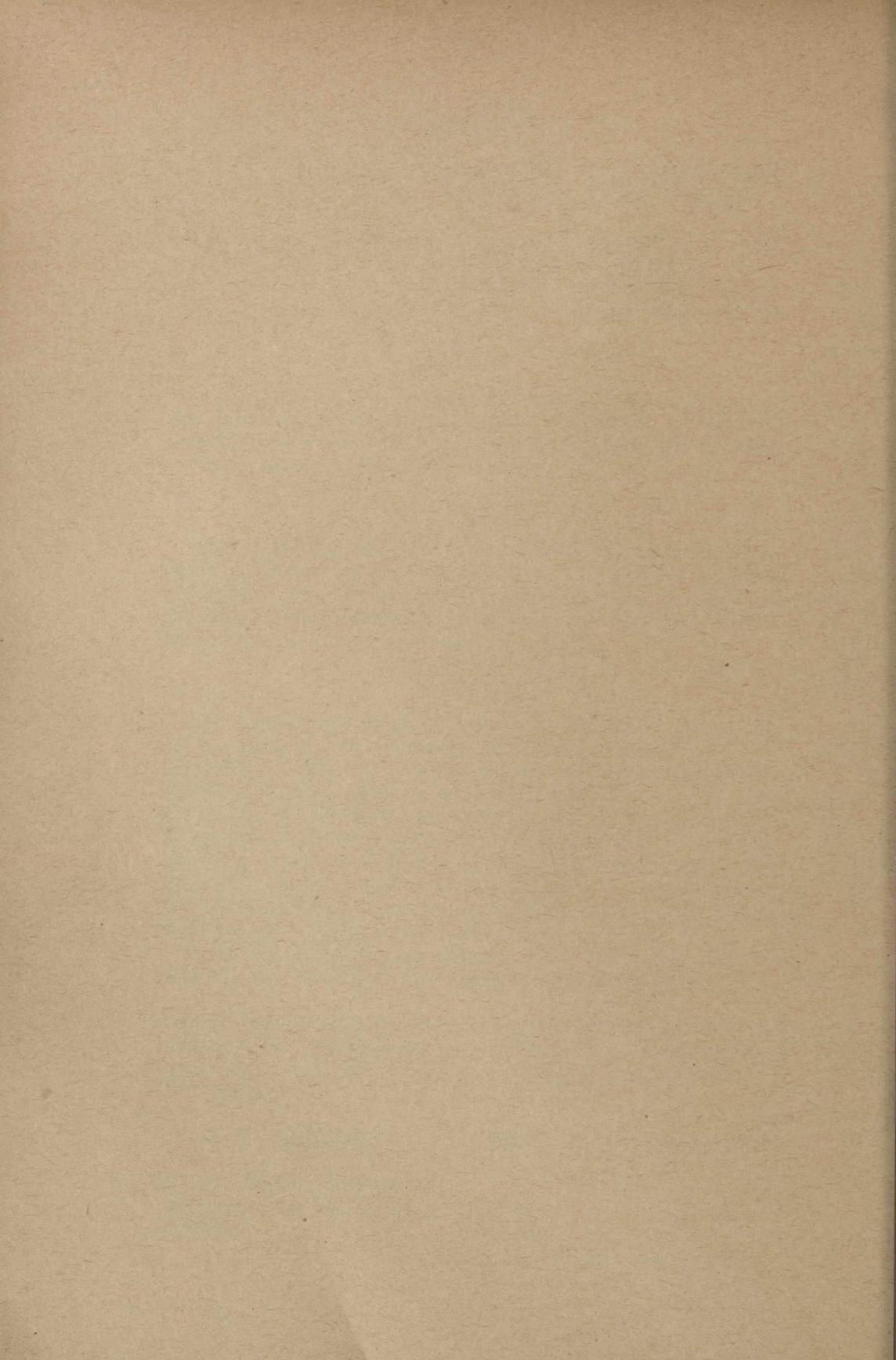
R. B. BENNETT

SEÁN T. O CEALLAIGH

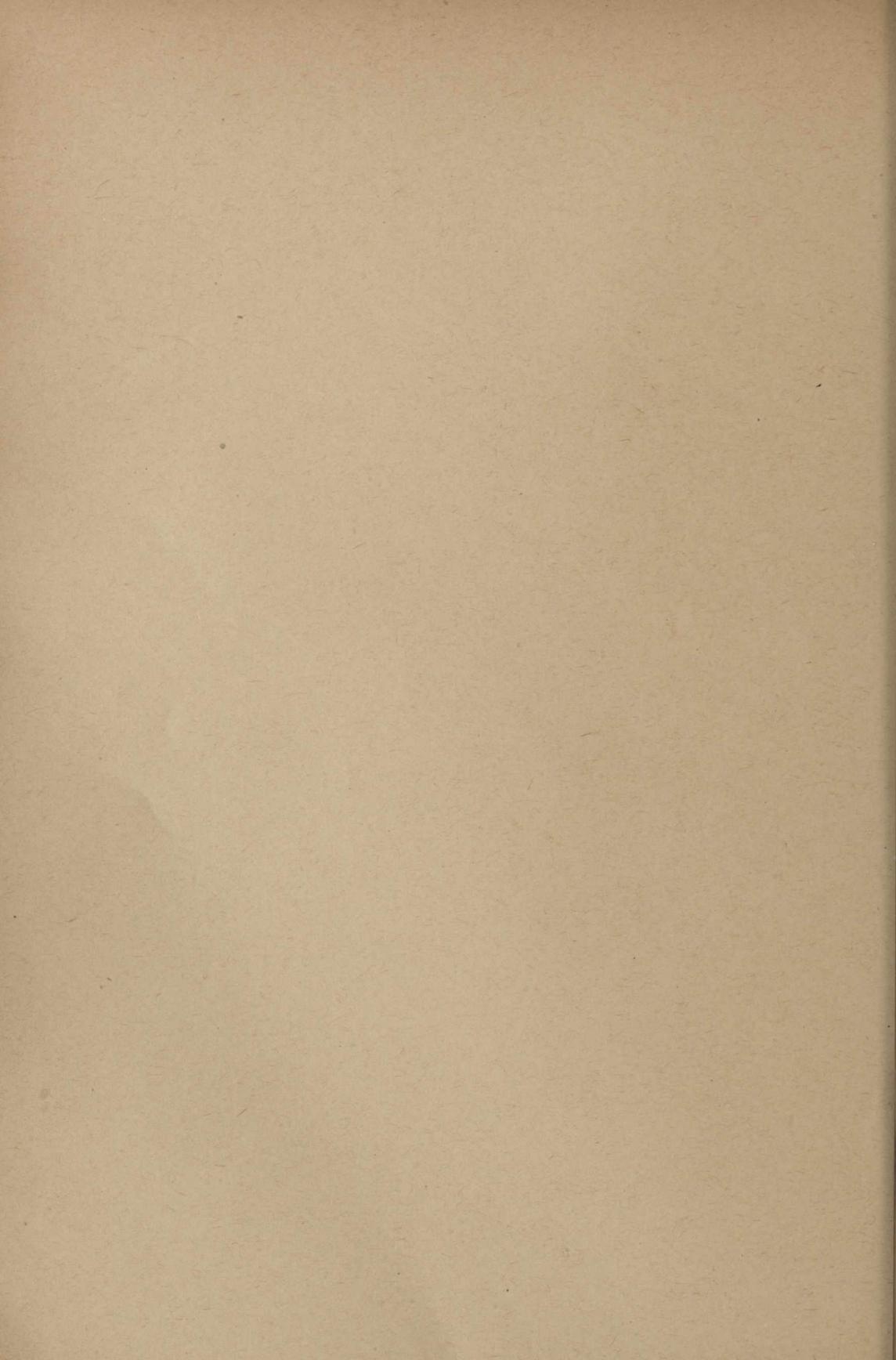
*Prime Minister and Secretary of State for External Affairs.*

*Vice-President of the Executive Council, Minister for Local Government and Public Health.*









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Fourth Session, Seventeenth Parliament, 23 George V, 1932

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THE HOUSE OF COMMONS OF CANADA

BILL 5.

An Act respecting a certain Trade Agreement between  
Canada and Southern Rhodesia.

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First reading, October 13, 1932.

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THE PRIME MINISTER.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 5.

An Act respecting a certain Trade Agreement between  
Canada and Southern Rhodesia.

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

Short title.

1. This Act may be cited as *The Southern Rhodesian Trade Agreement Act, 1932.*

Trade Agreement approved.

2. The Trade Agreement between Canada and Southern Rhodesia, copy of which is set forth in the Schedule to this Act, is hereby approved. 5

Rates of duties on goods imported from Southern Rhodesia

3. After the said Agreement is brought into force, and so long as it remains in force, goods, the produce or manufacture of Southern Rhodesia, conveyed, without transportation, from a port of any British country enjoying the benefits of the British Preferential Tariff, or any lower tariff, or from the nearest seaport accessible to Southern Rhodesia, into a sea, lake or river port of Canada, shall be admitted to Canada at the rates of duties provided in the said Agreement. 10 15

Orders in Council authorized.

4. The Governor in Council may make such orders and regulations as are deemed necessary to carry out the provisions and intent of this Act and of the said Agreement.

Suspension of inconsistent laws.

5. The operation of all laws inconsistent with the provisions of the said Agreement and of this Act their full effect shall from time to time be suspended to the extent of such inconsistency. 20



## SCHEDULE.

TRADE AGREEMENT BETWEEN CANADA AND  
SOUTHERN RHODESIA

His Majesty's Government in the Dominion of Canada and the Government of the Colony of Southern Rhodesia, desiring to facilitate and extend still further their mutual relations of trade and commerce, have agreed upon the following Articles:—

## ARTICLE I

Subject to the provisions of the Customs Tariff of Canada, except as hereinafter provided:—(a) goods, the produce or manufacture of Southern Rhodesia, enumerated in Schedule A to this Agreement, shall, when imported direct into Canada, enjoy the benefits of the tariff concessions indicated in the said Schedule; (b) all other goods, the produce or manufacture of Southern Rhodesia, shall, when imported direct into Canada, enjoy the benefits of the British Preferential Tariff.

## ARTICLE II

Subject to the provisions of the laws of Southern Rhodesia relating to Customs, except as hereinafter provided:—(a) goods, the produce or manufacture of Canada, enumerated in Schedule B to this Agreement, shall, on importation into Southern Rhodesia, enjoy the benefits of the tariff concessions indicated in the said Schedule; (b) motor cars and rubber pneumatic tires and tubes, the produce or manufacture of Canada, shall, on importation into Southern Rhodesia, enjoy the benefits of the rates indicated in Note ii to item 129 and Note ii to item 260, respectively, of column B of the Customs Tariff; (c) all other goods, the produce or manufacture of Canada, shall, on importation into Southern Rhodesia, enjoy the benefits of the rates of column B of the Customs Tariff as applicable to goods imported from the United Kingdom and reciprocating British possessions.

## ARTICLE III

1. Goods, the produce or manufacture of Southern Rhodesia, enumerated in Schedule A to this Agreement, shall, on importation into Canada, enjoy the benefits of the lowest rates of customs duty applicable to similar goods imported from any country.

2. Similarly, goods, the produce or manufacture of Canada, enumerated in Schedule B to this Agreement, shall, on importation into Southern Rhodesia, enjoy the benefit of the lowest rates of customs duty applicable to similar goods imported from any country.



## ARTICLE IV

This Agreement shall be subject to the approval of the Parliament of Canada and the Legislative Assembly of Southern Rhodesia. Upon approval being given it shall be brought into force upon a date to be agreed upon between the Governments of Canada and of Southern Rhodesia. It shall remain in force for a period of five years from the date of its coming into force and thereafter until the expiration of six months from the date on which either Government shall have given to the other notice of its intention to terminate the Agreement.

Done, in duplicate, at Ottawa, this twentieth day of August, one thousand nine hundred and thirty-two.

R. B. BENNETT

H. U. MOFFAT

Signed on behalf of His Majesty's Government in the Dominion of Canada.

Signed on behalf of the Government of the Colony of Southern Rhodesia.

## SCHEDULE A

Tariff Item	Designation of Goods	Tariff Rate
55	Indian corn, n.o.p.....	Free.
100	Grape fruit, when imported from the place of growth by ship, direct to a Canadian port.....	Free.
101	Oranges.....	Free.
101a	Lemons.....	Free.
102	Limes.....	Free.
109a	Peanuts, green, in the shell or not further processed than shelled..	The same treatment as is accorded Australia.



## SCHEDULE B

Tariff Item	Designation of Goods	Tariff Rate
	<i>Cream Separators,</i> the produce of Canada.....	Free;
	the produce of foreign countries.....	15 % <i>ad val.</i>
119 (b)	<i>Batteries, electrical: wet or dry, primary or secondary, including accumulators,</i> the produce of Canada.....	5 % <i>ad val.</i> ;
	the produce of foreign countries.....	20 % <i>ad val.</i>
251	<i>Boots and Shoes,</i> (a) of rubber, or boots and shoes the soles of which are wholly or partly of rubber, the produce of Canada.....	10 % <i>ad val.</i> ;
	the produce of foreign countries, provided that the margin of preference shall not be less than indicated here....	25 % <i>ad val.</i> or 1/- per pair whichever duty shall be greater.
	(b) all other, including slippers, sandals, infants' shoes and bootees, the produce of Canada.....	10 % <i>ad val.</i> ;
	the produce of foreign countries.....	25 % <i>ad val.</i>
263	<i>Boxes, wooden: empty or in shooks for packing and delivery of produce and other classes of goods,</i> the produce of Canada.....	Free;
	the produce of foreign countries.....	5 % <i>ad val.</i>
279	<i>Wood:—</i> (a) Unmanufactured, the produce of Canada.....	Lowest rate to any country.
	(b) Ceiling and flooring boards: planed, tongued and grooved, the produce of Canada.....	Lowest rate to any country.
295	<i>Paper:—</i> (c) <i>News print</i> , in reels or in the flat, the produce of Canada.....	Free;
	the produce of foreign countries.....	10 % <i>ad val.</i>
	(d) Plain or composite, n.e.e.: (i) In the original mill wrappers, flat or folded, not less than 16 inches by 15 inches, the produce of Canada.....	Free;
	the produce of foreign countries.....	10 % <i>ad val.</i>
	(ii) In reels, including paper in reels used for the mono-type type-setting machine, the produce of Canada.....	Free;
	the produce of foreign countries.....	10 % <i>ad val.</i>
	(e) <i>Wrapping</i> (including browns, casings, sealings, nature or ochre browns, sulphites, krafts and bag papers): in original mill wrappers, or in sheets, or in rolls, when the weight of the paper, at a size of 29 inches by 45 inches, or its equivalent, is not less than 30 lbs. per ream of 480 sheets; but not including greaseproof, oiled, waxed, vegetable and imitation parchment, and cartridge papers and tinfoil and similar metallic papers, the produce of Canada.....	Free;
	the produce of foreign countries.....	10 % <i>ad val.</i>
	(f) <i>Wrapping paper</i> (plain or printed, cut to size) for packing fresh fruit, the produce of Canada.....	Free;
	the produce of foreign countries.....	10 % <i>ad val.</i>

Fourth Session, Seventeenth Parliament, 23 George V, 1932

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THE HOUSE OF COMMONS OF CANADA.

**BILL 6.**

An Act to amend the Customs Act.

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First reading, October 25, 1932.

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The MINISTER OF NATIONAL REVENUE.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 6.

An Act to amend the Customs Act.

R.S., c. 42;  
1928, c. 16;  
1930 (2nd  
Sess.), c. 2;  
1931, 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 one of section forty-three of the *Customs Act*, chapter forty-two of the Revised Statutes of Canada, 1927, as enacted by section four of chapter two of the Statutes of 1930 (Second Session), is repealed, and the following is substituted therefor:— 5

Valuation of imports prejudicially or injuriously affecting Canadian producers.

“43. (1) If at any time it appears to the satisfaction of the Governor in Council on a report from the Minister that goods of any kind not entitled to entry under the British Preferential tariff or any lower tariff are being imported into Canada either on sale or on consignment, under such conditions as prejudicially or injuriously to affect the interests of Canadian producers or manufacturers, the Governor in Council may authorize the Minister to fix the value for duty of any class or kind of such goods, and notwithstanding any other provision of this Act, the value so fixed shall be deemed to be the fair market value of such goods.” 10 15 20

EXPLANATORY NOTES.

1. The only change in the subsection is made by the insertion of the underlined words in the text of the Bill.

The object of this amendment is to except from the operation of the section goods entitled to entry under the British Preferential Tariff or any lower tariff, in pursuance of the provisions of the various Trade Agreements concluded at the Imperial Economic Conference.



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Fourth Session, Seventeenth Parliament, 23 George V, 1932

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THE HOUSE OF COMMONS OF CANADA.

**BILL 7.**

An Act to amend the Excise Act.

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First reading, November 3, 1932.

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THE MINISTER OF NATIONAL REVENUE.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 7.

An Act to amend the Excise Act.

R.S., c. 60;  
1928, c. 24;  
1929, c. 41;  
1930, c. 18;  
1932, c. 30.

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

Excise duties  
on spirits.

1. The first paragraphs (a), (b) and (c) of section one hundred and forty-nine of the *Excise Act*, chapter sixty of the Revised Statutes of Canada, 1927, are repealed and the following are substituted therefor:—

Made from  
90 per cent  
of unmalted  
grain  
or sugar.

(a) When the material used in the manufacture thereof consists of not less than ninety per centum, by weight, of raw or unmalted grain, or when manufactured from sugar, syrup, molasses or other saccharine matter not otherwise provided for, on every gallon of the strength of proof by Sykes' hydrometer, seven dollars and so in proportion for any greater or less strength than the strength of proof, and for any less quantity than a gallon;

Made from  
malted grain.

(b) When manufactured exclusively from malted grain taken to the distillery in bond and on which no duty of customs or excise has been paid, or when manufactured from raw or unmalted grain, used in combination, in such proportions as the department prescribes, with malted grain taken to the distillery in bond and on which no duty of customs or of excise has been paid, on every gallon of the strength of proof by Sykes' hydrometer, seven dollars and so in proportion for any greater or less strength, and for any less quantity than a gallon;

Made from  
molasses,  
syrup, etc.

(c) When manufactured exclusively from molasses, syrup, sugar or other saccharine matter, taken to the distillery in bond and on which no duty of customs has been paid, on every gallons of the strength of proof by Sykes' hydrometer, seven dollars and so in proportion for any greater or less strength, and for any less quantity than a gallon:

#### EXPLANATORY NOTES

1. The object of this amendment is to provide a compensating reduction in the rate of excise duty on domestic spirits by reason of reduction in the customs duty under the new British Preferential tariff.

The existing paragraphs read as follows:—

“(a) When the material used in the manufacture thereof consists of not less than ninety per centum, by weight, of raw or unmalted grain, or when manufactured from sugar, syrup, molasses or other saccharine matter not otherwise provided for, on every gallon of the strength of proof by Sykes’ hydrometer, nine dollars, and so in proportion for any greater or less strength than the strength of proof, and for any less quantity than a gallon;

(b) When manufactured exclusively from malted barley, taken to the distillery in bond and on which no duty of customs or excise has been paid, or when manufactured from raw or unmalted grain, used in combination, in such proportions as the department prescribes, with malted barley taken to the distillery in bond and on which no duty of customs or of excise has been paid on every gallon of the strength of proof by Sykes’ hydrometer, nine dollars and two cents, and so in proportion for any greater or less strength, and for any less quantity than a gallon;

(c) When manufactured exclusively from molasses, syrup, sugar or other saccharine matter, taken to the distillery in bond and on which no duty of customs has been paid, on every gallon of the strength of proof by Sykes’ hydrometer, nine dollars and three cents, and so in proportion for any greater or less strength, and for any less quantity than a gallon:”

The only change is the substitution of seven dollars in each of the above paragraphs for “nine dollars,” “nine dollars and two cents,” and “nine dollars and three cents and the word “grain” for the word “barley” in paragraph (b).”

2. Subparagraph (ii) of paragraph (d) of section one hundred and fifty-one of the said Act is repealed and the following is substituted therefor:—

Abatements  
in computa-  
tion of duty  
on spirits for  
shrinkage by  
evaporation  
while  
maturing.

“(ii) in the case of spirits which are not removed from the distiller’s premises within two years of the date when warehoused, an abatement for shrinkage by evaporation while maturing, as follows:— 5

When stored in warehouse in wooden or in ventilated metal tanks approved by the Department, an abatement which shall not exceed four per cent for the first year after the date of original warehousing, three per cent for the second year, two per cent for the third year, two per cent for the fourth year, and one per cent for each succeeding year, up to fifteen years in all; 10 15

When stored in warehouse in wooden barrels, eight per cent for the first year after the date of original warehousing, six per cent for the second year, four per cent for the third year, three per cent for the fourth year and two per cent for each succeeding year, up to fifteen years in all; 20

but no abatement shall be allowed after the period of fifteen years, nor unless the distiller has complied with all regulations made by the Governor in Council in relation to such abatement nor unless the spirits have been kept in wood or in ventilated tanks approved by the Governor in Council during the whole period for which the abatement is claimed; and every such abatement shall be made in respect of each specific package or tank, and shall in no case exceed the actual deficiency found to exist in the package or tank.” 25 30

Duties on  
cigarettes.

3. Paragraph (f) of section two hundred and seventy-five of the said Act is repealed, and the following is substituted therefor:—

“(f) On cigarettes made from raw leaf tobacco or any substitute therefor, weighing not more than three pounds per thousand, four dollars per thousand; 35

Date of  
coming into  
force.

4. This Act shall be deemed to have come into effect on the thirteenth day of October, 1932.

2. The object of this amendment is to provide for an extension from ten to fifteen years in the period under which legal allowances for loss on spirits maturing may be claimed.

The existing paragraph reads as follows: the only change being the substitution of the underlined word "fifteen" for the word "ten."

"(ii) in the case of spirits which are not removed from the distiller's premises within two years of the date when warehoused, an abatement for shrinkage by evaporation while maturing, as follows:—

When stored in warehouse in wooden or in ventilated metal tanks approved by the Department, an abatement which shall not exceed four per cent for the first year after the date of original warehousing, three per cent for the second year, two per cent for the third year, two per cent for the fourth year, and one per cent for each succeeding year, up to ten years in all;

When stored in warehouse in wooden barrels, eight per cent for the first year after the date of original warehousing, six per cent for the second year, four per cent for the third year, three per cent for the fourth year, and two per cent for each succeeding year, up to ten years in all;

but no abatement shall be allowed after the period of ten years, nor unless the distiller has complied with all regulations made by the Governor in Council in relation to such abatement, nor unless the spirits have been kept in wood or in ventilated tanks approved by the Governor in Council during the whole period for which the abatement is claimed; and every such abatement shall be made in respect of each specific package or tank, and shall in no case exceed the actual deficiency found to exist in the package or tank;"

3. The object of this amendment is to provide a compensating reduction in the rate of excise duty on cigarettes by reason of reduction in the customs duty under the new British Preferential tariff.

The existing paragraph reads as follows:—

"(f) On cigarettes made from raw leaf tobacco or any substitute therefor, weighing not more than three pounds per thousand, six dollars per thousand."

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Fourth Session, Seventeenth Parliament, 23 George V, 1932

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THE HOUSE OF COMMONS OF CANADA.

**BILL 8.**

An Act respecting a certain Trade Agreement between His Majesty's Government in Canada and His Majesty's Government in the United Kingdom.

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Introduced, November 3, 1932.

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THE PRIME MINISTER.

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

THE HOUSE OF COMMONS OF CANADA.

**BILL 8.**

An Act respecting a certain Trade Agreement between His Majesty's Government in Canada and His Majesty's Government in the United Kingdom.

**H**IS 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, 1932.*

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Trade Agreement approved.

**2.** The Trade Agreement entered into between representatives of His Majesty's Government in Canada and of His Majesty's Government in the United Kingdom, copy of which is set forth in the Schedule to this Act, is hereby approved.

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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.



## SCHEDULE.

We, the representatives of His Majesty's Government in the United Kingdom and of His Majesty's Government in Canada hereby agree with one another, on behalf of our respective Governments, as follows:—

ARTICLE 1.—His Majesty's Government in the United Kingdom undertake that Orders shall be made in accordance with the provisions of Section 4 of the Import Duties Act, 1932, which will ensure the continuance after the 15th November, 1932, of entry free of duty into the United Kingdom of goods consigned from any part of the British Empire and grown, produced or manufactured in Canada which by virtue of that Act are now free of duty subject, however, to the reservations set forth in Schedule A appended hereto.

ARTICLE 2.—His Majesty's Government in the United Kingdom will invite Parliament to pass the legislation necessary to impose on the foreign goods specified in Schedule B appended hereto, the duties of customs shown in that Schedule in place of the duties (if any) now leviable.

ARTICLE 3.—His Majesty's Government in the United Kingdom undertake that the general ad valorem duty of 10% imposed by Section I of the Import Duties Act, 1932, on the foreign goods specified in Schedule C shall not be reduced except with the consent of His Majesty's Government in Canada.

ARTICLE 4.—It is agreed 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 and 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 the United Kingdom consumers.

ARTICLE 5.—His Majesty's Government in the United Kingdom will invite Parliament to pass the legislation necessary to modify the conditions at present governing the importation into the United Kingdom of live cattle from Canada on the lines already agreed upon in principle between themselves and His Majesty's Government in Canada.

ARTICLE 6.—His Majesty's Government in the United Kingdom declare that it is their intention to arrange as soon as possible after receiving the report of the Commission now sitting on the reorganization of the Pig Industry in the United Kingdom, for the quantitative regulation of the supplies of bacon and hams coming on to the United Kingdom market and undertake that in any legislation which they may submit to Parliament for regulating the supplies of bacon and hams from all sources in to the United



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Kingdom, provision will be made for free entry of Canadian bacon and hams of good quality up to a maximum of 2,500,000 cwt. per annum.

ARTICLE 7.—His Majesty's Government in the United Kingdom will invite Parliament to pass legislation which will secure for a period of ten years from the date hereof to tobacco, consigned from any part of the British Empire and grown, produced or manufactured in Canada, the existing margin of preference over foreign tobacco, so long, however, as the duty on foreign unmanufactured tobacco does not fall below  $2/0\frac{1}{2}$ d. per lb., in which event the margin of preference shall be equal to the full duty.

ARTICLE 8.—His Majesty's Government in the United Kingdom will invite the Governments of the non-self-governing Colonies and Protectorates to accord to Canada any preference which may for the time being be accorded to any other part of the British Empire, provided that this Clause shall not extend to any preferences accorded by Northern Rhodesia to the Union of South Africa, Southern Rhodesia and the Territories of the South African High Commission by virtue of the Customs Agreement of 1930; and further will invite the Governments of the Colonies and Protectorates shown in Schedule D to accord to Canada new or additional preferences on the commodities and at the rates shown therein.

ARTICLE 9.—His Majesty's Government in Canada will invite Parliament to pass the legislation necessary to substitute for the duties of customs now leviable on the goods specified in Schedule E the duties shown in that Schedule, provided that nothing in this Article shall preclude His Majesty's Government in Canada from reducing the duties specified in the said Schedule so long as the margin of British preference shown in that Schedule is preserved or from increasing the rates under the intermediate or general tariff set out in the said Schedule.

ARTICLE 10.—His Majesty's Government in Canada undertake that protection by tariffs shall be afforded against United Kingdom products only to those industries which are reasonably assured of sound opportunities for success.

ARTICLE 11.—His Majesty's Government in Canada undertake that during the currency of this Agreement the tariff shall be based on the principle that protective duties shall not exceed such a level as will give United Kingdom producers full opportunity of reasonable competition on the basis of the relative cost of economical and efficient production, provided that in the application of such principle special consideration may be given to the case of industries not fully established.

ARTICLE 12.—His Majesty's Government in Canada undertake forthwith to constitute the Tariff Board for which provision is made in the Tariff Board Act 1931.



ARTICLE 13.—His Majesty's Government in Canada undertake that on the request of His Majesty's Government in the United Kingdom they will cause a review to be made by the Tariff Board as soon as practicable of the duties charged on any commodities specified in such request in accordance with the principles laid down in Article 11 hereof and that after the receipt of the Report of the Tariff Board thereon such report shall be laid before Parliament and Parliament shall be invited to vary wherever necessary the Tariff on such commodities of United Kingdom origin in such manner as to give effect to such principles.

ARTICLE 14.—His Majesty's Government in Canada undertake that no existing duty shall be increased on United Kingdom goods except after an inquiry and the receipt of a report from the Tariff Board, and in accordance with the facts as found by that body.

ARTICLE 15.—His Majesty's Government in Canada undertake that United Kingdom producers shall be entitled to full rights of audience before the Tariff Board when it has under consideration matters arising under Articles 13 and 14 hereof.

ARTICLE 16.—His Majesty's Government in Canada undertake that Customs administration in Canada shall be governed by such general principles as will ensure (a) the avoidance, so far as reasonably possible, of uncertainty as to the amount of Customs duties and other fiscal imposts payable on the arrival of goods in Canada; (b) the reduction of delay and friction to a minimum; and (c) the provision of machinery for the prompt and impartial settlement of disputes in matters appertaining to the application of tariffs.

ARTICLE 17.—His Majesty's Government in Canada undertake that all existing surcharges on imports from the United Kingdom shall be completely abolished as soon as the finances of Canada will allow. They further undertake to give sympathetic consideration to the possibility of reducing and ultimately abolishing the exchange dumping duty in so far as it applies to imports from the United Kingdom.

ARTICLE 18.—His Majesty's Government in Canada undertake to modify the existing regulations governing the importation of pedigree stock from the United Kingdom into Canada in a manner already agreed upon in principle between themselves and His Majesty's Government in the United Kingdom.

ARTICLE 19.—His Majesty's Government in Canada undertake to accord to those non-self-governing Colonies, Protectorates and the Mandated Territories to which the benefits of the British Preferential rates are at present accorded and also to Zanzibar the preferences on the commodities and at the rates shown in Schedule F and also any preferences for the time being accorded to the United



Kingdom. Provided that His Majesty's Government in 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 Empire (in the case of Northern Rhodesia, excepting the Union of South Africa, Southern Rhodesia and the Territories of the South African High Commission) preferences not accorded to Canada.

ARTICLE 20.—Nothing in this Agreement shall prejudice or diminish any of the benefits enjoyed by any of the parties thereto under the Canada-West Indies Trade Agreement dated the 6th of July, 1925.

ARTICLE 21.—This agreement is made on the express condition that, if either Government is satisfied that any preferences hereby granted in respect of any particular class of commodities are likely to be frustrated in whole or in part by reason of the creation or maintenance directly or indirectly of prices for such class of commodities through State action on the part of any foreign country, that Government hereby declares that it will exercise the powers which it now has or will hereafter take to prohibit the entry from such foreign country directly or indirectly of such commodities into its country for such time as may be necessary to make effective and to maintain the preferences hereby granted by it.

ARTICLE 22.—This Agreement between His Majesty's Government in the United Kingdom and His Majesty's Government in Canada is to be regarded as coming into effect as from the date hereof (subject to the necessary legislative or other action being taken as soon as may be practicable hereafter). It shall remain in force for a period of five years, and if not denounced six months before the end of that period shall continue in force thereafter until a date six months after notice of denunciation has been given by either party.

ARTICLE 23.—In the event of circumstances arising which, in the judgment of His Majesty's Government in the United Kingdom or of His Majesty's Government in Canada, as the case may be, necessitate a variation in the terms of the agreement, the proposal to vary those terms shall form the subject of consultation between the two Governments.

Signed on behalf of His Majesty's Government in the United Kingdom:—

NEVILLE CHAMBERLAIN.

Signed on behalf of His Majesty's Government in Canada:—

R. B. BENNETT.

RBH

20th August, 1932.



## SCHEDULE A.

## CANADA

As regards Eggs, Poultry, Butter, Cheese and other Milk Products, free entry for Canadian produce will be continued for three years certain. His Majesty's Government in the United Kingdom, however, reserve to themselves the right, after the expiration of the three years, if they consider it necessary in the interests of the United Kingdom producer to do so, to review the basis of preference so far as relates to the articles above enumerated and, after notifying His Majesty's Government in Canada 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 B

## CANADA.

Wheat in grain.....	2/- per quarter.
Butter.....	15/- per cwt.
Cheese.....	15% <i>ad valorem</i> .
Apples, raw (excluding apples consigned direct to a registered cider manufacturer for use in making cider).....	4/6d. per cwt.
Pears, raw.....	4/6d. per cwt.
Apples, canned.....	3/6d. per cwt. in addition to the duty in respect of sugar content.
Dried fruits, now dutiable at 7/-....	10/6d. per cwt.
Eggs in shell:—	
(a) Not exceeding 14 lbs. in weight per great hundred.....	1/- per great hundred.
(b) Over 14 lbs., but not exceeding 17 lbs.....	1/6d. per great hundred.
(c) Over 17 lbs.....	1/9d. per great hundred.
Condensed milk, whole, sweetened..	5/- per cwt. in addition to the duty in respect of sugar content.
Copper, unwrought, whether refined or not, in ingots, bars, blocks, slabs, cakes, and rods.....	2d. per lb.



## SCHEDULE C.

## CANADA.

Timber of all kinds imported into the United Kingdom in substantial quantities from Canada, in so far as now dutiable.

Fish, fresh, sea.  
 Salmon, canned.  
 Other fish, canned.  
 Asbestos.  
 Zinc.  
 Lead.

## SCHEDULE D.

## CANADA.

- (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.

*Commodity**Margin of Preference*

Rubber boots and shoes and canvas boots and shoes, rubber-soled.....	One shilling per pair (or the equivalent in the local currency), that is to say, the General Rate to be the Preferential <i>ad valorem</i> rate, if any, plus one shilling per pair specific duty.
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- (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 tires.....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.



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|---|--|
| Hosiery of cotton or artificial silk..... | Sixpence per pair, that is to say, the General rate to be the Preferential <i>ad valorem</i> rate, if any, plus sixpence per pair specific duty.   |
| Hosiery of silk.....                      | Ninepence per pair, that is to say, the General rate to be the Preferential <i>ad valorem</i> rate, if any, plus ninepence per pair specific duty. |
| Butter.....                               | One penny halfpenny per pound.   |
- (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) The Barbados, Bermuda, and Trinidad.  
Electrical appliances and apparatus.....15 per cent *ad valorem*.  
Bacon and ham.....One halfpenny per pound.
- (7) The 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 ten shillings per 1,000 feet to be established.
- (8) The Barbados, Jamaica, and Trinidad.  
Condensed Milk.....10 per cent *ad valorem*.  
(or the equivalent specific rate).  
Shooks.....10 per cent *ad valorem*.
- (9) The Barbados and British Honduras.  
Potatoes and onions.....Two shillings per hundred pounds.
- (10) The Barbados.  
Oats.....Ninepence per hundred pounds.
- (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.....Two pence 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*.
- (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.

*Commodity*

*Margin of preference so soon as it is possible to institute duties thereon*

- 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.....15 per cent *ad valorem*.  
 Confectionery.....10 per cent *ad valorem*.
- (17) Fiji.  
 Timber, dressed and undressed.....Two shillings per 100 super-feet.
- (18) Malta.  
 Wheat flour.....Two shillings per 100 kilogrammes.
- (19) Mauritius.  
 Bacon and ham.....Five rupees per 100 kilogrammes.  
 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.

*Commodity**Margin of Preference*

- Electrical batteries and accumulators.....15 per cent *ad valorem*.



Boxes, wooden, empty, or in shooks.....	10 per cent <i>ad valorem</i> .
Wood, unmanufactured, in- cluding ceiling and flooring boards.....	10 per cent <i>ad valorem</i> .
Newsprint paper; wrapping paper; unspecified plain or composite paper.....	10 per cent <i>ad valorem</i> .
Motor trucks, etc., as specified in Tariff Items 130 (a) and (b).....	10 per cent <i>ad valorem</i> .
Motor cars, chassis and rubber pneumatic tires and tubes of Canadian origin.....	To be admitted at the same rates as those of United Kingdom ori- gin under Tariff Items 129 (a) and (c) and 260.
(21) Sarawak. Condensed milk.....	10 per cent <i>ad valorem</i> .

## SCHEDULE E

## CANADA.

Item	Description	Proposed Rates		
20a	Butter produced from the cocoa bean..... per pound	Free	3 cts.	3 cts.
79	Florist stock, viz.:—Azaleas, rhododendrons, pot-grown lilacs, rose stock and other stock for grafting, seedling carnation stock, araucarias, bulbs, corms, tubers, rhizomes and dormant roots, n.o.p.; seedling stock for grafting, viz.:—plum, pear, peach and other fruit trees.....	Free	15 p.c.	20 p.c.
83	Potatoes, as hereunder defined: (a) In their natural state, per one hundred pounds.....	Free	Free	75 cts.
143a	Cigarettes, the weight of the paper covering to be included in the weight for duty..... per pound and 25 p.c.	\$3.50	\$4.10 25 p.c.	\$4.10 25 p.c.
144	Cut tobacco..... per pound	80 cts.	95 cts.	95 cts.
145	Manufactured tobacco, n.o.p., and snuff..... per pound	75 cts.	90 cts.	90 cts.
146	Ale, beer, porter and stout, when imported in casks or otherwise than in bottle..... per gallon	25 cts.	35 cts.	35 cts.
147	Ale, beer, porter and stout, when imported in bottles, ... per gallon	30 cts.	50 cts.	50 cts.
	Provided that six quart bottles or twelve pint bottles shall be held to contain one gallon.			
152	Lime juice, fruit syrups and fruit juices, n.o.p.....	15 p.c.	25 p.c.	25 p.c.



## SCHEDULE E—Continued

Item	Description	Proposed Rates		
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 spirit or potato oil; methyl alcohol, wood alcohol, wood naphtha, pyro-sylic 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.....	\$8	\$10	\$10
	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.			
157a	Amyl alcohol or refined fusel-oil, when imported by the Department of National Revenue, or by a person licensed by the Minister, to be denatured for use in the manufacture of metal varnishes or lacquers, to be entered at ports prescribed by regulations of the Minister, subject to the Excise Act and to the regulations of the Department of National Revenue.... per gallon	Free	25 cts.	25 cts.
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 and	\$8 30 p.c.	\$10 30 p.c.	\$10 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 and	60 p.c. \$5	90 p.c. \$5 40 p.c.	90 p.c. \$5 40 p.c.
166	Acetone and amyl acetate.....	10 p.c.	30 p.c.	30 p.c.
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... per pound and	3 cts. 20 p.c.	5 cts. 30 p.c.	10 cts. 35 p.c.
ex 171	Comic periodicals for juveniles.....	Free	10 p.c.	10 p.c.
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	10 p.c.	10 p.c.
ex 178	Printed Advertising Matter issued by railway systems...	Free		
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			



## SCHEDULE E—Continued

Item	Description	Proposed Rates		
	chromos, chromo-types, 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..... per pound Provided that when imported under the General Tariff rate, the duty shall be not less than.....	5 cts.	12½ cts.	15 cts.
				35 p.c.
188	Plain basic photographic paper, baryta coated, adapted for use exclusively in manufacturing albumenized or sensitized photographic paper.....	Free	15 p.c.	15 p.c.
ex 192	Roofing and shingles of saturated felt.....	Free	25 p.c.	35 p.c.
ex 199	Waxed stencil paper for use on duplicating machines.....	10 p.c.	32½ p.c.	35 p.c.
ex 203	Chemical compounds composed of two or more acids or salts soluble in water, adapted for dyeing or tanning..	Free	10 p.c.	10 p.c.
ex 203	Aniline and coal tar dyes, soluble in water, in bulk or packages of not less than one pound weight.....	Free	10 p.c.	10 p.c.
ex 206	Bacteriological products or serum for sub-cutaneous injection.....	Free	20 p.c.	20 p.c.
ex 207	Blood albumen.....	Free	10 p.c.	10 p.c.
ex 208	Sal ammoniac and nitrate of ammonia.....	Free	25 p.c.	25 p.c.
ex 208	Oxide of Cobalt.....	Free	10 p.c.	10 p.c.
ex 208	Bichloride of Tin and tin crystals.....	Free	10 p.c.	10 p.c.
ex 208	Sulphate of copper (blue vitriol).....	Free	10 p.c.	10 p.c.
ex 208	Sulphate of Iron (copperas).....	Free	10 p.c.	10 p.c.
ex 208	Cream of tartar in crystals and Tartaric Acid crystals....	Free	10 p.c.	10 p.c.
ex 208	Phosphorous and compounds thereof, n.o.p.....	Free	20 p.c.	20 p.c.
ex 208	Oxalic acid.....	Free	20 p.c.	20 p.c.
ex 208	Oxide of tin or of copper.....	Free	15 p.c.	15 p.c.
ex 208	Sulphate of zinc and chloride of zinc.....	Free	20 p.c.	20 p.c.
208b	Bisulphate of soda or nitre cake.....	Free	20 p.c.	20 p.c.
208d	Calcium chloride, not in solution, for road-treating purposes only.....	Free	15 p.c.	15 p.c.
208e	Xanthates, cresylic acid and compounds of cresylic acid, used in the process of concentrating ores, metals or minerals.....	Free	15 p.c.	15 p.c.
208h	Ethylene glycol, when imported by manufacturers of anti-freezing compounds to be used exclusively in the manufacture of anti-freezing compounds, in their own factories	Free	15 p.c.	15 p.c.
ex 209	Bichromate of potash, crude; red and yellow prussiate of potash.....	Free	15 p.c.	15 p.c.
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, binarsenate, chlorate, bisulphite and stannate of soda; prussiate of soda and sulphite of soda.....	Free	15 p.c.	20 p.c.



## SCHEDULE E—Continued

Item	Description	Proposed Rates		
210d	Sodium, sulphate of, crude, or salt cake..... per pound	$\frac{1}{2}$ ct.	$\frac{2}{3}$ ct.	$\frac{2}{3}$ ct.
210e	Nitrate of soda or cubic nitre imported by manufacturers of explosives for use exclusively in the manufacture of explosives in their own factories.....	Free	Free	Free
ex 211	Chloride of aluminum, or chloralum.....	Free	10 p.c.	10 p.c.
212	Sulphate of alumina or alum cake; and alum in bulk, ground or unground, but not calcined.....	Free	15 p.c.	15 p.c.
215	Stearic acid, n.o.p.....	Free	17 $\frac{1}{2}$ p.c.	20 p.c.
ex 216	Acids, n.o.p., of a kind not produced in Canada.....	Free	25 p.c.	25 p.c.
ex 216	Phosphoric acid.....	Free	25 p.c.	25 p.c.
ex 216	Nitric acid, not including glass containers, when in packages weighing not more than 100 pounds.....	Free	20 p.c.	22 $\frac{1}{2}$ p.c.
ex 217	Sulphuric and muriatic acids, not including glass containers, when in packages weighing not more than 100 pounds..... per 100 pounds	Free	22 $\frac{1}{2}$ cts.	25 cts.
218	Acid phosphate, not medicinal.....	Free	25 p.c.	25 p.c.
ex 219	Sulphuric ether and chloroform.....	Free	25 p.c.	25 p.c.
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.	25 p.c.	25 p.c.
229	Soap, common or laundry, per one hundred pounds.....	50 cts.	\$1.50	\$1.50
230	Castile soap, the weight of the cartons and wrappings to be included in the weight for duty, per pound.....	Free	2 cts.	2 cts.
232	Glue, liquid, powdered or sheet, and gelatine, n.o.p..... and..... per pound	17 $\frac{1}{2}$ p.c. 2 cts.	25 p.c. 5 cts.	25 p.c. 5 cts.
232b	Vegetable glue.....	10 p.c.	35 p.c.	35 p.c.
232c	Gelatine, edible.....	10 p.c.	35 p.c.	35 p.c.
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.....	20 p.c.	40 p.c.	40 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.....	12 $\frac{1}{2}$ p.c.	25 p.c.	35 p.c.
240	Ultramarine blue, dry or in pulp; whiting or whitening; Paris white and gilders' whiting; blanc fixé; satin white.....	Free	10 p.c.	10 p.c.
241	Litharge, other than for battery purposes.....	Free	15 p.c.	15 p.c.
ex 242	Dry red lead and orange mineral; zinc oxides, such as zinc white and lithopone.....	Free	15 p.c.	15 p.c.
245	Ochres, ochrey earths, siennas and umbers.....	5 p.c.	15 p.c.	15 p.c.



## SCHEDULE E—Continued

Item	Description	Proposed Rates		
249	Varnishes, lacquers, japans, japan driers, liquid driers, and oil finish, n.o.p..... per gallon and	20 cts. 15 p.c.	20 cts. 25 p.c.	20 cts. 30 p.c.
253	Putty of all kinds.....	17½ p.c.	27½ p.c.	27½ p.c.
254	Gums, viz.:—Amber, Arabic, 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	15 p.c.	15 p.c.
256	Printing ink.....	12½ p.c.	17½ p.c.	25 p.c.
ex 256	Rotogravure ink.....	12½ p.c.	17½ p.c.	20 p.c.
264	Essential oils, n.o.p., including bay oil, otto of limes, and peppermint oil.....	Free	7½ p.c.	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.....	Free	10 p.c.	10 p.c.
277	Palm and palm kernel oil, unbleached or bleached, not edible; shea butter.....	Free	10 p.c.	10 p.c.
278	Oils, viz.:—Cocoonut, palm and palm kernel, not edible, for manufacturing soap; carbolic or heavy oil; olive oil for manufacturing soap or tobacco, or for canning fish.....	Free	10 p.c.	10 p.c.
ex 284	Earthenware tiles, for roofing purposes.....	Free	32½ p.c.	35 p.c.
287	Tableware of china, porcelain, semi-porcelain, white granite or ironstone.....	Free	35 p.c.	35 p.c.
288	Earthenware and stoneware, brown or coloured and Rockingham ware; "C.C." or cream-coloured ware, decorated, printed or sponged; and all earthenware, n.o.p....	25 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.....	20 p.c.	35 p.c.	35 p.c.
300	Crucibles of clay, sand or plumbago.....	Free	15 p.c.	15 p.c.
ex 312	Asbestos in any form other than crude, and all manufactures thereof, when made from crude asbestos of Empire origin.....	Free	22½ p.c.	25 p.c.
318	Common and colourless window glass.....	Free	15 p.c.	15 p.c.
319	Glass, in sheets, and bent plate glass, n.o.p.....	Free	25 p.c.	25 p.c.
320	Plate glass, not bevelled, in sheets or panes not exceeding seven square feet each, n.o.p.....	Free	25 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	25 p.c.	25 p.c.
322	Plate glass, n.o.p.....	20 p.c.	30 p.c.	35 p.c.
ex 339	Lead capsules for bottles.....	10 p.c.	27½ p.c.	30 p.c.
340	Type for printing, including chases, quoins and slugs, of all kinds.....	7½ p.c.	17½ p.c.	20 p.c.
341	Babbit metal and type metal, in blocks, bars, plates and sheets.....	10 p.c.	20 p.c.	20 p.c.



## SCHEDULE E—Continued

Item	Description	Proposed Rates		
348d	Copper in bars or rods, when imported by manufacturers of trolley, telegraph and telephone wires, electric wires and electric cables, for use only in the manufacture of such articles in their own factories.....	Free	10 p.c.	10 p.c.
349	Brass in bars and rods, in coil or otherwise, not less than six feet in length, and brass in strips, sheets or plates, not polished, planished or coated.....	5 p.c.	10 p.c.	15 p.c.
350	Wire of all metals and kinds, n.o.p.....	10 p.c.	30 p.c.	35 p.c.
ex 350 ex 351 ex 353 ex 353a ex 354 ex 361 ex 711	Aluminum and alloys thereof, crude or semi-fabricated, viz.: Pigs, ingots, blocks, notch bars, slabs, billets and blooms; scrap; bars, rods and wires; angles, channels, beams, tees, and other rolled or drawn sections and shapes; pipes and tubes; plates, sheets and strips, including circles; leaf 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	30 p.c.	30 p.c.
ex 352 ex 362	Coin locks of which solid brass or bronze are the components of chief value, plain, polished or plated.....	15 p.c.	35 p.c.	40 p.c.
354	Manufactures of aluminum, n.o.p.....	15 p.c.	30 p.c.	30 p.c.
354a	Kitchen or household hollowware of aluminum, n.o.p.....	20 p.c.	30 p.c.	30 p.c.
ex 355 ex 356	Nickel in ingots or blocks, n.o.p.; nickel bars and rods, not including bars or rods depolarized or otherwise processed for use as anodes; and nickel in strips, sheets or plates.....	Free	.....	.....
361	Gold and silver leaf; Dutch or schlag metal leaf; brocade and bronze powders.....	15 p.c.	30 p.c.	30 p.c.
370	Rollers, copper, adapted for use in calico printing.....	Free	10 p.c.	10 p.c.
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.... per ton	Free	\$3.00	\$3.00
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.....	Free	12½ p.c.	15 p.c.
ex 378	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..... per ton	Free	\$7.00	\$7.00
ex 378a ex 378c	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	Free	\$7.00	\$7.00
380	Plates of iron or steel, hot or cold rolled:— (a) Not more than 66 inches in width, n.o.p.... per ton (b) More than 66 inches in width, n.o.p..... per ton	\$4.25 Free	\$8.00 \$6.00	\$8.00 \$6.00
381	Sheets, of iron or steel, hot or cold rolled: (a) .080 inch or less in thickness, n.o.p.....	7½ p.c.	20 p.c.	20 p.c.
ex 381a	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	12½ p.c.	12½ p.c.



## SCHEDULE E—Continued

Item	Description	Proposed Rates		
ex 382a	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	12½ p.c.	12½ p.c.
ex 382a	Band steel, hot rolled, .080 inch or less in thickness, n.o.p.	7½ p.c.	15 p.c.	15 p.c.
ex 382b	Band steel, hot rolled, more than .080 inch in thickness, n.o.p.....per ton	\$4.00	\$8.00	\$8.00
ex 382c	Strip steel, cold rolled or cold drawn, .080 inch or less in thickness, n.o.p.....	7½ p.c.	20 p.c.	20 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	15 p.c.	15 p.c.
	(b) Coated with tin, n.o.p.....	Free	20 p.c.	20 p.c.
	(c) Coated with zinc, n.o.p.....	7½ p.c.	20 p.c.	20 p.c.
ex 385	Sheets, plates, hoop, band or strip, of rust, acid or heat resisting steels, hot rolled, valued at not less than five cents per pound.....	Free	20 p.c.	20 p.c.
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	Free	\$5.00	\$5.00
	(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	15 p.c.	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 metals, not including tin, in their own factories on and after September 1, 1931.....	5 p.c.	20 p.c.	20 p.c.
ex 387	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	Free	\$7.00	\$7.00
388	Iron or steel angles, beams, channels, columns, girders, joists, piling, 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.....per ton	Free	\$3.00	\$3.00
388b	Iron or steel angles, beams, channels, columns, girders, joists, piling, tees, zees, and other shapes or sections, not punched, drilled or further manufactured than hot rolled, n.o.p.....per ton	\$4.00	\$7.00	\$7.00
ex 388	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.....per ton	Free	\$3.00	\$3.00
ex 392	Forgings of iron or steel, in any degree of manufacture, hollow, not less than 12 inches in internal diameter....	Free	30 p.c.	30 p.c.



## SCHEDULE E—Continued

Item	Description	Proposed Rates		
393	Tires, of steel, in the rough, not drilled or machined in any manner, for railway vehicles, including locomotives and tenders.....	Free	10 p.c.	10 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.....	10 p.c.	27½ p.c.	30 p.c.
401	Wire, of iron or steel: (a) Barbed fencing, coated or not.....	Free	10 p.c.	10 p.c.
	(b) Twisted, braided or stranded, including wire rope or cable, coated or not, n.o.p.....	15 p.c.	25 p.c.	25 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.	20 p.c.	20 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.....	Free	10 p.c.	10 p.c.
	(e) Coated with zinc or spelter, n.o.p.....	10 p.c.	20 p.c.	20 p.c.
	(f) Single or several, covered with any material, including cable so covered, coated, n.o.p.....	15 p.c.	30 p.c.	30 p.c.
	(g) N.O.P.....	15 p.c.	20 p.c.	20 p.c.
406	Coil chain, coil chain links, including repair links, and chain shackles, of iron or steel: (b) Less than one and one-eighth inches in diameter..	15 p.c.	25 p.c.	25 p.c.
407a	Chains, of iron or steel, n.o.p.....	20 p.c.	30 p.c.	35 p.c.
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	10 p.c.	10 p.c.
409	Cream separators and complete parts therefor, including steel bowls.....	Free	25 p.c.	25 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.....	7½ p.c.	20 p.c.	25 p.c.
ex 410o	Coal cutting machines, n.o.p.....	Free	10 p.c.	10 p.c.
ex 412a	Offset presses; lithographic presses; printing presses and typemaking accessories therefor, n.o.p.....	Free	10 p.c.	15 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	10 p.c.	15 p.c.
414	Typewriters and complete parts thereof.....	Free	25 p.c.	25 p.c.
ex 422a	Trench and ditch excavating machines, round wheel or vertical or ladder boom, chain and bucket type, for digging vertical or sloping bank ditches.....	Free	10 p.c.	15 p.c.
ex 427	Ball and roller bearings.....	5 p.c.	27½ p.c.	35 p.c.



## SCHEDULE E—Continued

Item	Description	Proposed Rates		
ex 427	Machinery, 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 to include motive power.....	Free	27½ p.c.	35 p.c.
ex 428a	Engines for motor trucks or motor buses, when of 100 h.p. or more.....	Free	25 p.c.	27½ p.c.
429	Cutlery of iron or steel, plated or not:			
	(b) Table knives and table forks.....	15 p.c.	30 p.c.	35 p.c.
	(c) Pen knives, jack-knives, and pocket knives of all kinds.....	Free	30 p.c.	30 p.c.
	(d) Knives, n.o.p.....	Free	30 p.c.	30 p.c.
	(e) Spoons.....	15 p.c.	30 p.c.	35 p.c.
	(f) Scissors and shears, n.o.p.....	Free	30 p.c.	30 p.c.
	(g) Razors and razor blades.....	Free	30 p.c.	30 p.c.
431b	Adzes, anvils, vices, cleaves, hatchets, saws, augers, bits, drills, files, rasps, screwdrivers, 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.
ex 438a	} Motor vehicles, n.o.p., not including motor buses.....	Free	.....	.....
ex 438b				
ex 438c				
ex 438b	Motor cycles or sidecars therefor.....	Free	20 p.c.	30 p.c.
440j	Trawls, trawling spoons, fly hooks, sinkers, swivels, sportsmen's fishing reels, bait and hooks, and fishing tackle, n.o.p.....	Free	25 p.c.	30 p.c.
ex 441	Guns and rifles of a class or kind not made in Canada....	5 p.c.	27½ p.c.	30 p.c.
445c	Electric telegraph or telephone apparatus and complete parts thereof.....	Free	25 p.c.	30 p.c.
445d	Electric wireless or radio apparatus and complete parts thereof.....	Free	25 p.c.	30 p.c.
ex 445e	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	25 p.c.	27½ p.c.
ex 445k	Flame proof electric switch gear, for use underground in coal mines.....	Free	20 p.c.	30 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.....	Free	20 p.c.	25 p.c.
ex 446a	Steel bicycle rims, not enamelled nor plated.....	Free	27½ p.c.	35 p.c.
ex 446a	Golf shafts of seamless steel, coated or not, but not chromium plated.....	10 p.c.	35 p.c.	35 p.c.
ex 446a	Bottles or cylinders of seamless steel used as high-pressure containers for gas.....	Free	25 p.c.	25 p.c.
ex 446a	Steel balls not larger than three-eighths inch in diameter, commonly known as "burnishing balls".....	Free	7½ p.c.	10 p.c.
ex 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	10 p.c.	10 p.c.



## SCHEDULE E—Continued

Item	Description	Proposed Rates		
488	Nitrate and acetate of lead, not ground; platinum and black oxide of copper, for use in the manufacture of chlorates and colours.....	Free	10 p.c.	10 p.c.
522	Rovings, yarns and warps wholly of cotton, not more advanced than singles, n.o.p..... and..... per pound	12½ p.c. 2 cts.	15 p.c. 3½ cts.	22½ p.c. 4 cts.
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..... and..... per pound	15 p.c. 2 cts.	22½ p.c. 3½ cts.	25 p.c. 4 cts.
522d	Yarns and warps wholly of cotton, mercerised, number forty and finer, imported by manufacturers to be further manufactured in their own factories.....	Free	25 p.c.	25 p.c.
ex 522	Yarns and warps wholly of cotton, number forty and finer, when imported by manufacturers of mercerised cotton yarns for use exclusively in the manufacture of mercerised cotton yarns, in their own factories.....	Free Until Dec. 31, 1933: Free Free Free Free Free	15 p.c.	15 p.c.
523	Woven fabrics, wholly of cotton, not bleached, mercerised nor coloured, n.o.p., and cotton seamless bags..... and..... per pound	17½ p.c. 2 cts.	20 p.c. 3½ cts.	25 p.c. 4 cts.
523a	Woven fabrics wholly of cotton, bleached or mercerised, not coloured, n.o.p..... and..... per pound	20 p.c. 2 cts.	22½ p.c. 3½ cts.	27½ p.c. 4 cts.
523b	Woven fabrics wholly of cotton, printed, dyed or coloured, n.o.p..... and..... per pound	22½ p.c. 2 cts.	27½ p.c. 3½ cts.	32½ p.c. 4 cts.
ex 523 ex 523a ex 523b	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..... and..... per pound	Free	27½ p.c. 3½ cts.	32½ p.c. 4 cts.
523e	Woven fabrics wholly of cotton with cut pile, n.o.p..... and..... per pound	15 p.c.	27½ p.c. 3½ cts.	32½ p.c. 4 cts.
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	12½ p.c.	15 p.c.
524	Seamless cotton duck in circular form, of a class or kind not made in Canada, for use in the manufacture of hose pipe.....	Free	10 p.c.	10 p.c.
528	White cotton bobinet, plain, in the web.....	Free	25 p.c.	25 p.c.
529	Embroideries, lace, nets, nettings, bobinet, n.o.p.; fringes and tassels, wholly of cotton..... and..... per pound	20 p.c. 2 cts.	27½ p.c. 3½ cts.	30 p.c. 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. and..... per pound	25 p.c. 2 cts.	30 p.c. 3½ cts.	35 p.c. 4 cts.
537b	Linen thread for hand or machine sewing.....	Free	22½ p.c.	25 p.c.



## SCHEDULE E—Continued

Item	Description	Proposed Rates		
ex 540	From the four existing linen items marginally named, it is proposed to draft a new linen schedule which will accord to the United Kingdom <i>Free entry</i> on a very wide range of fabrics and articles, administration of the new legislation to be on the basis suggested by the following tentative proposals: (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. (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	25 p.c.	27½ p.c.
ex 540a		Free	30 p.c.	32½ p.c.
ex 540b		Free	30 p.c.	32½ p.c.
ex 540c		..... & 3½ cts.	& 4 cts.	
		Free	30 p.c.	35 p.c.
	..... & 3½ cts.	& 4 cts.		
541a	Woven fabrics, wholly of jute, n.o.p.....	Free	22½ p.c.	25 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	11½ cts.	20 cts.	22½ cts.
ex 551a	Yarns and warps composed wholly of hair, imported by manufacturers for use in their own factories.....	Free	17½ p.c.	20 p.c.
	and..... per pound	.....	15 cts.	17½ cts.
551a	Yarns and warps composed wholly 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	7½ 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	7½ cts.	17½ cts.	20 cts.
553	Blankets of any material, not to include automobile rugs, steamer rugs or similar articles.....	22½ p.c.	30 p.c.	35 p.c.
	and..... per pound	10 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.....	20 p.c.	25 p.c.	30 p.c.
	and..... per pound	9½ cts.	17½ cts.	20 cts.
ex 554	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	25 p.c.	30 p.c.
	and..... per pound	.....	17½ cts.	20 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	20 p.c.	25 p.c.
554b	Woven fabrics, composed wholly or in part of yarns of wool or hair, n.o.p.....	27½ p.c.	35 p.c.	40 p.c.
	and..... per pound	18½ cts.	30 cts.	35 cts.
ex 554b	Woven fabrics, composed wholly or in part of yarns of wool or hair, weighing not less than eighteen ounces per square yard.....	25 p.c.	35 p.c.	40 p.c.
	and..... per pound	20 cts.	30 cts.	35 cts.



## SCHEDULE E—Continued.

Item	Description	Proposed Rates		
ex 554b	Woven fabrics, composed wholly or in part of yarns of wool or hair, commonly known as billiard cloth..... and per pound	Free	35 p.c. 30 cts.	40 p.c. 35 cts.
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..... and per pound	30 p.c. 18½ cts.	40 p.c. 32½ cts.	40 p.c. 35 cts.
568a	Socks and stockings of all kinds..... and per each one dozen pairs	30 p.c. 75 cts.	32½ p.c. \$1.35	35 p.c. \$1.50
ex 568b	Women's dress gloves of kid, elbow length.....	Free	35 p.c.	45 p.c.
572	Turkish or imitation Turkish or other floor rugs or carpets, and carpets, n.o.p..... and per square foot	30 p.c. 5 cts.	35 p.c. 15 cts.	40 p.c. 20 cts.
586	Coal, anthracite, n.o.p. per ton.....	Free	50 cts.	50 cts.
ex 598	Brass band instruments, of a class or kind not made in Canada; bagpipes.....	Free	30 p.c.	35 p.c.
604	Belting leather in butts or bends; sole leather; and all leather further finished than tanned, n.o.p.....	12½ p.c.	27½ p.c.	27½ p.c.
ex 604	Genuine pig leathers and genuine Morocco leathers; so-called roller-leathers.....	Free	27½ p.c.	27½ 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	15 p.c.	15 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.. Provided, that the Governor-in-Council may, when satisfied that the leather specified in this item is being produced in Canada, in quantity and quality sufficient for Canadian requirements, by Order-in-Council direct that this tariff item be repealed.	Free	15 p.c.	15 p.c.
ex 610	Belting of camel's hair, for machinery.....	15 p.c.	27½ p.c.	27½ p.c.
617	India-rubber boots and shoes.....	Free	22½ p.c.	25 p.c.
625	Caps, hats, muffs, tippets, capes, coats and cloaks of fur, and other manufactures of fur, n.o.p.....	15 p.c.	30 p.c.	35 p.c.
663	Fertilizers, compounded or manufactured, n.o.p.....	Free	7½ p.c.	10 p.c.
684	Rubber thread, not covered.....	Free	10 p.c.	15 p.c.
ex 711	Barytes.....	Free	25 p.c.	25 p.c.
ex 711	Charcoal, animal, for use in the refining of sugar.....	Free	25 p.c.	25 p.c.
ex 711	Mineral wool.....	Free	25 p.c.	25 p.c.
ex 711	A new item (not finally drafted) to provide that <i>all chemicals and drugs</i> which were dutiable, at the date of the Conference, under item 711 at..... shall be in future, when of a kind not produced in Canada, dutiable at.....	15 p.c.	25 p.c.	25 p.c.
		Free	25 p.c.	25 p.c.



SCHEDULE E—*Concluded.*

Item	Description	Proposed Rates		
728	Hyposulphite of soda, when imported by tanners for use in their own factories in the tanning of leather.....	Free	10 p.c.	10 p.c.
783	Gasoline and steam engines, transmission assemblies and parts thereof, magnetos, starting motors, electric generators, propeller shafts, steel chassis frames, brakes, clutches, brake and clutch controls, steel road wheels, steel rims for pneumatic tires, larger than thirty inches by five inches, steering gears and front and rear axles, all of a class or kind not made in Canada when imported by manufacturers of motor trucks (not for railways or tramways) for carrying goods only, for use only in the manufacture of such motor trucks.....	Free	17½ p.c.	20 p.c.
785	Cocoonut oil, not edible, when imported for use in the manufacture of refined cocoonut oil.....	Free	10 p.c.	10 p.c.



## SCHEDULE F.

## CANADA.

Canadian Tariff Item	Commodity	Margin of Prefer- ence over Intermediate Tariff
39a	Sago and tapioca flour.....	½c. per lb.
ex 77	Vanilla beans.....	10 p.c. <i>ad valorem</i> .
87(n)	Tomatoes.....	2c. per lb. through- out the year.
143	Cigars.....	50c. per lb.
ex 254	Gums, viz.: Arabic, copal, damar, gum chicle or sappato gum, crude.	10 p.c. <i>ad valorem</i> .
264	Essential oils, n.o.p., including bay oil, otto of limes and peppermint oil.....	7½ p.c. <i>ad valorem</i> .
267B as revised	Crude petroleum not in its natural state .7250 specific gravity or heavier at 60° temperature when imported by oil refiners to be refined in their own factories.....	1c. per gallon.
277	Palm and palm kernel oil, unbleached or bleached, non-edible; shea butter.....	10 p.c. <i>ad valorem</i> .
278	Oils, viz.: Coconut, palm and palm kernel, not edible, for manu- facturing soap; carbolic or heavy oil; olive oil for manufacturing soap or tobacco, or for canning fish.....	10 p.c. <i>ad valorem</i> .
ex 584	Asphalt or asphaltum, solid.....	10 p.c. <i>ad valorem</i> .
ex 616	Gutta percha.....	10 p.c. <i>ad valorem</i> .
616a	Balata, crude, unmanufactured.....	10 p.c. <i>ad valorem</i> .
785	Coconut oil, not edible, when imported for use in the manufacture of refined coconut oil.....	10 p.c. <i>ad valorem</i> .

In Item 106(b) Fruits, prepared . . . pineapples, British Preferential rate to be reduced to 1 cent per lb. subject to the agreement of His Majesty's Government in the Commonwealth of Australia.





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Fourth Session, Seventeenth Parliament, 23 George V, 1932

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THE HOUSE OF COMMONS OF CANADA.

**BILL 9.**

An Act to amend The Canada Grain Act. (Domestic grain).

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First reading, November 4, 1932.

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The MINISTER OF TRADE AND COMMERCE.

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

4th Session, 17th Parliament, 23 George V, 1932

THE HOUSE OF COMMONS OF CANADA.

**BILL 9.**

An Act to Amend The Canada Grain Act. (Domestic Grain).

1930, c. 5.

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

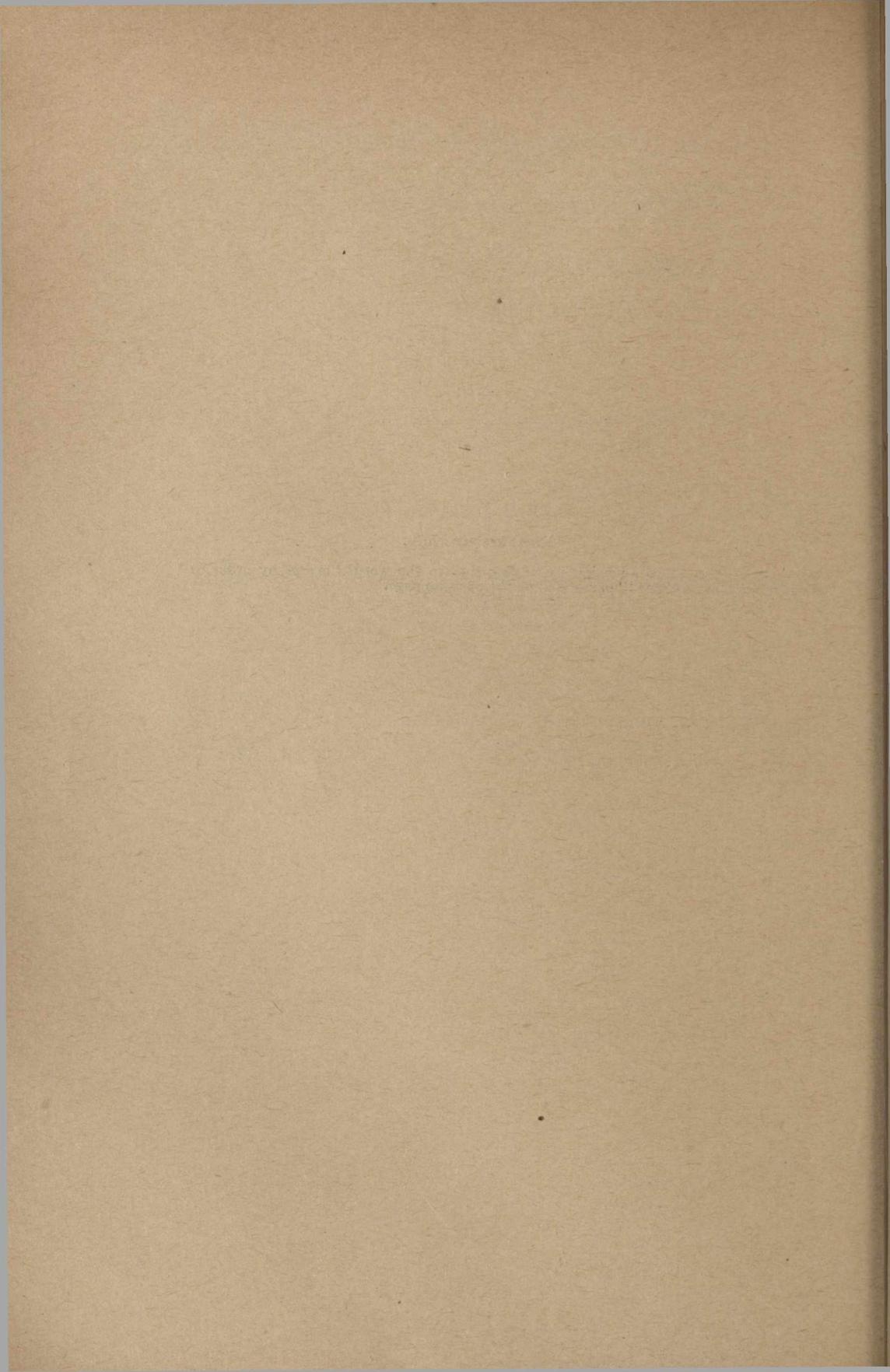
**1.** Section one hundred and thirty-four of *The Canada Grain Act*, chapter five of the Statutes of 1930, is repealed 5 and the following is substituted therefor:—

Domestic grain.

“**134.** Notwithstanding anything in this Act, the tariff of charges made for the cleaning, storage and handling of grain in any public or semi-public terminal or eastern elevator shall not be subject to change during any crop 10 year except by order or regulation of the Board.”

EXPLANATORY NOTE.

1. Section 134 is amended by adding thereto the words "except by order or regulation of the Board" underlined on the opposite page.



Fourth Session, Seventeenth Parliament, 23 George V, 1932

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THE HOUSE OF COMMONS OF CANADA.

**BILL 10.**

An Act to amend The Montreal Harbour Commissioners'  
Act, 1894.

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First reading, November 7, 1932.

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THE SOLICITOR GENERAL.

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

THE HOUSE OF COMMONS OF CANADA

BILL 10.

An Act to amend The Montreal Harbour Commissioners' Act, 1894.

1894, c. 48;  
1909, c. 24;  
1912, c. 35;  
1913, c. 32;  
1914, c. 42;  
1924, c. 58;  
1932, c. 50.

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

1. Paragraph (n) of section twenty-six of *The Montreal Harbour Commissioners' Act, 1894*, chapter forty-eight of the Statutes of 1894, is repealed, and the following is substituted therefor:— 5

By-law for regulation of plant and appliances, entry into and remaining in harbour, and levy of rates for operating in harbour.

“(n) The regulation of all plant, machinery or appliances, whether floating or not, for loading or unloading vessels, including the power to prescribe that none shall enter the harbour or remain in it without permission of the Commissioners, and power to levy a rate or sum of money thereon for the privilege of operating in the harbour, and to regulate and control charges for such services.” 10 15

## EXPLANATORY NOTE.

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

“(n) The regulation of all machinery and appliances used in loading or unloading vessels.”

Section 26 of the Act gives the corporation power from time to time to make by-laws, not contrary to law nor to the provisions of the Act, for the various purposes usually covered by by-law for the general management and government of the harbour.



Fourth Session, Seventeenth Parliament, 23 George V, 1932

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THE HOUSE OF COMMONS OF CANADA.

**BILL 11.**

An Act to amend the Income War Tax Act.

---

First reading, November 7, 1932.

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The MINISTER OF FINANCE.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 11.

An Act to amend the Income War Tax Act.

R.S., c. 97;  
1928, cc. 12, 30;  
1930, c. 24;  
1931, c. 35;  
1932, cc. 43, 44.

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

"Personal corporation."

1. Paragraph (i) of section two of the *Income War Tax Act*, chapter ninety-seven of the Revised Statutes of Canada, 1927, is repealed and the following is substituted therefor:— 5

"(i) 'Personal corporation' means a corporation or joint stock company, irrespective of when or where created, whether in Canada or elsewhere, and irrespective of where it carries on its business or where its assets are 10 situate, controlled, directly or indirectly, by one individual who resides in Canada, or by one such individual and his wife or any member of his family, or by any combination of them or by any other person or corporation or any combination of them on his or 15 their behalf, and whether through holding a majority of the stock of such corporation or in any other manner whatsoever, the gross revenue of which is to the extent of one quarter or more derived from one or more of the following sources, namely:— 20

- (i) From the ownership of or the trading or dealing in bonds, stocks or shares, debentures, mortgages, hypothecs, bills, notes or other similar property,
- (ii) From the lending of money with or without security, or by way of rent, annuity, royalty, interest 25 or dividend, or
- (iii) From or by virtue of any right, title or interest in or to any estate or trust."

2. Paragraph (k) of section four of the said Act is repealed and the following is substituted therefor:— 30

## EXPLANATORY NOTES.

Sections **1**, **2**, **3** and **4**. These are declaratory sections to carry out the original intention of making certain that there should be no loss of revenue through individuals having personal corporations situate and carrying on business outside of Canada although controlled from within Canada.

**1.** The paragraph to be repealed reads as follows:—  
(The change is made by adding the words underlined on the opposite page).

“(i) “personal corporation” means a corporation or joint stock company (no matter when or where created) controlled directly or indirectly by one person, who resides in Canada, or by one such person and his wife or any member of his family, or by any combination of them, or by any other person or corporation on his or their behalf, whether through holding a majority of the stock of such corporation, or in any other manner whatsoever, the gross revenue of which is to the extent of one quarter or more derived from one or more of the following sources, namely:—

- (i) From the ownership of or the trading or dealing in bonds, stocks or shares, debentures, mortgages, hypothecs, bills, notes or other similar property,
- (ii) From the lending of money with or without security, or by way of rent, annuity, royalty, interest or dividend, or
- (iii) From or by virtue of any right, title or interest in or to any estate or trust;”

**2.** Paragraph (*k*) of section four at present reads as follows:—

Business  
abroad.

“(k) The income of incorporated companies, (except personal corporations) whose business is not only carried on but whose assets, also, are situate entirely outside of Canada.”

**3.** Subsection one of section twenty-one of the said Act is repealed and the following is substituted therefor:— 5

Income of  
personal  
corporation  
distributed.

“**21.** (1) The income of a personal corporation, whether the same is actually distributed or not, shall be deemed to be distributed on the last day of each year as a dividend to the shareholders, and the said shareholders shall be taxable 10 each year as if the same had been distributed in the proportions hereinafter mentioned.”

**4.** Section twenty-one of the said Act is further amended by adding thereto the following subsections:—

Shareholders  
to file  
statement  
of personal  
corporation.

“(7) The shareholder of a personal corporation who 15 controls such corporation shall file with his income tax return a statement of the assets, liabilities and income of the personal corporation.

“(8) Any such shareholder who fails to file the statement required by the last preceding subsection at the time and in 20 the manner prescribed, shall be taxed on double the amount of his proportion of the income of such personal corporation.

“(9) The rates of tax applicable to corporations, as in this Act provided, shall not be imposed on any personal corporation.” 25

**5.** Section eight of the said Act is amended by adding thereto the following subsection:—

Non-resident  
Canadian  
officials—  
allowance.

“(4) A Minister, High Commissioner, officer, servant or employee of the Government of Canada resident outside of Canada, shall be entitled to deduct from the tax that 30 would otherwise be payable by him under this Act the amount paid as income tax to the government of the country in which he resides.”

**6.** Subsection one of section nine of the said Act is amended by inserting immediately after paragraph (e) 35 thereof the following paragraph:—

Persons liable  
to tax.

“(f) who, before his appointment was a resident of Canada, and is now or hereafter becomes a Minister, High Commissioner, officer, servant or employee of the Government of Canada, resident outside of Canada, 40 except upon income received by way of salary from the said Government.”

Information  
returns.  
Last day of  
February.

**7.** Subsection four of section thirty-nine of the said Act is repealed and the following is substituted therefor:—

“(4) Such returns shall be delivered to the Minister on 45 or before the last day of February in each year, without any notice or demand being made therefor, and in such form as the Minister may prescribe.”

“(k) The income of incorporated companies whose business and assets are carried on and situate entirely outside of Canada;”

**3.** The subsection to be repealed (ss. (1) of s. 21) at present reads as follows:—

“21. The income of a personal corporation, *in lieu of being assessed the tax prescribed by section nine of this Act*, shall on the last day of each year be deemed to be distributed as a dividend to the shareholders thereof *and shall in their hands constitute taxable income for each year in the proportion hereinafter mentioned, whether actually distributed by way of dividend or not.*”

**4.** This is to assert jurisdiction over the individual, compelling the filing of statements of assets, liabilities and income of personal corporations incorporated outside of Canada.

**5 and 6.** These sections render liable to tax Dominion Government officials therein referred to, with allowance for tax paid abroad.

**7.** Information returns formerly were filed on the 31st March. They are now to be filed on the last day of February in each year.

The only change is by substituting the word “February” for the word “March.”

Subsection four at present reads as follows:—

“4. Such returns shall be delivered to the Minister on or before the thirty-first day of *March* in each year, without any notice or demand being made therefor, and in such form as the Minister may prescribe.”

8. Section fifty-five of the said Act is repealed and the following is substituted therefor:—

Continuation  
of liability  
for tax.

“55. Notwithstanding any prior assessment, or if no assessment has been made, the taxpayer shall continue to be liable for any tax and to be assessed therefor and the Minister may at any time assess, re-assess or make additional assessments upon any person for tax, interest and penalties.” 5

9. The said Act is further amended by inserting after section nineteen the following section:— 10

Redeemable  
stock taxed on  
redemption  
when issued  
against  
capitalized  
surplus.

“19A. (1) Where the assets of a company, which had on hand undistributed income at the end of its 1929 taxation period, have been received by another company, either directly or through an intermediary, and whether by the sale of the assets of such first mentioned company to such other company, or through the sale by the shareholders of the shares of such first mentioned company to such other company, and such other company issues or has issued redeemable shares, bonds, notes, or other like instruments in an amount which in whole or in part absorbs the said undistributed income, then on any redemption of such instruments the company redeeming shall pay a tax of four per centum on the amount of such instruments redeemed to the extent of the said undistributed income. 15 20

(2) The tax shall be paid to the Receiver General of Canada at the time fixed for redemption or if no date is so fixed, at the time of redemption. Failure to pay the tax within the prescribed time shall render the company liable for interest thereon at the rate of six per centum per annum until paid.” 25 30

Application  
of sections.

10. It is hereby declared and enacted that the provisions of the *Income War Tax Act* shall be read and construed as if the amendments enacted by sections one, two and three of this Act had been contained therein since the fifteenth day of June, 1926, and the said *Income War Tax Act* as amended shall apply to the income of the 1925 taxation period and fiscal periods ending in 1925 and all subsequent periods. Sections four, five, six and seven of this Act shall apply to the income of the 1932 taxation period and fiscal periods ending in 1932 and all subsequent periods. Section eight shall apply to the income of the 1917 taxation period and fiscal periods ending therein and all subsequent periods. 35 40

8. This is to prevent loss of revenue through the argument that the Minister, having made an assessment, is *functus officio* and cannot make another assessment. Examples are when the Department finds, subsequent to an assessment having been issued, that companies are minimizing their taxes by selling goods under the market value to parent or controlled companies outside of Canada or taxpayers are taking undisclosed deductions to which they are not entitled. This is to render certain the power of making further assessments.

Section fifty-five at present reads as follows:—

"55. Any person liable to pay the tax shall continue to be liable, and in case any person so liable shall fail to make a return as required by this Act, or shall make an incorrect or false return, and does not pay the tax in whole or in part, the Minister may at any time assess such person for the tax, or such portion thereof as he may be liable to pay, and may prescribe the time within which any appeals may be made under the provisions of this Act from the assessment, and may fix the date of payment of the tax."

9. This is to tax the undistributed income of a corporation which has been capitalized by the issuance of redeemable stock, bonds, etc. of a second corporation, as and when such stocks, bonds, etc. are redeemed. The tax is 4 per cent of the amount of the stock redeemed, payable by the company.



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Fourth Session, Seventeenth Parliament, 23 George V, 1932

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THE HOUSE OF COMMONS OF CANADA.

**BILL 12.**

An Act for granting to His Majesty certain sums of money  
for the public service of the financial year ending the  
31st March, 1933.

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AS PASSED BY THE HOUSE OF COMMONS,  
25th NOVEMBER, 1932.

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

THE HOUSE OF COMMONS OF CANADA.

**BILL 12.**

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1933.

MOST GRACIOUS SOVEREIGN,

Preamble.

**W**HEREAS it appears by message from His Excellency the Right Honourable the Earl of Bessborough, 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-three, 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, 1932-33.*

15

\$1,534,957.08  
granted for  
1932-33.

**2.** From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole one million, five hundred and thirty-four thousand, nine hundred and fifty-seven dollars, and 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-two, to the thirty-first day of March, one thousand nine hundred and thirty-three, not otherwise provided for, set forth in the Schedule to this Act.

Account to  
be rendered  
in detail.

**3.** A detailed account of the sums expended under the authority of this Act shall be laid before the House of Commons of Canada during the first fifteen days of the then next session of Parliament.

25



## SCHEDULE

Based on Further Supplementary Estimates, 1932-33. The amount hereby granted is \$1,534,957.08.

Sums granted to His Majesty by this Act for the financial year ending 31st March, 1933, and the purposes for which they are granted.

No. of Vote.	Service.	Amount.	Total.
	ADMINISTRATION OF JUSTICE.	\$ cts.	\$ cts.
1	Yukon Territory— Miscellaneous expenditure, including salaries and allowances of court officers, costs of trials, etc.—Further amount required.....		2,500 00
	PENITENTIARIES.		
2	Cost of administration, construction, purchase of land, supplies and equipment, maintenance and discharge of inmates of penitentiaries, including compassionate allowance of \$500 to relatives of Mike Bihun, accidentally killed on April 15, 1932.—Further amount required.....		200,350 00
	LEGISLATION.		
	HOUSE OF COMMONS.		
3	To provide for payment to George A. Touche and Company for professional services in connection with the Gasoline Inquiry.....		11,233 00
	AGRICULTURE.		
4	Health of Animals, administration of the Animal Contagious Diseases Act and the Meat and Canned Foods Act.—Further amount required.....		169,788 00
	PENSIONS.		
5	Pensions to families of members of the Royal Canadian Mounted Police who lost their lives while on duty.—Further amount required— To provide for a pension to Mrs. Catherine Mildred Ralls, equal to one-half of her late husband's daily regimental pay and ration allowance, from July 6, 1932, to March 31, 1933.....	497 65	
	To provide compassionate allowances to Victor, Everett, Doreen, and Stanley Ralls, at \$30 per annum each, from July 6, 1932, to March 31, 1933.....	88 43	
			586 08
	MAIL SUBSIDIES AND STEAMSHIP SUBVENTIONS.		
6	British Columbia and Australia, and/or China, service between. Further amount required.....		35,000 00
	MISCELLANEOUS.		
7	National Battlefields Commission—To provide for payment of the amount fixed by the Exchequer Court for the property of the Quebec Skating Club expropriated by the National Battlefields Commission.....		31,500 00

STATE OF NEW YORK

IN SENATE  
January 10, 1911

11  
10  
1911

REPORT OF THE

COMMISSIONERS OF THE LAND OFFICE

FOR THE YEAR 1910

ALBANY: PUBLISHED BY THE STATE PRINTING OFFICE, 1911.

SCHEDULE—*Concluded*

No. of Vote.	Service.	Amount.	Total.
		\$ cts.	\$ cts.
	PENSIONS AND NATIONAL HEALTH.		
8	Unemployment Relief—Further amount required.....		975,000 00
	TRADE AND COMMERCE.		
9	The Canada Grain Act, including management, operation, maintenance and equipment of elevators, administration of—Further amount required.....		100,000 00
			1,534,957 08





Fourth Session, Seventeenth Parliament, 23 George V, 1932

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THE HOUSE OF COMMONS OF CANADA.

**BILL 13.**

An Act to amend the Customs Tariff.

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AS PASSED BY THE HOUSE OF COMMONS,  
24th NOVEMBER, 1932.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 13.

An Act to amend the Customs Tariff.

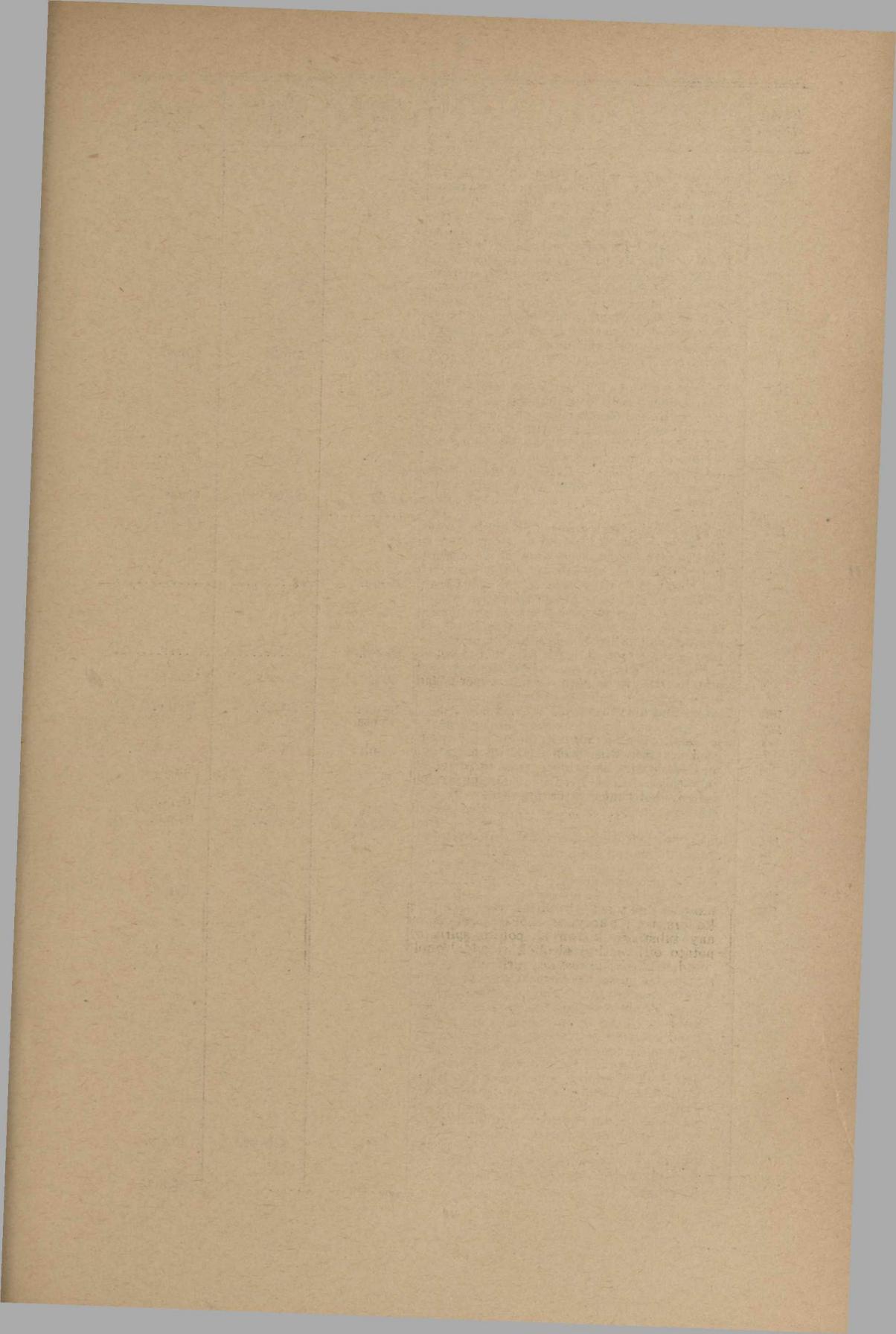
R.S., c. 44;  
1928, c. 17;  
1929, c. 39;  
1930 (1st  
Sess.), c. 13;  
1930 (2nd  
Sess.), c. 3;  
1931, c. 30;  
1932, c. 41.  
Schedule A  
amended.

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

1. Schedule A to the *Customs Tariff*, chapter forty-four of the Revised Statutes of Canada, 1927, as amended by 5  
chapter seventeen of the Acts of 1928, chapter thirty-nine  
of the Acts of 1929, chapter thirteen of the Acts of 1930  
(first session), chapter three of the Acts of 1930 (second  
session), chapter thirty of the Acts of 1931, and chapter  
forty-one of the Acts of 1932, is further amended by striking 10  
thereout tariff items 20a, 39a, 77, 79, 83 (a), 87 (n), 106 (b),  
143a, 144, 145, 146, 147, 152, 156, 157a, 159, 160, 164,  
166, 168, 171, 178, 178a, 188, 203, 206, 207, 208, 208b, 208d,  
208e, 208h, 209, 210, 210d, 211, 212, 215, 216, 217, 218,  
219, 219c, 229, 230, 232, 232b, 232c, 234, 236, 240, 241, 15  
242, 245, 249, 253, 254, 256, 264, 267b, 276b, 277, 278,  
287, 288, 289, 300, 312, 318, 319, 320, 321, 322, 340, 341,  
348d, 349, 350, 353, 353a, 354, 354a, 355, 356, 361, 370,  
377c, 378 (d), 380 (a), 380 (b), 380 (c), 381 (a), 382 (a),  
382 (b), 382 (c), 383 (a), 383 (b), 383 (c), 385, 386 (a), 20  
386 (m) (i), 386 (m) (ii), 387, 388, 388b, 393, 394 (a), 401 (a),  
401 (b), 401 (c), 401 (d), 401 (e), 401 (f), 401 (g), 406 (b), 407a,  
408, 409, 410l, 410n, 410o, 412a, 412b, 414, 422a, 429 (b),  
429 (c), 429 (d), 429 (e), 429 (f), 429 (g), 431b, 438a, 438b,  
438c, 438d, 438e, 440j, 441, 445c, 445d, 446, 476, 476a, 25  
488, 522, 522c, 522d, 523, 523a, 523b, 523e, 523f, 524,  
528, 529, 532, 537b, 540, 540a, 540b, 540c, 541a, 551,  
551a, 552, 553, 554, 554a, 554b, 555, 568a, 568b, 572, 584,  
586, 598, 599, 604, 605, 607a, 616, 616a, 617, 625, 663,  
684, 728, 783, 784, and 785, the several enumerations of 30  
goods respectively, and the several rates of duties of cus-  
toms, if any, set opposite each of said items, and by inserting  
the following items, enumerations and rates of duty in  
said Schedule A:—



Tariff Item		British Preferential Tariff	Inter-mediate Tariff	General Tariff
20a	Butter produced from the cocoa bean per pound	Free	3 cts.	3 cts.
39a	Rice flour, sago flour, cassava flour, tapioca flour, and rice meal..... per pound	$\frac{3}{4}$ ct.	1 $\frac{1}{2}$ cts.	1 $\frac{1}{2}$ cts.
77	Beans, viz.: Tonquin, crude only; locust beans; locust bean meal.....	Free	Free	Free
77b	Vanilla beans, crude only.....	Free	10 p.c.	10 p.c.
79	Florist stock, viz.—Azaleas, rhododendrons, pot-grown lilacs, rose stock and other stock for grafting, seedling carnation stock, araucarias, bulbs, corms, tubers, rhizomes and dormant roots, n.o.p.; seedling stock for grafting, viz.:—Plum, pear, peach and other fruit trees.....	Free	15 p.c.	20 p.c.
83	Potatoes, as hereunder defined:— (a) In their natural state..... per one hundred pounds	Free	Free	75 cts.
87	(n) Tomatoes..... Provided that when imported under the Intermediate or General Tariff rates, the duty shall at no time be less than two cents per pound.	Free	27 $\frac{1}{2}$ p.c.	30 p.c.
106	Fruits, prepared, in air-tight cans or other air-tight containers, the weight of the containers to be included in the weight for duty: (b) Pineapples..... per pound	1 ct.	4 cts.	5 cts.
135b	Sugar, above number 16 Dutch Standard in colour, when imported or purchased in bond in Canada by a recognized sugar refiner for refining purposes only, under regulations by the Minister, when exceeding 98 degrees, but not exceeding 99 degrees polarization... per one hundred pounds	31-64 cts.	.....	.....
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.	25 p.c.
144	Cut tobacco..... per pound	80 cts.	95 cts.	95 cts.
145	Manufactured tobacco, n.o.p., and snuff..... per pound	75 cts.	90 cts.	90 cts.
146	Ale, beer, porter and stout, when imported in casks or otherwise than in bottle. per gallon	25 cts.	35 cts.	35 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.	30 cts.	50 cts.	50 cts.
152	Lime juice, fruit syrups and fruit juices, n.o.p.	15 p.c.	25 p.c.	25 p.c.
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 spirit or potato oil; methyl alcohol, wood alcohol, wood naphtha, pyrosylic 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.	\$8.00	\$10.00	\$10.00



Tariff Item	British Preferential Tariff	Inter-mediate Tariff	General Tariff
157a			
159	Free	25 cts.	25 cts.
160	\$8.00 30 p.c.	\$10.00 30 p.c.	\$10.00 30 p.c.
164	60 p.c.	90 p.c.	90 p.c.
166	\$5.00 and	\$5.00 40 p.c.	\$5.00 40 p.c.
168	25 cts.	.....	.....
171	55 cts.	.....	.....
171a	10 p.c.	30 p.c.	30 p.c.
178	3 cts. 20 p.c.	5 cts. 30 p.c.	10 cts. 35 p.c.
171	Free	10 p.c.	10 p.c.
171a	Free	10 p.c.	10 p.c.
178	5 cts.	12½ cts.	15 cts.
			35 p.c.



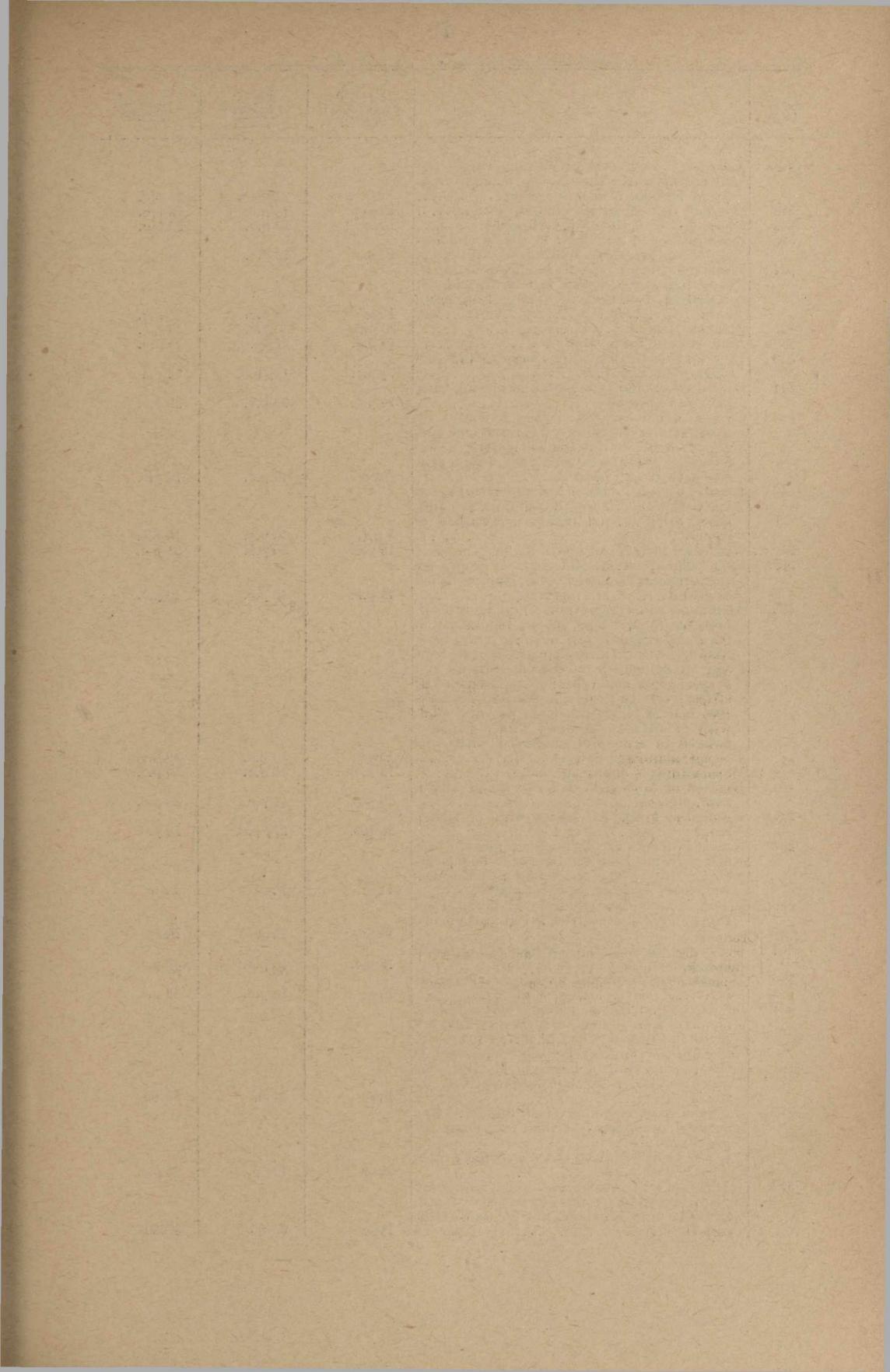
Tariff Item		British Preferential Tariff	Intermediate Tariff	General Tariff
178a	Provided, that on the goods specified in Item 178 and imported by mail on and after the first day of July, 1914, duties may be paid by customs revenue stamps, under regulations by the Minister, at the rates specified in said Item, except that on each separate package weighing not more than one ounce, the duty shall be each.....	1 ct.	2 cts.	2 cts.
178b	Printed advertising matter issued by railway systems in the British Empire (not including railway systems operating in Canada).....	Free		
188	Plain basic photographic paper, baryta coated, adapted for use exclusively in manufacturing albumenized or sensitized photographic paper.....	Free	15 p.c.	15 p.c.
192c	Roofing and shingles of saturated felt.....	Free	25 p.c.	35 p.c.
199c	Waxed stencil paper for use on duplicating machines.....	10 p.c.	32½ p.c.	35 p.c.
203	Non-edible seeds, beans, nuts, berries, plants, weeds, barks, and woods, in a crude state or chipped or ground, and extracts and preparations thereof; turmeric, nutgalls and extracts thereof; indigo, indigo paste and extracts of; aniline oil, crude; aniline salts, alizarin and artificial alizarin; annatto, liquid or solid; iron liquor, being solution of acetate or nitrate of iron adapted for dyeing and calico printing; red liquor, being a crude acetate of aluminum prepared from pyroligneous acid and adapted for dyeing and calico printing..	Free	Free	Free
203a	Chemical compounds composed of two or more acids or salts soluble in water, adapted for dyeing or tanning.....	Free	10 p.c.	10 p.c.
203b	Aniline and coal tar dyes, soluble in water, in bulk or packages of not less than one pound weight.....	Free	10 p.c.	10 p.c.
206	Dragon's blood; fuller's earth, in bulk only, not prepared for toilet or other purposes; litmus and all lichens, prepared or not prepared; musk, in pods or in grain; vaccine and ivory vaccine points; quassia juice; saffron, saffron cake, safflower, and extracts of; quinine, salts of; cochineal; ferment cultures to be used in butter-making.....	Free	Free	Free
206a	Bacteriological products or serum for subcutaneous injection.....	Free	20 p.c.	20 p.c.
207	Dried blood.....	5 p.c.	7½ p.c.	10 p.c.
207a	Blood albumen.....	Free	10 p.c.	10 p.c.
208	Boracic acid and borax in packages of not less than twenty-five pounds weight; hydrofluosilicic acid; tannic acid; ammonia, sulphate of; cyanide of potassium; cyanide of sodium and cyanogen bromide; antimony salts, viz.: tartar emetic, chlorine and lactate (antimonine); arsenous oxide; precipitate of copper (crude); verdigris or sub-acetate of copper, dry; sulphur and brimstone, crude or in roll or flour; argols; iodine, crude; bromine; sulphide of arsenic; carbon bisulphide.....	Free	Free	Free
208b	Bisulphate of soda or nitre cake.....	Free	20 p.c.	20 p.c.
208d	Calcium chloride, not in solution, for road-treating purposes only.....	Free	15 p.c.	15 p.c.
208e	Xanthates, cresylic acid and compounds of cresylic acid, used in the process of concentrating ores, metals or minerals.....	Free	15 p.c.	15 p.c.
208h	Ethylene glycol, when imported by manufacturers of anti-freezing compounds to be used exclusively in the manufacture of anti-freezing compounds, in their own factories.....	Free	15 p.c.	15 p.c.
208j	Sal ammoniac and nitrate of ammonia.....	Free	25 p.c.	25 p.c.
208k	Oxide of Cobalt.....	Free	10 p.c.	10 p.c.



Tariff Item		British Preferential Tariff	Intermediate Tariff	General Tariff
208l	Bichloride of tin and tin crystals.....	Free	10 p.c.	10 p.c.
208m	Sulphate of copper (blue vitriol).....	Free	10 p.c.	10 p.c.
208n	Sulphate of Iron (copperas).....	Free	10 p.c.	10 p.c.
208o	Cream of Tartar in crystals and Tartaric Acid crystals.....	Free	10 p.c.	10 p.c.
208p	Phosphorus and compounds thereof, n.o.p.....	Free	20 p.c.	20 p.c.
208q	Oxalic Acid.....	Free	20 p.c.	20 p.c.
208r	Oxide of Tin or of Copper.....	Free	15 p.c.	15 p.c.
208s	Sulphate of zinc and chloride of zinc.....	Free	20 p.c.	20 p.c.
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	25 p.c.	25 p.c.
209	Potash, chlorate of, not further prepared than ground; potash, muriate and sulphate of, crude; saltpetre or nitrate of potash.....	Free	Free	Free
209c	Bichromate of potash, crude; red and yellow prussiate of potash.....	Free	15 p.c.	15 p.c.
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	15 p.c.	20 p.c.
210d	Sodium, sulphate of, crude, or salt cake.....			
210e	Nitrate of soda or cubic nitre when imported for use as a fertilizer, or when imported by manufacturers of explosives for use exclusively in their own factories in the manufacture of explosives.....	$\frac{1}{2}$ ct.	$\frac{3}{8}$ ct.	$\frac{3}{8}$ ct.
211	Alumina.....	Free	Free	Free
211a	Chloride of aluminum, or choralum.....	Free	10 p.c.	10 p.c.
212	Sulphate of alumina or alum cake; and alum in bulk, ground or unground, but not calcined	Free	15 p.c.	15 p.c.
215	Stearic acid, n.o.p.....	Free	17 $\frac{1}{2}$ p.c.	20 p.c.
216	Acids, n.o.p., of a kind not produced in Canada	Free	25 p.c.	25 p.c.
216b	Phosphoric acid.....	Free	25 p.c.	25 p.c.
216c	Nitric acid, not including glass containers, when in packages weighing not more than 100 pounds.....	Free	20 p.c.	22 $\frac{1}{2}$ p.c.
217	Sulphuric and muriatic acid, n.o.p.			
217a	Sulphuric and muriatic acids, not including glass containers, when in packages weighing not more than 100 pounds	17 $\frac{1}{2}$ cts.	22 $\frac{1}{2}$ cts.	25 cts.
	per one hundred pounds	Free	22 $\frac{1}{2}$ cts.	25 cts.
218	Acid phosphate, not medicinal.....	Free	25 p.c.	25 p.c.
219	Solutions of peroxides of hydrogen.....	15 p.c.	22 $\frac{1}{2}$ p.c.	25 p.c.
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.	25 p.c.	25 p.c.
219d	Sulphuric ether and chloroform.....	Free	25 p.c.	25 p.c.
229	Soap, common or laundry			
230	Castile soap, the weight of the cartons and wrappings to be included in the weight for duty.....	50 cts.	\$1.50	\$1.50
	per one hundred pounds			
232	Glue, liquid, powdered or sheet, and gelatine, n.o.p.....	Free	2 cts.	2 cts.
	and..... per pound	17 $\frac{1}{2}$ p.c.	25 p.c.	25 p.c.
232b	Vegetable glue.....	2 cts.	5 cts.	5 cts.
232c	Gelatine, edible.....	10 p.c.	35 p.c.	35 p.c.
232d	Mucilage, casein and adhesive paste.....	10 p.c.	35 p.c.	35 p.c.
	and..... per pound	17 $\frac{1}{2}$ p.c.	25 p.c.	27 $\frac{1}{2}$ p.c.
	per pound	2 cts.	2 $\frac{1}{2}$ 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.....	20 p.c.	40 p.c.	40 p.c.



Tariff Item		British Preferential Tariff	Inter-mediate Tariff	General Tariff
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.....			
240	Ultramarine blur, dry or in pulp; whitening or whitening; Paris white and gilders' whitening; blanc fixe; satin white.....	12½ p.c.	25 p.c.	35 p.c.
241	Litharge, when imported by manufacturers of electric storage batteries, for use exclusively in the manufacture of storage battery plates, in their own factories.....	Free	10 p.c.	10 p.c.
241a	Litharge, other than for battery purposes....	Free	Free	Free
242	Dry red lead and orange mineral; zinc oxides such as zinc white and lithopone.....	Free	15 p.c.	15 p.c.
245	Ochres, ochrey earths, siennas and umbers....	5 p.c.	15 p.c.	15 p.c.
249	Varnishes, laquers, japans, japan driers, liquid driers, and oil finish, n.o.p.....per gallon	20 cts. 15 p.c.	20 cts. 25 p.c.	20 cts. 30 p.c.
253	Putty of all kinds.....	17½ p.c.	27½ p.c.	27½ p.c.
254	Gums, viz.:—Amber, Arabic, 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	15 p.c.	15 p.c.
256	Printing ink.....	12½ p.c.	17½ p.c.	25 p.c.
256a	Rotagravure ink.....	12½ p.c.	17½ p.c.	20 p.c.
264	Essential oils, n.o.p., including bay oil, otto of limes, and peppermint oil.....	Free	7½ p.c.	7½ p.c.
267b	Crude petroleum not in its natural state, 7250 specific gravity or heavier at 60 degrees temperature when imported by oil refiners to be refined in their own factories.per gallon	½ ct.	1½ cts.	1½ cts.
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	10 p.c.	10 p.c.
277	Palm and palm kernel oil, unbleached or bleached, not edible; shea butter.....	Free	10 p.c.	10 p.c.
278	Oils, viz.:—Cocoanut, palm and palm kernel, not edible, for manufacturing soap; carbolic or heavy oil; olive oil for manufacturing soap or tobacco, or for canning fish.....	Free	10 p.c.	10 p.c.
278b	Crude peanut oil, for refining for edible purposes, used as materials in Canadian manufactures.....	Free	Free	Free
278c	Cocoanut oil, not edible, when imported for use in the manufacture of refined cocoanut oil.....	Free	10 p.c.	10 p.c.
284a	Earthenware tiles, for roofing purposes.....	Free	32½ p.c.	35 p.c.
287	Tableware of china, porcelain, semi-porcelain, white granite or ironstone.....	Free	35 p.c.	35 p.c.
288	Earthenware and stoneware, brown or coloured and Rockingham ware; "C.C." or cream-coloured ware, decorated, printed or sponged; and all earthenware, n.o.p.....	25 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.....	20 p.c.	35 p.c.	35 p.c.
300	Crucibles of clay, sand or plumbago.....	Free	15 p.c.	15 p.c.
312	Asbestos in any form other than crude, and all manufactures thereof, n.o.p.....	15 p.c.	22½ p.c.	25 p.c.



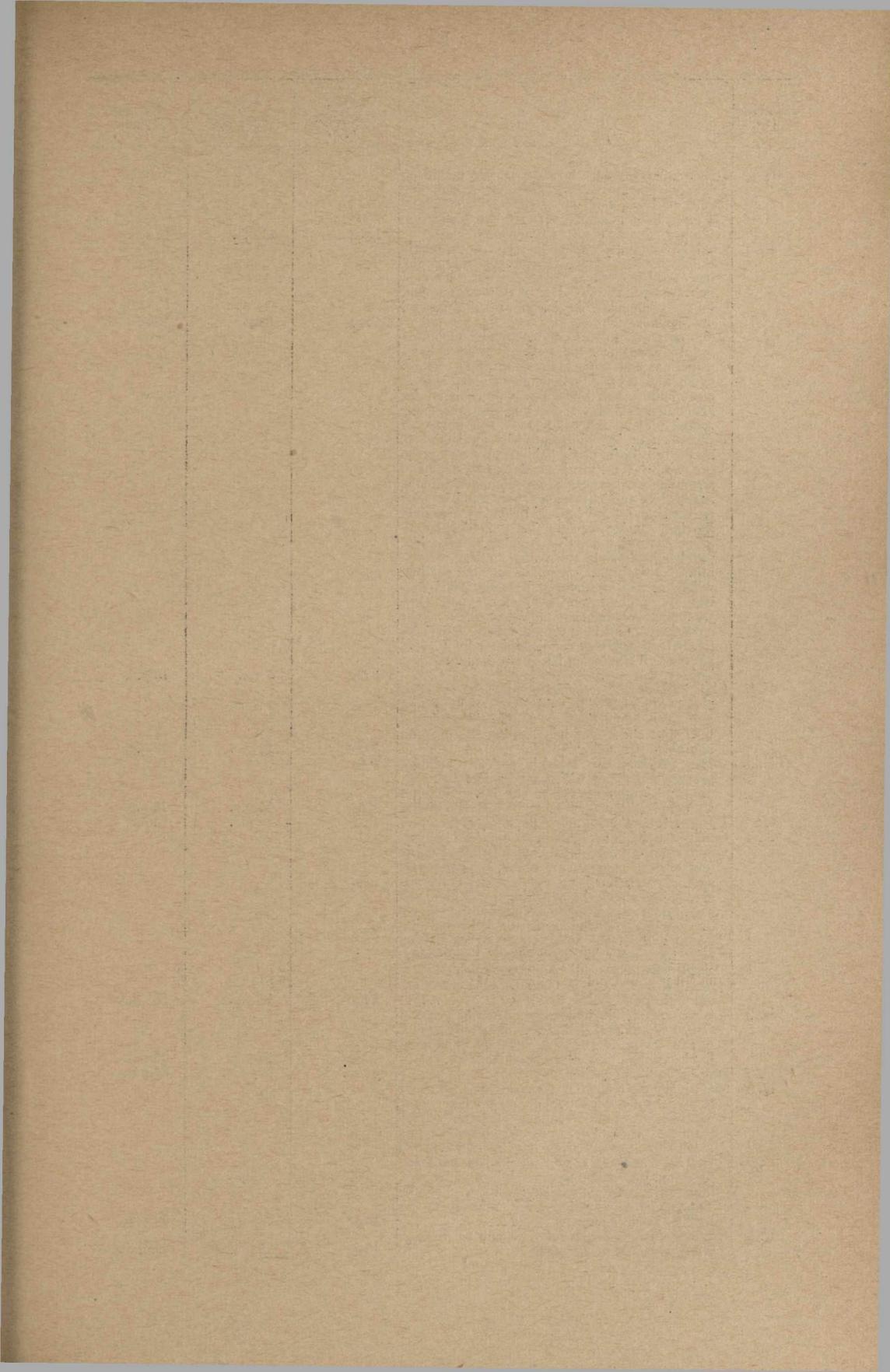
Tariff Item		British Preferential Tariff	Intermediate Tariff	General Tariff
312a	Asbestos in any form other than crude, and all manufactures thereof, when made from crude asbestos of Empire origin.....	Free	22½ p.c.	25 p.c.
318	Common and colourless window glass.....	Free	15 p.c.	15 p.c.
319	Glass, in sheets, and beat plate glass, n.o.p....	Free	25 p.c.	25 p.c.
320	Plate glass, not bevelled, in sheets or panes not exceeding seven square feet each, n.o.p.	Free	25 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	25 p.c.	25 p.c.
322	Plate glass, n.o.p.....	20 p.c.	30 p.c.	35 p.c.
339a	Lead capsules for bottles.....	10 p.c.	27½ p.c.	30 p.c.
340	Type for printing, including chases, quoins and slugs, of all kinds.....	7½ p.c.	17½ p.c.	20 p.c.
341	Babbit metal and type metal, in blocks, bars, plates and sheets.....	10 p.c.	20 p.c.	20 p.c.
348d	Copper in bars or rods, when imported by manufacturers of trolley, telegraph and telephone wires, electric wires and electric cables, for use only in the manufacture of such articles in their own factories.....	Free	10 p.c.	10 p.c.
349	Brass in bars and rods, in coil or otherwise, not less than six feet in length, and brass in strips, sheets or plates, not polished, planished or coated.....	5 p.c.	10 p.c.	15 p.c.
350	Wire of all metals and kinds, n.o.p.....	10 p.c.	30 p.c.	35 p.c.
352c	Coin locks of which solid brass or bronze are the components of chief value, plain, polished or plated.....	15 p.c.	35 p.c.	40 p.c.
353	Aluminum and alloys thereof, crude or semi-fabricated, viz.: Pigs, ingots, blocks, notch bars, slabs, billets and blooms; scrap; 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 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	30 p.c.	30 p.c.
354	Manufactures of aluminum, n.o.p.....	15 p.c.	30 p.c.	30 p.c.
354a	Kitchen or household hollowware of aluminum, n.o.p.....	20 p.c.	30 p.c.	30 p.c.
354b	Kitchen or household hollow-ware of nickel, n.o.p.....	20 p.c.	27½ p.c.	30 p.c.
355	Nickel in ingots or blocks, n.o.p.; nickel bars and rods, not including bars or rods depolarized or otherwise processed for use as anodes; and nickel in strips, sheets or plates.....	Free	Free	Free
356	Britannia metal in pigs, blocks or bars; nickel silver and German silver, in ingots or blocks, n.o.p.....	Free	Free	Free
361	Gold and silver leaf; Dutch or schlag metal leaf; brocade and bronze powders.....	15 p.c.	30 p.c.	30 p.c.
370	Rollers, copper, adapted for use in calico printing.....	Free	10 p.c.	10 p.c.
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..... per ton	Free	\$3.00	\$3.00
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.....	Free	12½ p.c.	15 p.c.
379	(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..... per ton	Free	\$7.00	\$7.00



Tariff Item		British Preferential Tariff	Intermediate Tariff	General Tariff
379	(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	Free	\$7.00	\$7.00
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	\$8.00	\$8.00
	(b) More than 66 inches in width, n.o.p. . . . . per ton	Free	\$6.00	\$6.00
	(c) Flanged, dished or curved, n.o.p. . . . .	10 p.c.	25 p.c.	30 p.c.
381	Sheets, of iron or steel, hot or cold rolled:— (a) .080 inch or less in thickness, n.o.p. . . . .	7½ p.c.	20 p.c.	20 p.c.
382	Hoop, band or strip, of iron or steel: (a) Hot rolled, .080 inch or less in thickness, n.o.p. . . . .	7½ p.c.	15 p.c.	15 p.c.
	(b) Hot rolled, more than .080 inch in thickness, n.o.p. . . . . per ton	\$4.00	\$8.00	\$8.00
	(c) Cold rolled or cold drawn, .080 inch or less in thickness, n.o.p. . . . .	7½ p.c.	20 p.c.	20 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	15 p.c.	15 p.c.
	(b) Coated with tin, n.o.p. . . . .	Free	20 p.c.	20 p.c.
	(c) Coated with zinc, n.o.p. . . . .	7½ p.c.	20 p.c.	20 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. . . . .	5 p.c.	12½ p.c.	15 p.c.
385a	Sheets, plates, hoop, band or strip, of rust, acid or heat resisting steels, hot rolled, valued at not less than five cents per pound. . . . .	Free	20 p.c.	20 p.c.
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	Free	\$5.00	\$5.00
	(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	15 p.c.	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. . . . .	5 p.c.	20 p.c.	20 p.c.
386	(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	12½ p.c.	12½ p.c.
386	(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	12½ p.c.	12½ p.c.
387	Railway rails, of iron or steel, of any weight, or for any purpose, punched, drilled or not, n.o.p. . . . . per ton	\$4.50	\$6.00	\$7.00



Tariff Item		British Preferential Tariff	Inter-mediate Tariff	General Tariff
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	\$7.00	\$7.00
388	Iron or steel angles, beams, channels, columns, girders, joists, piling, 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. . . . . per ton	Free	\$3.00	\$3.00
388b	Iron or steel angles, beams, channels, columns, girders, joists, piling, tees, zees, and other shapes or sections, not punched, drilled or further manufactured than hot rolled, n.o.p. . . . . per ton	\$4.00	\$7.00	\$7.00
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 . per ton	Free	\$3.00	\$3.00
392a	Forgings of iron or steel, in any degree of manufacture, hollow, not less than 12 inches in internal diameter. . . . .	Free	30 p.c.	30 p.c.
393	Tires, of steel, in the rough, not drilled or machined in any manner, for railway vehicles, including locomotives and tenders. . .	Free	10 p.c.	10 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. . . . .	10 p.c.	27½ p.c.	30 p.c.
401	Wire, of iron or steel: (a) Barbed fencing, coated or not. . . . . (b) Twisted, braided or stranded, including wire rope or cable, coated or not, n.o.p. . . . . (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. . . . . (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. . . . . (e) Coated with zinc or spelter, n.o.p. . . . . (f) Single or several, coated, n.o.p., or covered with any material, including cable so covered. . . . . (g) N.o.p. . . . .	Free 15 p.c. 7½ p.c. Free 10 p.c. 15 p.c. 15 p.c.	10 p.c. 25 p.c. 20 p.c. 10 p.c. 20 p.c. 30 p.c. 20 p.c.	10 p.c. 25 p.c. 20 p.c. 10 p.c. 20 p.c. 30 p.c. 20 p.c.
406	Coil chain, coil chain links, including repair links, and chain shackles, of iron or steel:— (b) less than one and one-eighth inches in diameter. . . . .	15 p.c.	25 p.c.	25 p.c.
407a	Chains, of iron or steel, n.o.p. . . . .	20 p.c.	30 p.c.	35 p.c.
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	10 p.c.	10 p.c.
409	Cream separators and complete parts therefor, including steel bowls. . . . .	Free	25 p.c.	25 p.c.
4101	Ore crushers, rock crushers, stamp mills, grinding mills, rock drills, percussion coal cutters, coal augurs, rotary coal drills, n.o.p., and complete parts of all the foregoing, for use exclusively in mining, metallurgical or quarrying operations. . . . .	7½ p.c.	20 p.c.	25 p.c.



Tariff Item		British Preferential Tariff	Inter-mediate Tariff	General Tariff
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	10 p.c.	10 p.c.
410o	Coal heading machines; electric or magnetic machines for concentrating or separating iron ores; automatic scales for use with conveyers; and integral parts of all the foregoing, for use exclusively in mining or metallurgical operations.....	Free	Free	Free
412a	Machinery and apparatus, n.o.p. viz: gun and mould apparatus for making press rollers; machines and apparatus for making electro-types and stereotypes, engraving machines, photoengraving apparatus, machines for graining metal plates, machines for sensitizing metal plates, machines and apparatus for transferring by photographic processes to plates or rolls for use in lithography, rotogravure and printing, machines for addressing and wrapping newspapers, magazines, periodicals, pamphlets and catalogues, and machines for embossing, book-binding, bronzing, creasing, scoring, cutting, perforating, punching, gathering, gumming, pasting, jogging, numbering, patching, slitting, rewinding, ruling, sheet-piling, stitching, stripping or varnishing, when for use exclusively by printers, book-binders, manufacturers of stereotypes, electrotypes and printing plates or rolls, paper converters, and by manufacturers of articles made from paper or cardboard; and complete parts of all the foregoing not to include saws, knives, and motive power.....	Free	5 p.c.	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.....	Free	10 p.c.	15 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..	Free	10 p.c.	15 p.c.
414	Typewriters and complete parts thereof.....	Free	25 p.c.	25 p.c.
422a	Concrete road-paving machines, self-propelling, end loading type, with a capacity of 21 cubic feet of wet concrete or more; concrete and asphalt road finishing machines; form graders; sub-graders; back filling machines and equipment, mounted on self-propelling wheels or crawling traction, semi- or full-revolving boom and scraper type; steam or air driven pile hammers or extractors; well-points; truck turntables; all the foregoing of a class or kind not made in Canada, and complete parts thereof.....	Free	10 p.c.	12½ p.c.
422b	Trench and ditch excavating machines, round wheel or vertical or ladder boom, chain and bucket type, for digging vertical or sloping bank ditches; complete parts thereof.....	Free	10 p.c.	15 p.c.
427b	Ball and roller bearings.....	5 p.c.	27½ p.c.	35 p.c.
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	27½ p.c.	35 p.c.
428b	Engines for motor trucks or motor busses, when of 100 H.P. or more.....	Free	25 p.c.	27½ p.c.



Tariff Item		British Preferential Tariff	Intermediate Tariff	General Tariff
429	Cutlery of iron or steel, plated or not: (b) Table knives and table forks..... (c) Pen knives, jack-knives and pocket knives of all kinds..... (d) Knives, n.o.p..... (e) Spoons..... (f) Scissors and shears, n.o.p..... (g) Razors and razor blades.....	15 p.c. Free Free 15 p.c. Free Free	30 p.c. 30 p.c. 30 p.c. 30 p.c. 30 p.c. 30 p.c.	35 p.c. 30 p.c. 30 p.c. 35 p.c. 30 p.c. 30 p.c.
431b	Adzes, anvils, vises, cleavers, hatchets, saws, augers, bits, drills, files, rasps, screw-drivers, planes, spokeshaves, chisels, mallets, metal wedges, wrenches, sledges, hammers, crow-bars, cantdogs, and track tools, picks, mat-tocks and eyes or polls for the same.....	10 p.c.	35 p.c.	35 p.c.
438a	Automobiles for conveying passengers only, n.o.p., valued at retail at place of production, when new, with standard equipment complete, at more than twelve hundred dollars each but not more than twenty-one hundred dollars each; chassis for same.....	Free	22½ p.c.	30 p.c.
438b	Automobiles for conveying passengers only, n.o.p., valued at retail at place of production, when new, with standard equipment complete at not more than twelve hundred dollars each; motor cars or motor trucks (not for railways or tramways) for carrying goods only; chassis for motor vehicles specified in this item.....	Free	17½ p.c.	20 p.c.
438c	Automobiles and motor vehicles of all kinds, n.o.p.; chassis for same.....	Free	30 p.c.	40 p.c.
438d	Horns, distributors, instrument board lamps, oil gauges, gasoline gauges, thermostats, oil filters, carburetors, purifiers for oil, purifiers for air, annular ball bearings and parts thereof, lock washers, speedometers and parts thereof, vacuum tanks, composite gaskets of copper and asbestos, steering wheels and rims therefor, one piece welded axle housings, machined or not, instrument bezel assemblies, dash heat indicators, electric ignition locks, cylinder lock barrels and keys, bearing springs shackles and automatic radiator shutter assemblies, ameters, radiator shells, body cowls, and body stampings of metal, including front, rear, side and door stampings, not further manufactured than welded or riveted for shipping purposes, all of a class or kind not made in Canada, when imported by manufacturers of goods enumerated in tariff items 438a, 438b, 438c, 438e and 438f for use only as original equipment in the manufacture of motor vehicles enumerated in Tariff Items 438a, 438b, 438c, and 438f....	Free	Free	Free
438e	Tops, wheels and bodies, n.o.p., for motor vehicles enumerated in Tariff Items 438a, 438b, 438c and 438f.....	20 p.c.	27½ p.c.	30 p.c.
438f	Motor omnibuses, for conveying passengers only, having seating capacity for not less than 10 persons; chassis for same.....	15 p.c.	30 p.c.	40 p.c.
438g	Motor cycles or sidecars therefor.....	Free	20 p.c.	30 p.c.
440j	Trawls, trawling spoons, fly hooks, sinkers, swivels, sportsmen's fishing reels, bait, hooks, and fishing tackle, n.o.p.....	Free	25 p.c.	30 p.c.
441	Guns, rifles, including air guns and air rifles not being toys; muskets, cannons, pistols, revolvers, or other firearms, n.o.p.; cartridge cases, cartridges, primers, percussion caps, wads or other ammunition, n.o.p.; bayonets, swords, fencing foils and masks; gun or pistol covers or cases, game bags, loading tools and cartridge belts of any material.....	10 p.c.	27½ p	30 p.c.
441e	Guns and rifles of a class or kind not made in Canada.....	5 p.c.	27½ p.c.	30 p.c.



Tariff Item		British Preferential Tariff	Intermediate Tariff	General Tariff
445c	Electric telegraph or telephone apparatus and complete parts thereof.....	Free	25 p.c.	30 p.c.
445d	Electric wireless or radio apparatus and complete parts thereof.....	Free	25 p.c.	30 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.....	Free	25 p.c.	27½ p.c.
445m	Flame proof electric switch gear, for use underground in coal mines.....	Free	20 p.c.	30 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.....	Free	20 p.c.	25 p.c.
446b	Steel bicycle rims, not enamelled nor plated ..	Free	27½ p.c.	35 p.c.
446c	Golf shafts of seamless steel, coated or not, but not chromium plated.....	10 p.c.	35 p.c.	35 p.c.
446d	Bottles or cylinders of seamless steel used as high-pressure containers for gas.....	Free	25 p.c.	25 p.c.
446e	Steel balls not larger than three-eighths inch in diameter, commonly known as "burnishing balls".....	Free	7½ p.c.	10 p.c.
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	10 p.c.	10 p.c.
476a	Glassware and other scientific apparatus for laboratory work in public hospitals; surgical operating tables; apparatus for sterilizing purposes, including bedpan washers and sterilizers but not including washing or laundry machines; all for the use of any public hospital, under regulations prescribed by the Minister.....	Free	Free	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	10 p.c.	10 p.c.
522	Rovings, yarns and warps wholly of cotton, not more advanced than singles, n.o.p..... per pound	12½ p.c. 2 cts.	15 p.c. 3½ cts.	22½ p.c. 4 cts.
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..... per pound	15 p.c. 2 cts.	22½ p.c. 3½ cts.	25 p.c. 4 cts.
522d	Yarns and warps wholly of cotton, mercerized, number forty and finer, imported by manufacturers to be further manufactured in their own factories.....	Free	25 p.c.	25 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.....	Free	Until Dec. 31, 1933: Free Thereafter: 15 p.c.	Free 15 p.c.
523	Woven fabrics, wholly of cotton, not bleached, mercerized, nor coloured, n.o.p., and cotton seamless bags..... per pound	17½ p.c. 2 cts.	20 p.c. 3½ cts.	25 p.c. 4 cts.
523a	Woven fabrics, wholly of cotton, bleached or mercerized, not coloured, n.o.p..... per pound	20 p.c. 2 cts.	22½ p.c. 3½ cts.	27½ p.c. 4 cts.
523b	Woven fabrics wholly of cotton, printed, dyed or coloured, n.o.p..... per pound	22½ p.c. 2 cts.	27½ p.c. 3½ cts.	32½ p.c. 4 cts.



Tariff Item		British Preferential Tariff	Intermediate Tariff	General Tariff
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.. and..... per pound	Free	27½ p.c. 3½ cts.	32½ p.c. 4 cts.
523e	Woven fabrics wholly of cotton with cut pile, n.o.p..... per pound	15 p.c.	27½ p.c. 3½ cts.	32½ p.c. 4 cts.
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	12½ p.c.	15 p.c.
524	Seamless cotton duck in circular form, of a class or kind not made in Canada, for use in the manufacture of hose pipe.....	Free	10 p.c.	10 p.c.
528	White cotton bobinet, plain, in the web.....	Free	25 p.c.	25 p.c.
529	Embroideries, lace, nets, nettings, bobinet, n.o.p., fringes and tassels, wholly of cotton.. and..... per pound	20 p.c. 2 cts.	27½ p.c. 3½ cts.	30 p.c. 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..... per pound	25 p.c. 2 cts.	30 p.c. 3½ cts.	35 p.c. 4 cts.
537b	Linen thread, for hand or machine sewing....	Free	22½ p.c.	25 p.c.
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..... per pound	Free	30 p.c. 3½ cts.	35 p.c. 4 cts.
	(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..... per pound	Free	30 p.c. 3½ cts.	35 p.c. 4 cts.
	(c) Towelling and glass cloth of crash or huck, with or without lettering or monograms woven in, table cloths and napkins of crash with coloured borders, in the web, wholly of flax or hemp; woven fabrics, in the web, composed in part of flax or hemp, not containing silk, artificial silk nor wool... and..... per pound	22½ p.c. 3 cts.	30 p.c. 3½ cts.	35 p.c. 4 cts.
	(d) Towels and glass cloths of crash or huck, with or without lettering or monograms woven in, table cloths and napkins of crash with coloured borders, wholly or in part of flax or hemp, not containing silk, artificial silk nor wool..... per pound	25 p.c. 3 cts.	30 p.c. 3½ cts.	35 p.c. 4 cts.
541a	Woven fabrics, wholly of jute, n.o.p.....	Free	22½ p.c.	25 p.c.
551	Yarns, composed wholly or in part of wool or hair but not containing silk or artificial silk, n.o.p..... per pound	15 p.c. 11½ cts.	20 p.c. 20 cts.	22½ p.c. 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..... per pound	10 p.c. 7½ cts.	17½ p.c. 15 cts.	20 p.c. 17½ cts.
551c	Yarns and warps composed wholly of hair, imported by manufacturers for use in their own factories..... per pound	Free	17½ p.c. 15 cts.	20 p.c. 17½ cts.



Tariff Item		British Preferential Tariff	Intermediate Tariff	General Tariff
552	Felt, pressed, of all kinds, in the web, not consisting of or in combination with any woven, knitted or other fabric or material . . . and . . . . . per pound	15 p.c. 7½ cts.	22½ p.c. 17½ cts.	25 p.c. 20 cts.
553	Blankets of any material, not to include automobile rugs, steamer rugs, or similar articles and . . . . . per pound	22½ p.c. 10 cts.	30 p.c. 25 cts.	35 p.c. 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 . . . . . per pound	20 p.c. 9¼ cts.	25 p.c. 17½ cts.	30 p.c. 20 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	20 p.c.	25 p.c.
554b	Woven fabrics, composed wholly or in part of yarns of wool or hair, n.o.p. . . . . and . . . . . per pound	27½ p.c. 18½ cts.	35 p.c. 30 cts.	40 p.c. 35 cts.
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 . . . . . per pound	Free	25 p.c. 17½ cts.	30 p.c. 20 cts.
554e	Woven fabrics, composed wholly or in part of yarns of wool or hair, weighing not less than eighteen ounces per square yard . . . . . and . . . . . per pound	25 p.c. 20 cts.	35 p.c. 30 cts.	40 p.c. 35 cts.
554f	Woven fabrics, composed wholly or in part of yarns of wool or hair, commonly known as billiard cloth . . . . . per pound	Free	35 p.c. 30 cts.	40 p.c. 35 cts.
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. . . . . per pound	30 p.c. 18½ cts.	40 p.c. 32½ cts.	40 p.c. 35 cts.
568a	Socks and stockings of all kinds . . . . . and . . . . . per each one dozen pairs	30 p.c. 75 cts.	32½ p.c. \$1.35	35 p.c. \$1.50
568b	Gloves and mitts of all kinds, n.o.p. . . . .	25 p.c.	25 p.c.	45 p.c.
568c	Women's dress gloves of kid, elbow length . . . . .	Free	35 p.c.	45 p.c.
572	Turkish or imitation Turkish or other floor rugs or carpets, and carpets, n.o.p. . . . . and . . . . . per square foot	30 p.c. 5 cts.	35 p.c. 15 cts.	40 p.c. 20 cts.
584	Bone pitch, crude only; and resin or rosin in packages of not less than one hundred pounds	Free	Free	Free
584b	Asphalt or asphaltum, solid . . . . .	Free	10 p.c.	10 p.c.
586	Coal, anthracite, n.o.p. . . . . per ton	Free	50 cts.	50 cts.
598	Brass band instruments, n.o.p.; parts of pianofortes and parts of organs . . . . .	15 p.c.	22½ p.c.	25 p.c.
598a	Brass band instruments, of a class or kind not made in Canada; bagpipes and complete parts thereof . . . . .	Free	30 p.c.	35 p.c.
599	Hides and skins, raw, whether dry, salted, or pickled; and raw pelts . . . . .	Free	Free	Free
604	Belting leather in butts or bends; sole leather; and all leather further finished than tanned, n.o.p. . . . .	12½ p.c.	27½ p.c.	27½ 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	15 p.c.	15 p.c.
605a	Genuine pig leathers and genuine Morocco leathers; so-called roller leathers . . . . .	Free	27½ p.c.	27½ p.c.



Tariff Item	British Preferential Tariff	Intermediate Tariff	General Tariff	
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..... Provided that the Governor in Council may, when satisfied that the leather specified in this item is being produced in Canada, in quantity and quality sufficient for Canadian requirements, by Order-in-Council direct that this tariff item be repealed.	Free	15 p.c.	15 p.c.
610a	Belting of camel's hair, for machinery.....	15 p.c.	27½ p.c.	27½ p.c.
616	Rubber, crude caoutchouc or india-rubber, unmanufactured; powdered rubber and rubber or gutta percha waste or junk; hard rubber in sheets but not further manufactured, and recovered rubber and rubber substitute.....	Free	Free	Free
616a	Balata, crude, unmanufactured.....	Free	10 p.c.	10 p.c.
616b	Gutta percha, unmanufactured.....	Free	10 p.c.	10 p.c.
617	India-rubber boots and shoes.....	Free	22½ p.c.	25 p.c.
625	Caps, hats, muffs, tippets, capes, coats and cloaks of fur, and other manufactures of fur, n.o.p.....	15 p.c.	30 p.c.	35 p.c.
663	Fertilizers, compounded or manufactured, n.o.p.....	Free	7½ p.c.	10 p.c.
683	Barytes.....	Free	25 p.c.	25 p.c.
684	Rubber thread, not covered.....	Free	10 p.c.	15 p.c.
689	Charcoal, animal, for use in the refining of sugar.....	Free	25 p.c.	25 p.c.
689a	Mineral wool.....	Free	25 p.c.	25 p.c.
728	Hyposulphite of soda, when imported by tanners for use in their own factories, in the tanning of leather.....	Free	10 p.c.	10 p.c.
783	Gasoline and steam engines, transmission assemblies and parts thereof, magnetos, starting motors, electric generators, propeller shafts, steel chassis frames, brakes, clutches, brake and clutch controls, steel road wheels, steel rims for pneumatic tires, larger than thirty inches by five inches, steering gears and front and rear axles, all of a class or kind not made in Canada, when imported by manufacturers of motor trucks (not for railways or tramways) for carrying goods only, for use only in the manufacture of such motor trucks.....	Free	17½ p.c.	20 p.c.

Date of coming into force.

2. This Act shall be deemed to have come into force on the thirteenth day of October, one thousand nine hundred and thirty-two, and to have applied to all goods mentioned in the preceding section imported or taken out of warehouse for consumption on and after that date and to have applied to goods previously imported for consumption for which no entry for consumption was made before that date.





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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 14.**

An Act to amend the Export Act.

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First reading, January 30, 1933.

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Mr. ROBINSON.

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

4th Session, 17th Parliament, 23 George V, 1932-33

THE HOUSE OF COMMONS OF CANADA.

**BILL 14.**

An Act to amend the Export Act.

R.S., c. 63;  
1930 (1st  
Sess.), c. 19.

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

Export of  
intoxicating  
liquors.

**1.** Section eight of the *Export Act*, chapter sixty-three of the Revised Statutes of Canada, 1927, as enacted by chapter nineteen of the Statutes of 1930 (First Session), is repealed. 5

### EXPLANATORY NOTE.

The section to be repealed reads as follows:—

"8. (1) Notwithstanding the provisions of any other statute or law or of any regulation made thereunder or of any bond, agreement or other instrument relating thereto

(a) no intoxicating liquor now or hereafter held in bond or otherwise under the control of officials of the Dominion Government under the provisions of the *Excise Act*, the *Customs Act* or any other Statute of Canada, shall be released or removed from any bonding warehouse, distillery, brewery or other building or place in which such liquor is stored in any case in which the liquor proposed to be removed is destined for delivery in any country into which the importation of such liquor is prohibited by law;

(b) it shall be unlawful to grant a clearance to any vessel having on board any intoxicating liquor destined for delivery in any country into which the importation of such liquor is prohibited by law;

(c) it shall be unlawful to make any entry for exportation of any intoxicating liquor, destined for delivery in any country into which the importation of such liquor is prohibited by law.

(2) 'Intoxicating liquor' in this section means any liquor coming within the definition of 'intoxicating liquors' in the *Canada Temperance Act*.

(3) The Governor in Council may make such orders and regulations as he may consider necessary for giving effect to any of the provisions of this section."

The object of this Bill is, by repealing the above section, to restore to the revenues of Canada the large amount of revenue lost by its enactment, and to open the way by international treaty or convention for reciprocal duties and obligations on the part of the two governments concerned. It is also an effort to help the serious unemployment situation in Canada, and to assist in the prevention of smuggling.



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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 15.**

An Act to authorize an agreement between His Majesty  
the King and the Corporation of the City of Ottawa.

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First reading, January 31, 1933.

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The MINISTER OF PUBLIC WORKS.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 15.

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.

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, hereinafter called "the Corporation", extending for a period of one year from the first day of July, 1932, the provisions of the existing agreement between His Majesty the King and the Corporation, dated the thirtieth day of March, 1920, which last mentioned agreement as amended was extended to the first day of July, 1932, under the authority of chapter eleven of the statutes of 1932.

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#### EXPLANATORY NOTE.

The operation of the agreement with the City of Ottawa of 30th March, 1920, was extended for one year by chapter 59 of the statutes of 1924. The agreement itself is set out in full as a schedule to chapter 15 of the statutes of 1920.

In 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. By chapter 43 of the statutes of 1931, the period of the agreement was extended for one year to 1st July, 1931, and by chapter 11 of the statutes of 1932, it was further extended to 1st July, 1932.

The present object is to extend the agreement for one year.



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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 16.**

An Act respecting the Synod of the Diocese of Saskatchewan and to change its name to "Synod of the Diocese of Saskatoon."

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First reading, February 1, 1933.

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(PRIVATE BILL)

Mr. MACKENZIE KING.

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

THE HOUSE OF COMMONS OF CANADA.

**BILL 16.**

An Act respecting the Synod of the Diocese of Saskatchewan and to change its name to "Synod of the Diocese of Saskatoon."

Preamble.  
1882, c. 126;  
1884, c. 103.

**W**HEREAS the Synod of the Diocese of Saskatchewan was incorporated by an Act of the Parliament of Canada, chapter one hundred and twenty-six of the statutes of 1882, subsequently amended by chapter one hundred and three of the statutes of 1884, and by its petition has represented that the said Diocese should be divided and that the name "Synod of the Diocese of Saskatchewan" should be changed to "Synod of the Diocese of Saskatoon", and whereas a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada enacts as follows:—

Name  
changed.

**1.** The word "Saskatchewan" where it appears in the fourth line of the first section of the Act incorporating the Synod of the Diocese of Saskatchewan, being chapter one hundred and twenty-six of the statutes of Canada, 1882, and where it appears in all subsequent sections of the said Act as enacted by chapter one hundred and three of the statutes of 1884, shall be and the same is hereby changed to the word "Saskatoon," but such change in name shall not in any way impair, alter or affect the rights or liabilities of the Synod, nor in any wise affect any suit or proceeding now pending, or judgment existing either by or in favour of, or against the Synod, which, notwithstanding such change in the name of the Synod, may be prosecuted, continued, completed and enforced as if this Act had not been passed.

Rights  
saved.

## EXPLANATORY NOTES.

The Synod of the Diocese of Saskatchewan was incorporated by Dominion statute in 1882, that is before the province of Saskatchewan was established in 1905.

The Diocese of Saskatchewan so incorporated is to be divided into the Diocese of Saskatchewan and the Diocese of Saskatoon.

All matters relating to the division of property come within the competence of the local Legislature, and will be dealt with by an Act of the Legislature of the province of Saskatchewan at its present session.

The southern part of the present Diocese of Saskatchewan will become the Diocese of Saskatoon, and the northern part will become the Diocese of Saskatchewan under the Act of the local Legislature.

The Diocese of Saskatoon will function under the charter of the Diocese of Saskatchewan, which necessitates the change of name from "Saskatchewan" to "Saskatoon" in the Dominion Act.

**1.** Section 1 of chapter 126 of the Statutes of 1882, which is to be amended, reads as follows:—

"1. The bishop, clergy and laity of the said diocese of Saskatchewan are hereby made and constituted a corporation and body politic and corporate under the name of 'Synod of the Diocese of Saskatchewan', with all the rights, powers and privileges incident to such incorporation."



Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 17.**

An Act to incorporate Canadian Railway Employees  
Mutual Benefit Association.

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First reading, February 1, 1933.

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(PRIVATE BILL.)

Mr. CASSELMAN.

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

THE HOUSE OF COMMONS OF CANADA.

**BILL 17.**

An Act to incorporate Canadian Railway Employees  
Mutual Benefit Association.

Preamble.

**W**HEREAS the persons hereinafter named have by their petition prayed that they may be incorporated as a fraternal benefit society under the name of "Canadian Railway Employees Mutual Benefit Association," and it is expedient to grant the prayer of the said Petition; There- 5  
fore His Majesty, by and with the advice and consent of the Senate and the House of Commons of Canada, enacts as follows:—

Incorporation.

**1.** Harry Russell McConachie, yardman; Archie Fee, conductor; George Fulljames, switchman; Charles Edward 10  
Gibbs, foreman; William McInnes, yard master; Harold Gregg Keating, fireman; George Torneus Twedt, trainman; John George Keefe, machinist; Thomas McEwan, hostler; Harry Elliott, engineer; Thomas Joseph Doucet, trainman; David Gillett, yardman; George Upton, yardman; John 15  
William Miller, motorman; and Carl Kellett, switchman, all of the city of Vancouver, in the province of British Columbia, together with such other persons as become members of the Society hereby incorporated, are incorporated under the name of "Canadian Railway Employees 20  
Mutual Benefit Association," hereinafter called the "Society."

Head office.

**2.** The head office of the Society shall be at the city of Winnipeg, in the province of Manitoba.

Fraternal benefit society.

**3.** The Society shall be a fraternal benefit society carry- 25  
ing on its benefit and insurance work solely for the protection of its members, their families and beneficiaries, and not for profit.

Objects and powers.

**4.** The objects, purposes and powers of the Society shall include power and authority:—



- (a) to organize, establish and carry on local branches of the Society;
- (b) to unite its members in social and fraternal bonds;
- (c) to establish, maintain and administer an insurance fund for the payment of:— 5
- (i) a benefit not exceeding five thousand dollars at the death of a member, the premiums for which shall be payable during the whole of life of the member or during a certain number of years;
- (ii) an old age endowment benefit not exceeding five thousand dollars, payable after the expiration of a certain number of years or upon the attainment of a certain age, but in neither case payable before the attainment by the member of the age of sixty-five years; or payable in the case of the death of a member prior to the expiration of the endowment period; 15
- (iii) a life annuity benefit not exceeding five hundred dollars per annum payable on and after the attainment by the member of the age of sixty-five years;
- (iv) a benefit to members in case of disability, temporary or permanent, not exceeding the sum of twenty-five hundred dollars; 20
- (d) to establish, maintain and administer a fund for the payment of sick benefits limited to the payment of the amount of all dues and assessments payable by any member to the Society during sickness for a period not exceeding three months; 25
- (e) to establish, maintain and administer such other fund or funds as may be provided by the by-laws of the Society, and as may be necessary to the attainment of the foregoing objects. 30

Adminis-  
tration.

**5.** The affairs of the Society shall be administered by a president, vice-president, secretary, treasurer, manager and a board of fifteen trustees: the president, vice-president, manager, treasurer and trustees shall be elected from the members of the Society for such terms and in such manner as by by-law may be determined, and the secretary shall be an appointed officer. 35

Board of  
trustees.

**6.** The persons applying for incorporation mentioned in section one hereof shall be the first board of trustees of the Society, and shall hold office until their successors are elected or appointed under the provisions of the by-laws of the Society, and may elect from their number the first officers mentioned in section five of this Act. 40

Annual  
meeting.

**7.** The first annual meeting of the Society shall be held at its head office on the third Tuesday in April, 1933, and thereafter the Society's annual meeting shall be held on the third Tuesday in April in each year, of which meeting not 45



less than one month's notice shall be given by advertisement published in the *Canada Gazette* and in at least one local newspaper published in the city of Winnipeg, in the province of Manitoba, and in such other places as the trustees think necessary, and at which annual meeting a statement of the Society's affairs shall be submitted. 5

Members.

8. Only persons considered by the Society to be Canadian railway employees shall be admitted as members of the Society.

By-laws and regulations.

9. The Society shall have power from time to time to make, amend and repeal by-laws and regulations for governing the election of officers and trustees and prescribing and defining their duties and powers, the holding of meetings, the admission of members, fixing and refixing the amounts of the premiums, dues and assessments to be paid by its members, and generally for the government and management of the Society. 10 15

General fund.

10. (1) The Society may maintain a general fund to which shall be credited all dues and other sums intended to be used for the payment of expenses of administration and all expenses of the Society shall be payable out of such fund. 20

Allocation to the general fund.

(2) The Society may make provision in its by-laws whereby in the event of there being a deficiency in the general fund and a surplus above all liabilities in any one or more of the benefit funds, the annual meeting of the Society may in any year provide for the allocation to the general fund of such portion as the actuary of the Society may recommend of the premiums or assessments, falling due during the succeeding twelve months in any benefit fund or funds in which there is a surplus, the amount so allocated to the general fund during the said period not to exceed, however, two months' premiums in the said benefit fund or funds. 25 30

Notice of intention to make an allocation.

(3) Notice of intention to make an allocation to the general fund of any premiums or assessments or portions thereof as provided in the last preceding subsection shall be given to the members of the Society by a publication in the *Canada Gazette* and at least one local newspaper at the city of Winnipeg, in the province of Manitoba, and in one or more newspapers in such other places as the trustees may think necessary. 35 40

Assessment.

(4) If at any time the general fund or a surplus in any other fund becomes exhausted or is in danger of becoming exhausted, the board of trustees shall have power to make a proportionate assessment upon each member in the fund and such assessment shall thereupon be paid by each member. 45



Additional.  
benefits.

**11.** The Society may make provision in its constitution whereby such portion as shall be approved by the actuary of the Society, of the surplus above all liabilities in any benefit fund, may be applied to grant new or additional benefits to the members of the Society or to the remission of premiums or a portion thereof. 5

1932, c. 46.

**12.** Except as hereinbefore otherwise provided, *The Canadian and British Insurance Companies Act, 1932*, shall apply to the Society.

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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 18.**

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

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First reading, February 1, 1933.

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Mr. REID.

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

THE HOUSE OF COMMONS OF CANADA.

**BILL 18.**

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

R.S., c. 170.

**H**IS 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.



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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 19.**

An Act to amend the Migratory Birds Convention Act.

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First reading, February 2, 1933.

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The MINISTER OF THE INTERIOR.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 19.

An Act to amend the Migratory Birds Convention Act.

R.S., c. 130.

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

1. Subsection three of section four of the *Migratory Birds Convention Act*, chapter one hundred and thirty of the Revised Statutes of Canada, 1927, is repealed, and the following is substituted therefor:— 5

Publication.

“(3) A regulation shall take effect from the date of the publication thereof in the *Canada Gazette*, or from the date specified for such purpose in any regulations, and such regulation shall have the same force and effect as if enacted herein, and shall be laid before both Houses of Parliament within fifteen days after the publication thereof if Parliament is then sitting, and if Parliament is not then sitting, within fifteen days after the opening of the next session thereof.” 10 15

2. Subsection one of section five of the said Act is amended by adding at the end thereof the following words:—

R.C.M.  
Police to be  
game officers.

“All members of the Royal Canadian Mounted Police shall, for the purpose of this Act, be *ex officio* Game Officers.” 20

3. Subsection four of section five of the said Act is amended by adding thereto the following proviso:—

Oaths.

“Provided that this subsection shall not apply to members of the Royal Canadian Mounted Police who have already taken and subscribed to an oath of allegiance and office as provided by section fifteen of the *Royal Canadian Mounted Police Act*, chapter one hundred and sixty of the Revised Statutes of Canada, 1927, as amended by section six of chapter thirty-seven of the statutes of 1932.” 25

EXPLANATORY NOTES.

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

“(3) A regulation shall take effect from the date of publication thereof in the *Canada Gazette*, or from the date specified for such purpose in any regulation, and such regulation shall have the same force and effect as if enacted herein, and shall be printed in the prefix in the next succeeding issue of the Dominion Statutes, and shall also be laid before both Houses of Parliament within fifteen days after the publication thereof if Parliament is then sitting, and if Parliament is not then sitting, within fifteen days after the opening of the next session thereof.”

This subsection provides for the publication of regulations made under the Migratory Birds Convention Act in the prefix to the annual Statutes. The printing of these regulations is the cause of serious delay in getting out the annual statutes, and as such regulations are printed in the *Canada Gazette* and widely distributed by the Department concerned it is felt that it is unnecessary to publish them for the third time in the annual Statutes.

2. Subsection one of section 5 at present reads as follows:—

“5. The Minister may appoint game officers for carrying out this Act and the regulations, and may authorize such game officers to exercise the powers of a justice of the peace or the powers of a police constable.”

The words in the text of the Bill are to be added to the above.

At the present time it is necessary to nominate each member of the Royal Canadian Mounted Police by name. Owing to the extent of the Force this entails a large number of individual appointments.

3. The existing subsection reads as follows:—

“(4) Every such game officer shall take and subscribe an oath in the form following, that is to say:—

“I, A.B., a..... of..... do solemnly swear that to the best of my judgment I will faithfully, honestly and impartially fulfil, execute and perform the office and duties of such..... according to the true intent and meaning of the Migratory Birds Convention Act and the regulations made thereunder. So help me God.”

The oath of allegiance and the oath of office as prescribed by the Royal Canadian Mounted Police Act, chapter 160, R.S.C., 1927, is considered sufficient. The oath of office is as follows:—

I, A.B., solemnly swear that I will faithfully, diligently and impartially execute and perform the duties required of me as a member of the Royal Canadian Mounted Police, and will well and truly obey and perform all lawful orders and instructions which I shall receive as such, without fear, favour or affection of or towards any person. So help me God.”

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

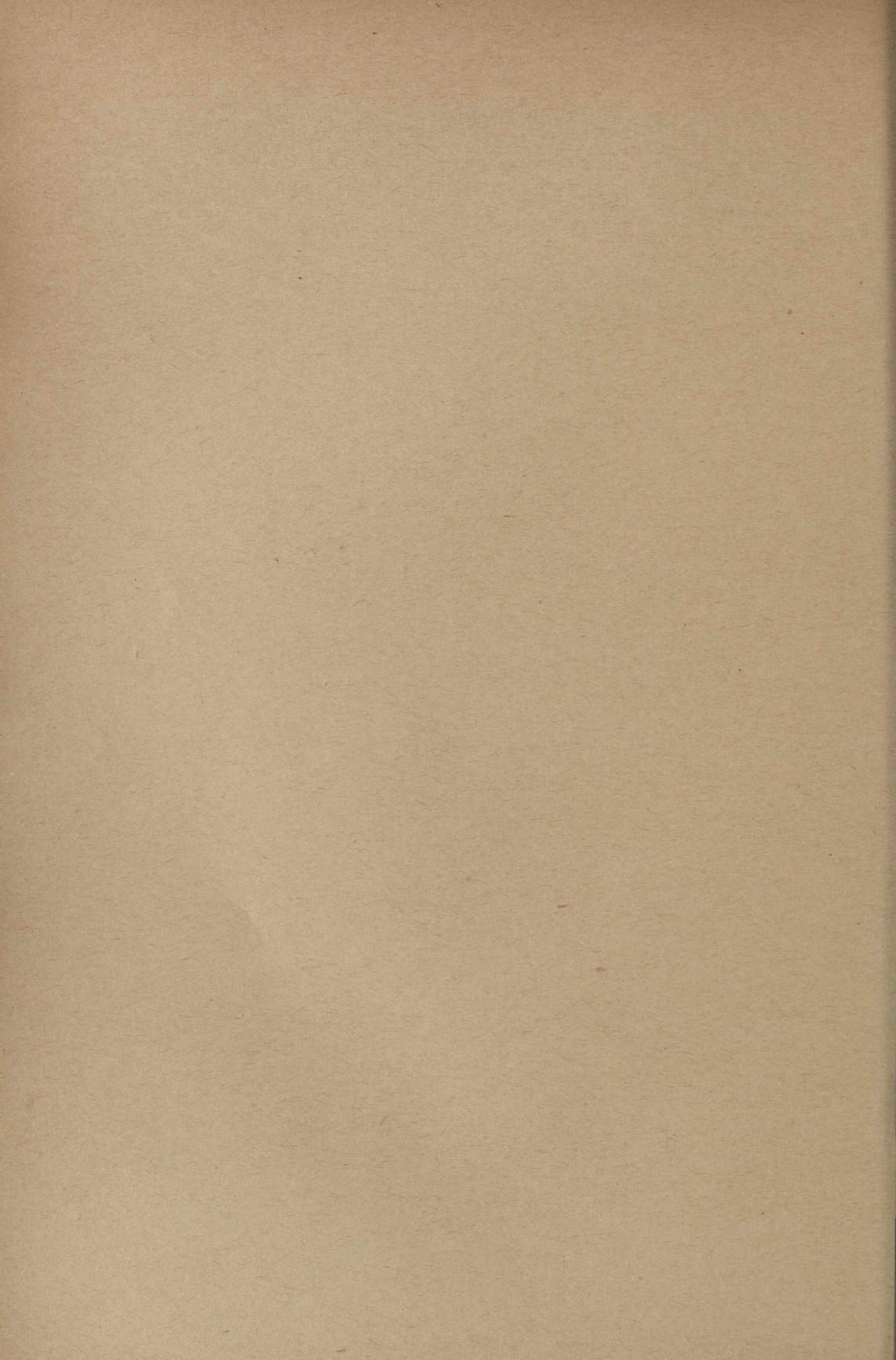
No one to buy, sell or possess bird, nest or egg in prohibited time.

“6. No person, without lawful excuse, the proof whereof shall lie on such person, shall buy, sell or have in his possession any migratory game bird, migratory insectivorous bird or migratory non-game bird, or the nest or egg of any such bird or any part of any such bird, nest or egg during the time when the capturing, killing or taking of such bird, nest or egg is prohibited by this Act.” 5

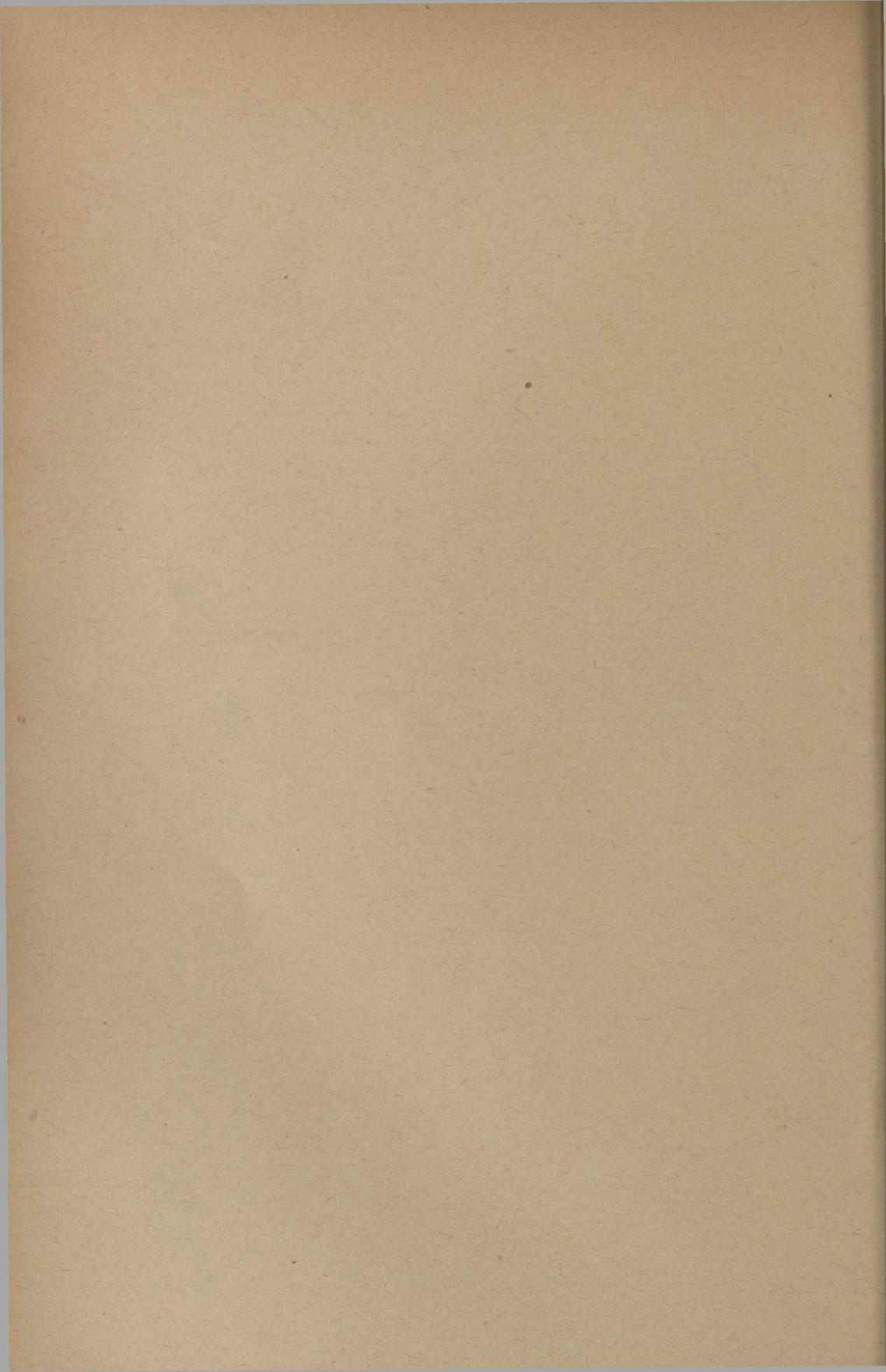
4. Section 6 of the existing Act reads as follows:—

“6. No one without lawful excuse, the proof whereof shall lie on him, shall buy, sell or have in his possession any bird, nest, egg or portion thereof, during the time when the capturing or having in possession, killing or taking of such bird, nest or egg is prohibited by law.”

The word bird is indefinite as it is not defined in the Act to include the various birds protected by this Act.







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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33.

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THE HOUSE OF COMMONS OF CANADA.

**BILL 20.**

An Act to amend the Income War Tax Act.  
(Special tax.)

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First reading, February 7, 1933.

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The MINISTER OF FINANCE.

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

THE HOUSE OF COMMONS OF CANADA.

**BILL 20.**

An Act to amend the Income War Tax Act.  
(Special Tax.)

1932, c. 44.

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

Special tax continued for one year.

**1.** The provisions of *An Act to amend the Income War Tax Act*, chapter forty-four of the statutes of 1932, are here- 5  
by continued in force until March 31st, 1934, and the persons therein described shall be liable to pay the tax thereby imposed in respect of salaries or pay paid to them by the Dominion of Canada during or in respect of the fiscal year 1933-34 in accordance with the provisions of 10  
the said Act: Provided that the said tax for the fiscal year 1933-34 shall be payable in twelve equal monthly instalments on the last day of each month, commencing in April, 1933.

Taxpayer may elect to be subject to Salary Deduction Act.

**2.** (1) Every person liable to pay the special tax imposed 15  
by the said Act may, in lieu of paying said tax, elect, in the manner and within the time hereinafter prescribed, to be subject in respect of the salary or pay paid to him by the Dominion of Canada during or in respect of the fiscal year 20  
ending the thirty-first day of March, 1934, to the provisions of *The Salary Deduction Act, 1932*, as continued in force by *The Salary Deduction (Continuance) Act, 1933*; and every such person who so elects shall, thereupon, cease to be liable to pay the said special tax, and shall become subject to the 25  
provisions of *The Salary Deduction Act, 1932*, which shall apply, *mutatis mutandis*, to him in respect of the salary or pay so paid to him.

...shall be made in writing and shall be  
admitted by registered post within three days after the  
closing up of the books of the Company to the Comptroller of the  
Treasury, Department of Finance, Ottawa, and upon  
receipt of every document under the Comptroller of the  
Treasury shall cause a true copy thereof to be transmitted  
forthwith by registered post to the Comptroller of  
Income Tax.

100  
100  
100

### EXPLANATORY NOTE.

The Act of 1932 provided that the members of the judiciary and commissioned officers of the military, naval and air forces of Canada, and of the Royal Canadian Mounted Police, were liable to pay a special income tax of ten per centum upon the salaries or pay paid to them by the Dominion of Canada during or in respect of the fiscal year commencing April 1st, 1932, and ending March 31st, 1933.

Manner and  
time of  
election.

(2) Such election shall be made in writing and transmitted by registered post, within thirty days after the coming into force of this Act, to the Comptroller of the Treasury, Department of Finance, Ottawa; and, upon receipt of every election so made the Comptroller of the Treasury shall cause a true copy thereof to be transmitted forthwith, by registered post, to the Commissioner of Income Tax. 5

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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 21.**

An Act to amend the Indian Act.

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First reading, February 9, 1933.

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The SUPERINTENDENT GENERAL  
OF INDIAN AFFAIRS.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 21.

An Act to amend the Indian Act.

R.S., c. 98;  
1930, c. 25.

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

1. Section ten of the *Indian Act*, chapter ninety-eight of the Revised Statutes of Canada, 1927, is amended by adding thereto the following subsection:—

Truant  
officers.

“(6) For the purposes of this section, every member of the Royal Canadian Mounted Police Force and any special constable appointed for police duty on an Indian reserve, shall be a truant officer.”

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

Removal of  
executors.

“(2) The Superintendent General may remove an executor of an estate who neglects or refuses to carry out the terms of the will in such time as may be considered reasonable by the Superintendent and appoint some one in the place of such executor.”

3. Section forty of the said Act, as enacted by section five of chapter twenty-five of the statutes of 1930, is repealed and the following is substituted therefor:—

Consent of  
agent  
required for  
sale or barter.

“40. No person shall buy or otherwise acquire from any band or irregular band of Indians or from any Indian and no Indian shall sell or otherwise dispose of to any one other than a member of the band, any cattle or other animals of any kind from any reserve in the Province of Manitoba, Saskatchewan or Alberta or the Territories without the written consent of the Indian Agent.”

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## EXPLANATORY NOTES.

Section **1**. It has been the practice to appoint the member of the Royal Canadian Mounted Police who happened to be on duty at the time in the vicinity of a reserve, a truant officer under the provisions of subsection three of section 10 of the Act. These members, however, are changed from time to time which necessitates changes in the appointments. It is considered advisable to constitute all members of the Force as well as special appointees by the Commissioner truant officers under the Act.

Section **2**. Complaints are made from time to time against executors of Indian wills neglecting or refusing to proceed with the distribution of estates as provided by the will and the proposed amendment is to enable the Superintendent to deal with such cases.

Sections **3** and **4**. These sections as they stood before the proposed amendments, prohibited any person from buying cattle or other animals and grain, root crops or other produce from Indians, and section 120 imposed a penalty on such purchaser. The Indian was not prohibited from, or penalized for, selling as it was considered that the purchasers were the real offenders. From time to time however representations have been made to the Department that the Indian is probably as great an offender as the white man who purchased, and in many cases the Indians have disposed of nearly all their cattle and all of their grain not retaining enough for seed. It is suggested accordingly that the Indian should be made to realize the

4. Section forty-one of the said Act, as enacted by section six of chapter twenty-five of the statutes of 1930, is repealed and the following is substituted therefor:—

Buying of  
produce  
prohibited.

“41. No person shall buy or otherwise acquire from any band or irregular band of Indians, or from any Indian, and no Indian shall sell or otherwise dispose of to any one other than a member of the band, any grain, root crops, or other produce from upon any reserve in the Province of Manitoba, Saskatchewan or Alberta, or the Territories, without the written consent of the Indian Agent.”

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

Roads.

“(3) The Superintendent General shall have the authority to determine where roads shall be established on a reserve.”

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6. Section one hundred and one of the said Act is amended by adding thereto the following paragraph:—

Regulations.

“(k) Regulating the operations of hawkers, peddlers or others coming on the reserve to sell, or take orders for, wares or merchandise.”

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

Enquiry as to  
fitness for  
enfranchise-  
ment.

“110. (1) The Superintendent General may appoint a Board to consist of two officers of the Department and a member of the Band to which the Indian or Indians under investigation belongs, to make inquiry and report as to the fitness of any Indian or Indians to be enfranchised.”

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8. Section one hundred and fifteen of the said Act is repealed and the following is substituted therefor:—

Residing or  
hunting upon  
any reserve  
without  
authority.

“115. Every person, or Indian other than an Indian of the band, who, without the authority of the Superintendent General, resides or hunts upon, occupies or uses any land or marsh, or who resides upon or occupies any road, or allowance for road, running through any reserve belonging to or occupied by such band, or who is found on the reserve and is unable to prove that he is there for some legitimate purpose, shall be liable, upon summary conviction, to imprisonment for a term not exceeding one month

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Penalty.

importance of keeping sufficient stock and grain to properly carry on farming operations. The proposed amendments prohibit the Indian from disposing of his animals or produce without the written consent of the Indian agent.

The sections to be repealed and re-enacted read as follows:—

“40. No person shall buy or otherwise acquire from any band or irregular band of Indians or from any Indian any cattle or other animals of any kind from any reserve in the Province of Manitoba, Saskatchewan or Alberta or the Territories without the written consent of the Indian agent.”

“41. No person shall buy or otherwise acquire from any band or irregular band of Indians, or from any Indian, any grain, root crops, or other produce from upon any reserve in the Province of Manitoba, Saskatchewan or Alberta, or the Territories without the written consent of the Indian agent.”

Section 5. Circumstances have arisen from time to time which render it advisable that the Superintendent General should have such power in order to avoid the possibility of having some improvements delayed or barred by indifference or opposition of the Indians of a band.

Section 6. Complaints are made from time to time of hawkers, peddlers or others coming on the reserve selling or taking orders for merchandise to the disadvantage of Indian merchants on the reserve. It is pointed out that Indian merchants would not be allowed to go into an adjoining town or city and peddle without paying a licence, and the Indians feel that they should have some control over peddlers coming on the reserve.

Section 7. This subsection is designed to give the necessary impetus to carry out the ultimate aims and objects of the policy which has governed the administration of Indian Affairs.

The subsection to be repealed and re-enacted is as follows:—

“110. Upon the application of an Indian of any band, or upon the application of a band on a vote of a majority of the male members of such band of the full age of twenty-one years at a meeting or council thereof summoned for that purpose, according to the rules of the band and held in the presence of the Superintendent General or of an officer duly authorized to attend such council, by the Governor in Council or by the Superintendent General, a Board may be appointed by the Superintendent General to consist of two officers of the Department and a member of the band to which the Indian or Indians under investigation belongs, to make enquiry and report as to the fitness of any Indian or Indians to be enfranchised.”

Section 8. The proposed amendment is to enable the Indian agent to deal with persons coming unto the reserve particularly at night for no good purpose. There have been numerous complaints in respect of those reserves in particular which are situated near towns or cities.

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

“115. Every person, or Indian other than an Indian of the band, who, without the authority of the Superintendent General, resides or hunts upon, occupies or uses any land or marsh, or who resides upon or occupies any road, or allowance for road, running through any reserve belonging to or occupied by such band shall be

or to a penalty not exceeding ten dollars and not less than five dollars, with costs of prosecution, half of which penalty shall belong to the informer."

**9.** Section one hundred and twenty of the said Act, as enacted by section twelve of chapter twenty-five of the statutes of 1930, is repealed and the following is substituted therefor:— 5

Buying or  
selling  
contrary  
to the Act.

"**120.** Every person who buys or otherwise acquires from any Indian or band or irregular band of Indians in the Province of Manitoba, Saskatchewan, or Alberta, 10 or the Territories, or sells to any such Indian, any cattle or other animals or any grain, root crops or other produce, and every Indian who sells any cattle or other animals or any grain, root crops or other produce, contrary to the provisions of this Act, shall on summary conviction 15 be liable to a penalty not exceeding fifty dollars or to imprisonment for a term not exceeding thirty days, or to both."

Restriction  
on Indian  
dances, etc.

**10.** Subsection three of section one hundred and forty of the said Act is amended by striking out the words "in 20 aboriginal costume" in the fifth line thereof.

Regulations.

**11.** Subsection two of section one hundred and eighty-five of the said Act is amended by adding thereto the following paragraph:—

"(n) Regulating the operations of hawkers, peddlers or 25 others coming on the Reserve to sell, or take orders for, wares or merchandise."

liable, upon summary conviction, to imprisonment for a term not exceeding one month or to a penalty not exceeding ten dollars and not less than five dollars, with costs of prosecution, half of which penalty shall belong to the informer."

Section **9**. This is the section which provides for a penalty for violations of sections 40 and 41. It reads as follows:—

"**120**. Every person who buys or otherwise acquires from any Indian or band or irregular band of Indians in the province of Manitoba, Saskatchewan, or Alberta, or the Territories any cattle or other animals or any grain, root crops or other produce or sells to any such Indian any goods or supplies, cattle, or other animals contrary to the provisions of this Act, shall, on summary conviction, be liable to a penalty not exceeding *one hundred* dollars, or to imprisonment for a term not exceeding *three months*, or to both."

Section **10**. The subsection to be amended reads as follows:—

"3. Any Indian in the province of Manitoba, Saskatchewan, Alberta, or British Columbia, or in the Territories who participates in any Indian dance outside the bounds of his own reserve, or who participates in any show, exhibition, performance, stampede or pageant in aboriginal costume without the consent of the Superintendent General or his authorized agent, and any person who induces or employs any Indian to take part in such dance, show, exhibition, performance, stampede or pageant, or induces any Indian to leave his reserve or employs any Indian for such a purpose, whether the dance, show, exhibition, stampede or pageant has taken place or not, shall on summary conviction be liable to a penalty not exceeding twenty-five dollars, or to imprisonment for one month, or to both penalty and imprisonment."

This amendment extends the application of the subsection and makes it apply to an Indian whether he is in aboriginal costume or not.

Section **11**. This paragraph which is here added to section 185 in Part II of the Act, is the same as is added to section 101 in Part I of the Act.



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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 22.**

An Act respecting the Inspection and Grading of Hay  
and Straw.

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First reading, February 9, 1933.

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The MINISTER OF AGRICULTURE.

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

THE HOUSE OF COMMONS OF CANADA.

**BILL 22.**

An Act respecting the Inspection and Grading of Hay and Straw.

**H**IS 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 Hay and Straw Inspection Act, 1933.* 5
- Inspections.      **2.** Such inspectors may be appointed as are required for the purposes of this Act.
- Powers of Minister of Agriculture.      **3.** The Minister of Agriculture shall have power  
(a) to establish regulations prescribing standards of class, quality and/or condition for hay and straw; 10  
(b) by inspection certificate, to certify the class, quality and/or condition of hay and straw, and such inspection certificates issued by officers appointed by law for that purpose shall be accepted in the courts as *prima facie* evidence of the particulars therein set out; 15  
(c) to prescribe the places where, and the conditions under which hay and straw shall be inspected and the charges to be made for such inspection.
- Sections repealed.      **4.** Sections one hundred and fifty-six to one hundred and sixty-five, both inclusive, of the *Inspection and Sale Act*, chapter one hundred of the Revised Statutes of Canada, 1927, are repealed. 20

## EXPLANATORY NOTES.

The purpose of this Bill is to repeal existing legislation which provides grade standards for hay that were serviceable twenty-five years ago when the principal demand for baled hay was for the feeding of horses in cities.

Urgent requests for the repeal of existing legislation and the establishment of new standards have been received from the principal hay production centres.

This Bill aims to provide the necessary authority to continue the service of inspection and to establish standards of quality for grades of hay that will fit into present market requirements.

### 4. The sections to be repealed read as follows:—

#### "Hay.

"156. The grades for hay grown in the provinces of Ontario, Quebec, Nova Scotia, New Brunswick and Prince Edward Island shall be as follows:—

- (a) *Prime Timothy* shall be pure timothy, perfect in colour, sound and well cured;
- (b) *No. 1 Timothy* shall be timothy with not more than one-eighth of clover or other tame grasses mixed, of good colour, sound and well cured;
- (c) *No. 2 Timothy* shall be timothy with not more than one-third of clover or other tame grasses mixed, of good colour, sound and well cured;
- (d) *No. 3 Timothy* shall consist of at least fifty per cent of timothy and the balance of clover or other tame grasses mixed, of good colour, sound and well cured;
- (e) *No. 1 Clover* shall be clover with not more than one-quarter of timothy or other tame grasses mixed, of good colour, sound and well cured;
- (f) *No. 1 Clover Mixed* shall be timothy and clover mixed with at least one-half timothy of good colour and sound;
- (g) *No. 2 Clover* shall be clover with not more than one-quarter of timothy or other tame grasses mixed, of fair colour, sound and well cured;
- (h) *No. 1 Dyke* shall be timothy and couch with not more than one-eighth of clover or other tame grasses mixed;
- (i) *No. 2 Dyke* shall be timothy and couch with not more than one-third of clover or other tame grasses mixed, of fair colour, sound and well cured;
- (j) *Mixed Hay* shall be hay which does not come under the description of timothy or clover, and which is in good condition, of good colour, sound and well cured;
- (k) *No Grade* shall include all kinds of hay badly cured, grassy, or stained;
- (l) *Rejected* shall include all hay that is musty or heated;
- (m) *Shipping Grade* shall be hay in good condition, pressed, sound and well cured.



"157. In the province of Quebec, the following shall be the standard weights for hay and straw, unless sold by the ton, or unless it appears that the parties to the contract agreed otherwise,

- (a) a bundle of timothy, clover or other hay, with a timothy band, fifteen pounds;
- (b) a bundle of timothy, clover or other hay, bound with a withe, sixteen pounds;
- (c) a bundle of straw, twelve pounds.

"158. The grades of hay grown in the provinces of Manitoba, British Columbia, Saskatchewan, Alberta, and the Northwest Territories shall be as follows:—

#### *Tame Grasses.*

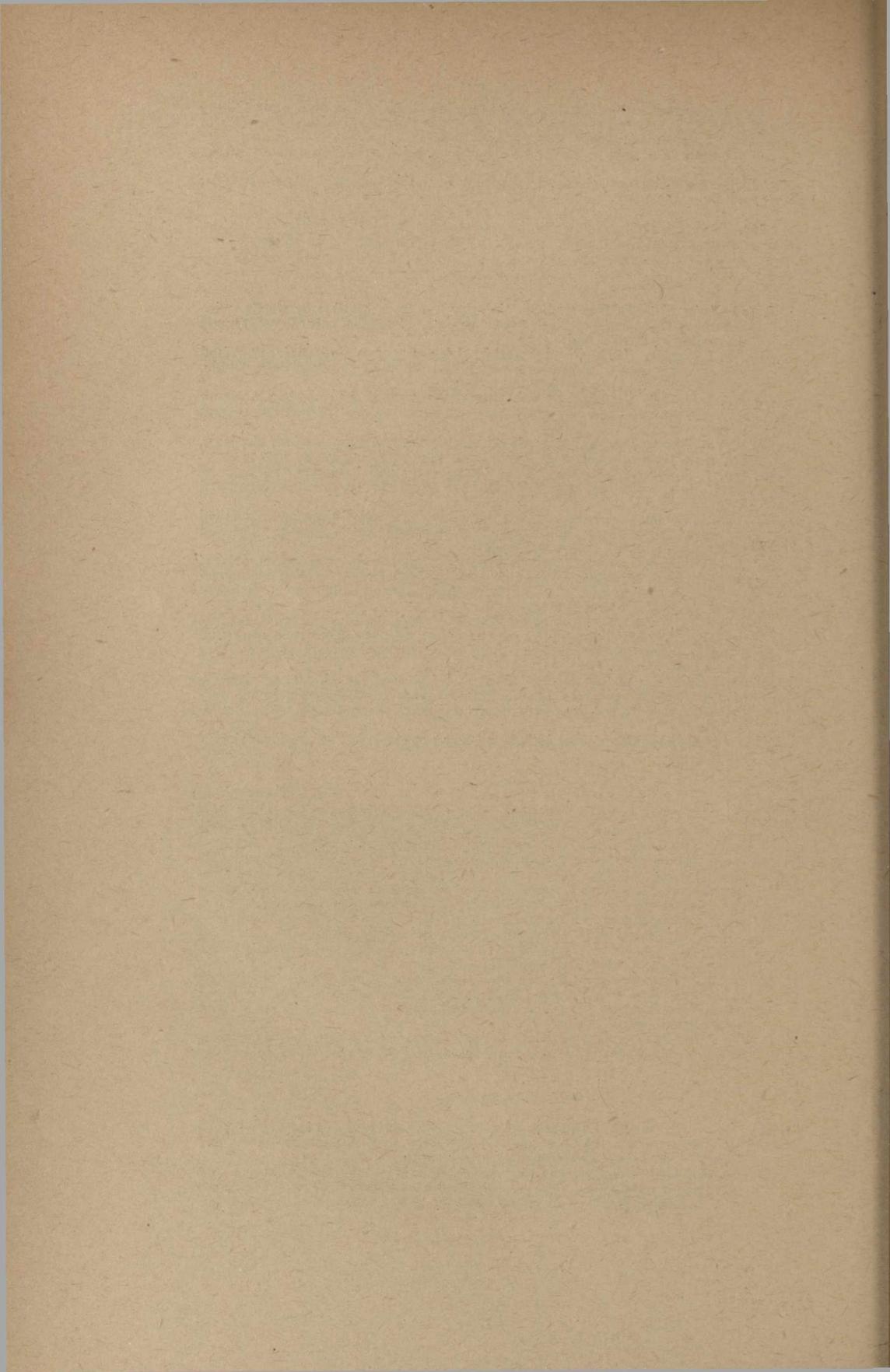
- I. (a) *Choice Timothy Hay* shall be timothy free from stubble or weeds, with not more than one-twentieth other grasses, of bright natural colour and properly cured and sound;
- (b) *No. 1 Timothy Hay* shall be timothy with not more than one-eighth mixed clover and other tame grasses, and not more than one-twentieth weeds, properly cured, of good colour and sound;
- (c) *No. 2 Timothy Hay* shall be timothy with not more than one-fourth clover or other grasses, and not more than one-tenth weeds, of fair colour and sound;
- (d) *No. 3 Timothy Hay* shall include all hay showing at least one-half timothy, not more than one-fifth weeds or inferior grasses and must be sound;
- (e) *No. 1 Timothy Clover Mixed* shall be timothy and clover mixed with at least one-half timothy and the remainder good clover, of good colour and sound;
- (f) *No. 2 Timothy Clover Mixed* shall be at least one-third timothy, one-third clover with not more than one-tenth weeds and the remainder of mixed tame grasses, of fair colour and sound;
- (g) *No. 1 Rye Grass, Brome, Orchard Grass or Alfalfa* shall be rye grass, brome, orchard grass or alfalfa, as the case may be, with not more than one-eighth of other poorer grasses and not more than one-twentieth weeds, properly cured, of good colour and sound;
- (h) *No. 2 Rye Grass, Brome, Orchard Grass or Alfalfa* shall be rye grass, brome, orchard grass or alfalfa, as the case may be, with not more than one-tenth of other poorer grasses, and not more than one-tenth weeds, of fair colour and sound;
- (i) *No. 3 Rye Grass, Brome, Orchard Grass or Alfalfa* shall include all hay showing at least one-half rye grass, brome, orchard grass or alfalfa, as the case may be, and not more than one-fifth weeds or other poorer grasses and must be sound;
- (j) *No Established Grade* shall include all hay not classified in the foregoing.

#### *Wild Grasses.*

- II. (a) *Choice Prairie Hay* shall be composed of seventy-five per cent red top, blue joint or peavine hay or a mixture thereof, of bright colour, dry, well cured, sweet and sound, free from weeds and other objectionable matter;
- (b) *No. 1 Prairie Hay* shall be any one or a mixture of the following: red top, fescue, bunch, buffalo, wheat and rye grasses, with not more than one-quarter peavine or wild vetch, all dry, well cured, of good colour, sound and reasonably free from weeds and other objectionable matter;
- (c) *No. 2 Prairie Hay* shall include any one or a mixture of the grasses mentioned in "No. 1 Prairie Hay" with not more than one-quarter peavine or wild vetch; all dry, of fair colour, well cured, sweet, sound, and reasonably free from weeds and other objectionable matter;
- (d) *No. 3 Prairie Hay* shall be any one or a mixture of the grasses, mentioned in "No. 1 Prairie Hay," of fair colour, and may also contain slough or "scotch" grass of good colour, dry, not caked, and reasonably free from weeds and other objectionable matter;
- (e) *No. 4 Prairie Hay* shall be slough grass or sedge of fair colour, not too coarse, dry, sound and reasonably free from weeds and other objectionable matter.

#### *No Grade or Rejected.*

- III. (a) *No Grade Hay* shall include all hay that is damp or otherwise unfit for storage, and shall be entered in the inspecting officer's books as "No Grade" with a note as to its quality and condition;
- (b) *Rejected Hay* shall consist of hay containing more than twenty-five per cent of foxtail or spear grass, or hay heated or containing must or mould or otherwise damaged, and shall include all hay not good enough for other grades.



*Straw.*

"159. The grades for straw shall be as follows:—

*No. 1 Straw* shall be bright, clean, well saved oat straw, suitable for feeding purposes;

*No. 2 Straw* shall be long straw from all cultivated cereals, sound and fair in colour;

*No Grade Straw* shall include all straw, short and chaffy but sound;

*Musty and Heated Straw* shall grade "rejected".

"160. All inspecting officers shall where necessary enter in their books their detailed reasons for grading any particular bale or bales of hay or straw.

2. Hay or straw pressed in bales for sale in Canada shall be free from all foreign matter that would prejudicially affect the grade or add to the weight of the bale.

3. The wire to be used in baling hay or straw shall be of a strength and quality not below number fourteen standard gauge annealed steel wire.

4. When hay or straw that is baled is inspected, the inspecting officer shall enter in his book a statement of the character and condition of the fastenings of the bales.

5. The scales used by pressers of hay or straw shall be inspected at least once every year.

"161. When hay imported into Canada is inspected, it shall be inspected and graded in accordance with the provisions of this Act applicable to hay grown in the province into which hay is imported, and when straw imported into Canada is inspected, it shall be inspected and graded in accordance with the provisions of the Act.

"162. Every presser of baled hay or straw in Canada shall affix to every bale of hay or straw sold or offered for sale, a tag having thereon plainly written and legible, his name and business address, and the weight of the bale.

2. Such tag shall be securely fastened to the bale and shall be of not less than one and one-half inches in width and three inches in length.

"163. Any presser of hay or straw who fails to attach a tag to each bale of hay or straw, as prescribed by this Act, shall, on summary conviction, be liable to a fine of five dollars for each such violation.

"164. The Governor in Council shall have power to prescribe the fees that are to be charged for the inspection of hay or straw.

"165. Any person who puts any foreign matter into any bale of hay intended for sale, which improperly increases its weight, or which prejudicially affects the quality of the bale, shall, on summary conviction, be liable to a fine not exceeding forty dollars for a first offence, and for each subsequent offence to a fine not exceeding one hundred dollars.

2. Any person who puts any foreign matter into any bale of straw intended for sale which improperly increases the weight, or which prejudicially affects the quality of the bale, shall, on summary conviction, be liable to a fine not exceeding twenty-five dollars."



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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 23.**

An Act respecting The Saint Nicholas Mutual Benefit Association and to change its name to "Ukrainian Mutual Benefit Association of Saint Nicholas of Canada."

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First reading, February 10, 1933.

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(PRIVATE BILL)

Mr. LUCHKOVICH.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 23.

An Act respecting The Saint Nicholas Mutual Benefit Association and to change its name to "Ukrainian Mutual Benefit Association of Saint Nicholas of Canada."

Preamble.

R.S., c. 101;  
1930, c. 71;  
1932, c. 46.

WHEREAS the Saint Nicholas Mutual Benefit Association, hereinafter called "the Society" has by its petition prayed that an Act be passed extending the time during which the Minister of Finance may grant to the said Society the licence to carry on business, and otherwise amending the Act incorporating the said Society, 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:—

Act of incorporation deemed not to have expired.

1. Notwithstanding anything in the repealed *Insurance Act*, chapter one hundred and one of the Revised Statutes of Canada, 1927, or in *The Canadian and British Insurance Companies Act, 1932*, chapter forty-six of the statutes of 1932, or in the Act incorporating The Saint Nicholas Mutual Benefit Association, chapter seventy-one of the statutes of 1930, the said chapter seventy-one of the statutes of 1930 shall be deemed not to have expired and ceased to be in force after the twenty-ninth day of May, 1932, but to have continued and to be in force for all purposes thereof whatsoever until the thirtieth day of May, 1934, and the Minister of Finance may at any time not later than the twenty-ninth day of May, 1934, and subject to all other provisions of *The Canadian and British Insurance Companies Act, 1932*, grant to the said Society a certificate of registry to carry on business.

Charter expires unless certificate obtained.

Time limit.

2. If the Society has not obtained the said certificate of registry before the thirtieth day of May, 1934, the said chapter seventy-one of the statutes of 1930 shall then expire and cease to be in force thereafter, except for the sole purpose of winding up the Society's business, but otherwise shall remain in full force and effect for all purposes thereof whatsoever.



**3.** Section one of the said chapter seventy-one is repealed and the following is substituted therefor:—

Incorporation.

**1.** John Zarowski, printer, Michael Hawryluk, merchant, John Zawidowski, funeral director, Theodore Stefanik, notary public, Karol Protasiewich, toolmaker, Nicholas Hladki, painter, Dmytro Yuskewich, storeman and Harry Kapitanchuk, machinist, all of the city of Winnipeg, in the province of Manitoba, together with such other persons as become members of the Society hereby incorporated are incorporated under the name of "Ukrainian Mutual Benefit Association of Saint Nicholas of Canada." 5 10

Name changed.

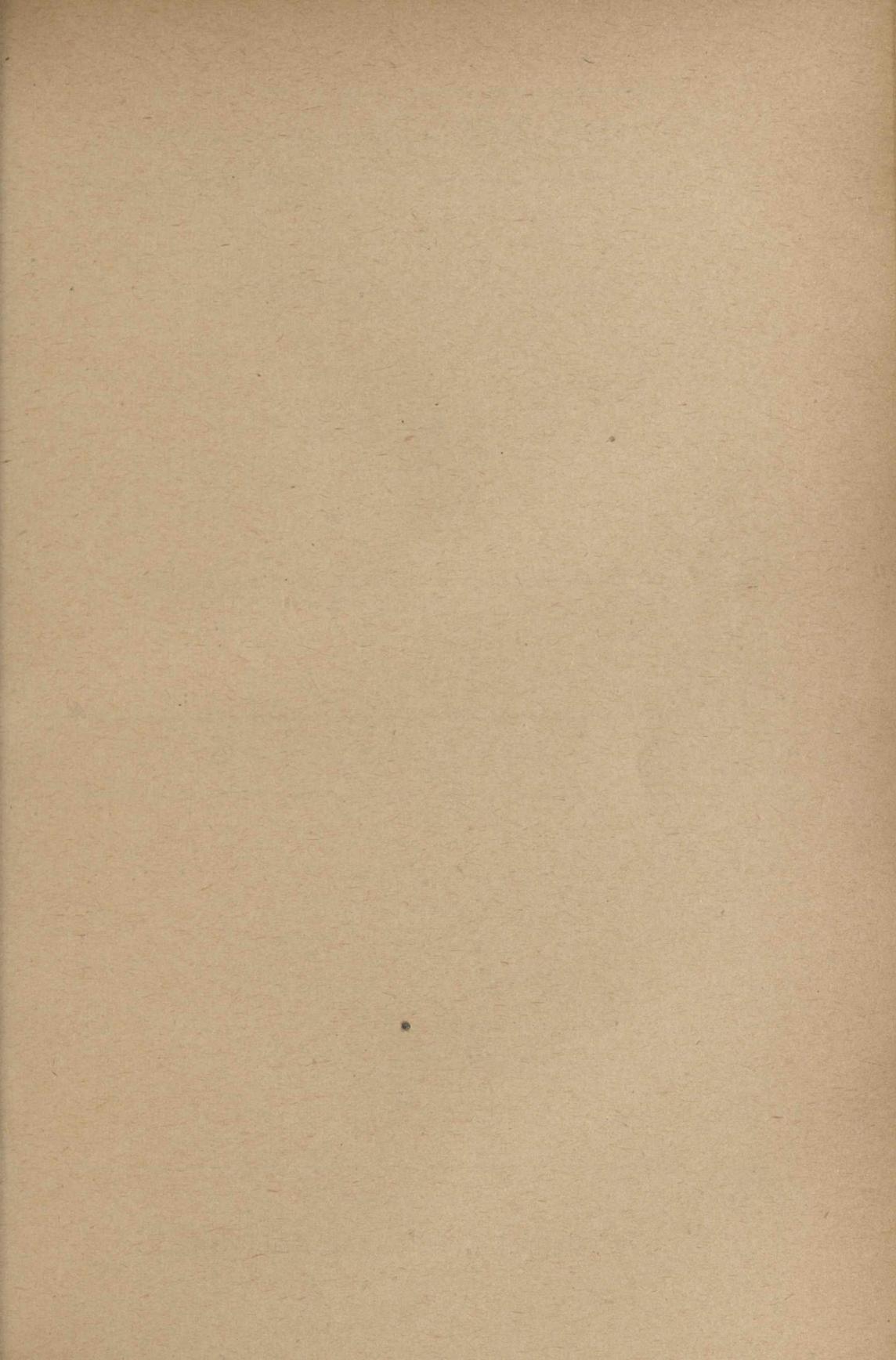
**4.** The name of the Society is changed to "Ukrainian Mutual Benefit Association of Saint Nicholas of Canada," but such change in name shall not in any way impair, alter or affect the rights or liabilities of the Society, nor in any way affect any suit or proceeding now pending, or judgment existing, either by, or in favour of, or against the Society, which notwithstanding such change in the name of the Society, may be prosecuted, continued, completed, and enforced as if this Act had not been passed. 15 20

EXPLANATORY NOTE.

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

"1. Michael Hawryluk, merchant, John Zawidowski, funeral director, John Tymkowich, carman, Peter Oleksiw, priest in holy orders, Peter Humnicki, painter, John Zarowski, printer, Theodore Stefanik, notary public, Jacob Baryluk, carman, Karol Protasiewich, toolmaker, Nicolaus Hladki, painter, Nykola Probizny, bricklayer, Eugen Krawchuk, car-repairer, John Melnychuk, checker, Dmytro Yuske-wich, storeman, Harry Kapitanchuk, machinist, Michael Andrusyshyn, carpenter, and Nykola Sawula, car-repairer, all of the city of Winnipeg and province of Mani-toba, together with such other persons as become members of the society hereby incorporated, are incorporated under the name of "The Saint Nicholas Mutual Benefit Association" hereinafter called "the Society."







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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA

**BILL 24.**

An Act to amend the Criminal Code (Unlawful  
Associations).

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First reading, February 13, 1933.

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Mr. WOODSWORTH.

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

4th Session, 17th Parliament, 23 George V, 1932-33

THE HOUSE OF COMMONS OF CANADA.

**BILL 24.**

An Act to amend the Criminal Code (Unlawful Associations).

R.S., c. 36.

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

Unlawful associations.

**1.** Section ninety-eight of the *Criminal Code*, chapter thirty-six of the Revised Statutes of Canada, 1927, is 5 repealed.

## EXPLANATORY NOTE.

1. This is an amendment repealing section 98 of the Criminal Code concerning sedition and unlawful assemblies. It is the same which passed the House of Commons in the following sessions, namely, 1926, 1926-7, 1928, 1929 and 1930, but did not pass the other Chamber.

Section 98 was put on the statute book in the year 1919, during the immediate post-war period. The terms of the Act are so broad that it may be used to restrict the legitimate activities of organized labour. Public welfare is sufficiently safeguarded by other provisions of the Code.

The said section to be repealed reads as follows:—

"98. (1) Any association, organization, society or corporation, whose professed purpose or one of whose purposes is to bring about any governmental, industrial or economic change within Canada by use of force, violence or physical injury to person or property, or by threats of such injury, or which teaches, advocates, advises or defends the use of force, violence, terrorism, or physical injury to person or property, or threats of such injury, in order to accomplish such change, or for any other purpose, or which shall by any means prosecute or pursue such purpose or professed purpose, or shall so teach, advocate, advise or defend, shall be an unlawful association.

"(2) Any property, real or personal, belonging or suspected to belong to an unlawful association, or held or suspected to be held by any person for or on behalf thereof may, without warrant, be seized or taken possession of by any person thereunto authorized by the Commissioner of the Royal Canadian Mounted Police, and may thereupon be forfeited to His Majesty.

"(3) Any person who acts or professes to act as an officer of any such unlawful association, and who shall sell, speak, write or publish anything as the representative or professed representative of any such unlawful association, or become and continue to be a member thereof, or wear, carry or cause to be displayed upon or about his person or elsewhere, any badge, insignia, emblem, banner, motto, pennant card, button or other device whatsoever, indicating or intended to show or suggest that he is a member of or in anywise associated with any such unlawful association, or who shall contribute anything as dues or otherwise, to it or to any one for it, or who shall solicit subscriptions or contributions for it, shall be guilty of an offence and liable to imprisonment for not more than twenty years.

"(4) In any prosecution under this section, if it be proved that the person charged has

- (a) attended meetings of an unlawful association; or
- (b) spoken publicly in advocacy of an unlawful association; or
- (c) distributed literature of an unlawful association by circulation through the Post Office mails of Canada, or otherwise,

it shall be presumed, in the absence of proof to the contrary, that he is a member of such unlawful association.

"(5) Any owner, lessee, agent or superintendent of any building, room, premises or place, who knowingly permits therein any meeting of an unlawful association or any subsidiary association or branch or committee thereof, or any assemblage of persons who teach, advocate, advise or defend the use, without authority of the law, of force, violence or physical injury to person or property, or threats of such injury, shall be guilty of an offence under this section and shall be liable to a fine of not more than five thousand dollars or to imprisonment for not more than five years, or to both fine and imprisonment.



"(6) If any judge of any superior or county court, police or stipendiary magistrate, or any justice of the peace, is satisfied by information on oath that there is reasonable ground for suspecting that any contravention of this section has been or is about to be committed, he may issue a search warrant under his hand, authorizing any peace officer, police officer, or constable with such assistance as he may require, to enter at any time any premises or place mentioned in the warrant, and to search such premises or place, and every person found therein, and to seize and carry away any books, periodicals, pamphlets, pictures, papers, circulars, cards, letters, writings, prints, handbills, posters, publications or documents which are found on or in such premises or place, or in the possession of any person therein at the time of such search, and the same, when so seized, may be carried away and may be forfeited to His Majesty.

"(7) Where, by this section, it is provided that any property may be forfeited to His Majesty, the forfeiture may be adjudged or declared by any judge of any superior or county court, or by any police or stipendiary magistrate, or by any justice of the peace, in a summary manner, and by the procedure provided by Part XV of this Act, in so far as applicable, or subject to such adaptations as may be necessary to meet the circumstances of the case.

"(8) Any person who prints, publishes, edits, issues, circulates, sells or offers for sale or distribution any book, newspaper, periodical, pamphlet, picture, paper circular, card, letter, writing, print, publication or document of any kind, in which is taught, advocated, advised or defended, or who shall in any manner teach, advocate, or advise or defend the use, without authority of law, of force, violence, terrorism, or physical injury to person or property, or threats of such injury, as a means of accomplishing any governmental, industrial, or economic change or otherwise, shall be guilty of an offence, and liable to imprisonment for not more than twenty years.

"(9) Any person who circulates or attempts to circulate or distribute any book, newspaper, periodical, pamphlet, picture, paper, circular, card, letter, writing, print, publication, or document of any kind, as described in this section, by mailing the same or causing the same to be mailed or posted in any Post Office, letter box, or other mail receptacle in Canada, shall be guilty of an offence, and shall be liable to imprisonment for not more than twenty years.

"(10) Any person who imports into Canada from any other country, or attempts to import by or through any means whatsoever, any book, newspaper, periodical, pamphlet, picture, paper, circular, card, letter, writing, print, publication or document of any kind as described in this section, shall be guilty of an offence and shall be liable to imprisonment for not more than twenty years.

"(11) It shall be the duty of every person in the employment of His Majesty in respect of His Government of Canada, either in the Post Office Department, or in any other Department to seize and take possession of any book, newspaper, periodical, pamphlet, picture, paper, circular, card, letter, writing, print, publication or document, as mentioned in this section, upon discovery of the same in the Post Office mails of Canada or in or upon any station, wharf, yard, car, track, motor or other vehicle, steamboat or other vessel upon which the same may be found and when so seized and taken, without delay to transmit the same, together with the envelopes, coverings and wrappings attached thereto, to the Commissioner of the Royal Canadian Mounted Police."







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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 25.**

An Act to amend the Penitentiary Act (Eight Hour Day).

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First reading, February 13, 1933.

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Mr. REID.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 25.

An Act to amend the Penitentiary Act (Eight Hour Day).

R.S., c. 154.

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

1. The *Penitentiary Act*, chapter one hundred and fifty-four of the Revised Statutes of Canada, 1927, is amended by inserting the following section immediately after section thirty thereof:—

Hours of duty.

“30A. No officer shall be compelled to be on duty for more than eight hours throughout the twenty-four hours of the day, except by request of the warden or deputy warden when in their opinion longer hours are absolutely necessary.”

2. Subsection two of section sixty-two of the said Act is repealed, and the following is substituted therefor:—

Hours of labour.

“(2) Every convict, except during sickness or other incapacity, shall be kept constantly at hard labour, of a kind determined by the warden, during at least eight hours, if possible, exclusive of hours for meals, of every day, except Sunday, Good Friday, Christmas Day, and such other days as the Governor General sets apart for days of fasting or thanksgiving, and such days as are designated in the rules made by the inspectors in that behalf; but no convict shall be compelled to labour on any of the obligatory holidays of the religious denomination to which he adheres.”

EXPLANATORY NOTES.

1. The object of this Bill is to limit the hours of duty of all officers in the penitentiaries to eight hours per day, and to fix the same time limit for the hours of labour by convicts.

2. The only change in subsection 2 is the insertion of the underlined word "eight" for the word "ten."



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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 26.**

An Act to amend the Exchequer Court Act.

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First reading, February 15, 1933.

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The MINISTER OF JUSTICE.

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

THE HOUSE OF COMMONS OF CANADA.

**BILL 26.**

An Act to amend the Exchequer Court Act.

R.S., c. 34.

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

**1.** Section eighteen of the *Exchequer Court Act*, chapter thirty-four of the Revised Statutes of Canada, 1927, is amended by adding thereto the following subsection:— **5**

“(2) Notwithstanding anything contained in this Act or in the *Interpretation Act* or in any other statute or law of Canada or any province thereof, the Exchequer Court shall not have jurisdiction to entertain any action heretofore or hereafter commenced for the recovery of any sum of money paid to His Majesty voluntarily in mistake of law, if the recovery of such money might not in England be the subject of a suit or action against the Crown.” **10**

Payments  
made  
voluntarily  
to His  
Majesty in  
mistake  
of law.

### EXPLANATORY NOTE.

The object of this Bill is to effect uniformity of the law throughout Canada in regard to the recovery of any money paid to His Majesty voluntarily in mistake of law.

Section 18 of the Act reads as follows:

“18. The Exchequer Court shall have exclusive original jurisdiction in all cases in which demand is made or relief sought in respect of any matter which might, in England, be subject of a suit or action against the Crown, and for greater certainty, but not so as to restrict the generality of the foregoing terms, it shall have exclusive original jurisdiction in all cases in which the land, goods or money of the subject are in the possession of the Crown, or in which the claim arises out of a contract entered into by or on behalf of the Crown.”



Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 27.**

An Act to amend the Bank Act.

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First reading, February 15, 1933.

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The MINISTER OF FINANCE.

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

THE HOUSE OF COMMONS OF CANADA.

**BILL 27.**

An Act to amend the Bank Act.

R.S., c. 12.

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

Bank  
charters  
continued to  
July 1, 1934.

**1.** The charters or Acts of incorporation, and any Acts in amendment thereof, of the several banks enumerated in the Schedule to this Act, which expire by virtue of the operation of section five of the *Bank Act*, chapter twelve of the Revised Statutes of Canada, 1927, or by virtue of the operation of the respective incorporating Acts, are continued in force until the first day of July, one thousand nine hundred and thirty-four, subject to the right of each of such banks to increase or reduce its authorized capital stock in the manner provided by the *Bank Act*, and in all particulars the *Bank Act* shall form and be the charter of each of the said banks until the first day of July, one thousand nine hundred and thirty-four.

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Act continues  
to apply for  
purposes of  
winding up.

**2.** (1) The provisions of the said Act shall continue to apply to the banks named in the Schedule to chapter twelve of the Revised Statutes of Canada, 1927, entitled *An Act respecting Banks and Banking*, and not named in the Schedule to this Act, but only in so far as may be necessary to wind up the business of the said banks respectively.

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(2) The charters or Acts of incorporation of the said banks, and any Acts in amendment thereof, or any Acts in relation to the said banks now in force, shall respectively continue in force for the purpose of winding up, and for such purposes only.

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## SCHEDULE.

Name of Bank.	Capital authorized.	Chief office of bank.
	\$	
1. Bank of Montreal.....	50,000,000	Montreal
2. The Bank of Nova Scotia.....	15,000,000	Halifax
3. The Bank of Toronto.....	10,000,000	Toronto
4. La Banque Provinciale du Canada.....	5,000,000	Montreal
5. The Canadian Bank of Commerce.....	50,000,000	Toronto.
6. The Royal Bank of Canada.....	50,000,000	Montreal
7. The Dominion Bank.....	10,000,000	Toronto
8. Banque Canadienne Nationale.....	10,000,000	Montreal
9. The Imperial Bank of Canada.....	10,000,000	Toronto
10. Barclays Bank (Canada).....	500,000	Montreal

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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 28.**

An Act to amend the Quebec Savings Banks Act.

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First reading, February 15, 1933.

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The MINISTER OF FINANCE.

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

THE HOUSE OF COMMONS OF CANADA.

**BILL 28.**

An Act to amend the Quebec Savings Banks Act.

R.S., c. 14.

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

Certain  
charters  
continued.

**1.** The charters of the Montreal City and District Savings Banks and of *La Caisse d'Economie de Notre-Dame de Québec*, which expire of the first day of July, one thousand nine hundred and thirty-three by virtue of the operation of section four of *The Quebec Savings Banks Act*, chapter fourteen of the Revised Statutes of Canada, 1927, are hereby continued and shall remain in force until the first day of July, one thousand nine hundred and thirty-four, except in so far as they, or either of them, are or become forfeited or void under the terms thereof, or of the said chapter fourteen, or of any other Act heretofore or hereafter passed relating to the said savings banks by non-performance of the conditions of such charters or Acts respectively, or by insolvency, or otherwise.

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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 29.**

An Act to amend and consolidate the several Acts relating  
to the Board of Trade of the City of Toronto.

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First reading, February 16, 1933.

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(PRIVATE BILL)

Mr. GEARY.

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

THE HOUSE OF COMMONS OF CANADA.

**BILL 29.**

An Act to amend and consolidate the several Acts relating to the Board of Trade of the City of Toronto.

Preamble.

**W**HEREAS the Board of Trade of the City of Toronto has by its petition represented that it was incorporated by an Act of the Legislature of the late Province of Canada passed in the eighth year of the reign of Her Majesty Queen Victoria, chapter twenty-four of the statutes of 1845, and entitled "An Act to Incorporate the Board of Trade of the City of Toronto," which Act of Incorporation has been amended and added to by the various statutes referred to in the Schedule hereto, and has by its petition sought further powers and amendments, and it is expedient to grant the prayer of the said petition: Therefore, His Majesty, by and with the consent of the Senate and the House of Commons of Canada, enacts as follows:—

Previous Acts repealed.

**1.** The provisions of the Acts referred to in Schedule "E" hereto are repealed and the provisions of this Act are substituted therefor.

Corporate name.

**2.** The corporate name of the Corporation of The Board of Trade of the City of Toronto shall be "The Board of Trade of the City of Toronto," hereinafter referred to as the "Corporation."

Legal domicile of Corporation.

**3.** The usual place of meeting of the Corporation shall be held to be the legal domicile thereof; and service at such place of any notice or process of any kind addressed to the said Corporation, shall be held to be sufficient service of such notice or process on the Corporation.

OBJECTS OF CORPORATION.

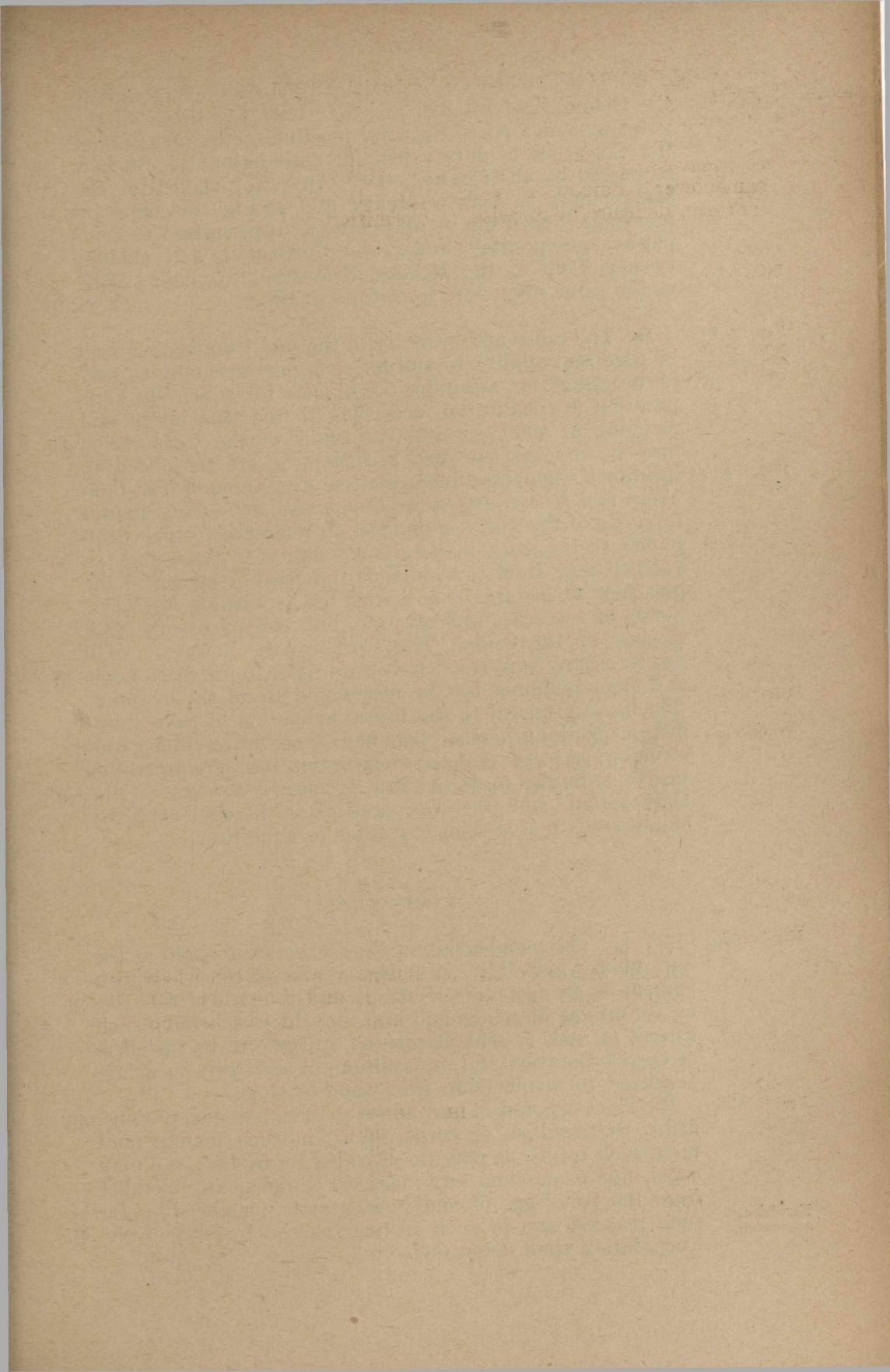
**4.** The objects of the Corporation are hereby declared to be:—



- Promote trade and commerce, economic and social welfare.
- (a) To promote and/or support such measures as, upon due consideration, are deemed calculated to advance and render prosperous the lawful trade and commerce and to foster the economic and social welfare of the City of Toronto in particular and of the Province of Ontario and the Dominion of Canada in general. 5
- Commercial exchange.
- (b) To provide and regulate a suitable building or room for a general Commercial Exchange and offices in the City of Toronto, and to encourage the centralization of the grain, produce, provision and other trades thereat; to promote the establishment and maintenance of uniformity in the business of its members and those dealing with them; to compile, record and publish statistics respecting the same; to promote the observance of such regulations and requirements as may be by By-Law established, not being contrary to law; and to adjust, settle and determine controversies and misunderstandings between persons engaged in the said trades or which may be submitted to arbitration as hereinafter provided. 10 15 20
- Advance commercial interests.
- (c) To advance in all lawful ways the commercial interests of the members of the Corporation generally and to secure the advantages to be obtained by mutual co-operation. 20
- Stimulate social intercourse.
- (d) To stimulate, in such way as may be determined from time to time, social intercourse among the members of the Corporation. 25
- Publications.
- (e) To publish such pamphlets, periodicals and other publications as are deemed advisable in the interests of the Corporation or any of its members. 30

## POWERS OF CORPORATION

- Court proceedings.
5. (1) The Corporation shall be a body corporate and politic and may, under the name of "The Board of Trade of the City of Toronto," sue and be sued, implead and be impleaded, answer and be answered, defend and be defended in all Courts of Law and Equity and places whatsoever, and by that name the members and their successors shall have perpetual succession, and may have a common seal, and may break, change, alter or renew the same at their pleasure. 35
- Common seal.
- Property.
- (2) The Corporation shall have power to purchase or otherwise take or receive, hold and enjoy any estate whatsoever, real or personal, and to alienate, sell, convey, lease or otherwise dispose of the same or any part thereof from time to time, and as occasion may require, and to acquire other estate, real or personal, in addition to or in place thereof. Provided always that the Corporation shall not have power to hold lands to a greater value in the whole than seven hundred and fifty thousand dollars. 40 45



Power to mortgage or issue debentures.

(3) If and when authorized by By-Law duly passed by the Council and sanctioned by at least two-thirds of the votes cast at a special general meeting of the members of the Corporation, duly called for considering the By-Law so passed by the Council, the Corporation shall have the same power to borrow money and secure the same by mortgage, debenture or otherwise, as is permitted to companies incorporated under the *Companies Act*, chapter twenty-seven of the Revised Statutes of Canada, 1927, as the same may exist from time to time.

R.S., c. 27.

Purposes for which funds and property may be used.

6. The funds and property of the said Corporation shall be used and applied to and for such purposes only as may be necessary for attaining the objects for which the Corporation is constituted, according to the true intent and meaning of this Act and the funds of the Corporation may be invested in such securities as are permitted to insurance companies under section sixty-three of *The Canadian and British Insurance Companies Act, 1932*, chapter forty-six of the statutes of 1932, in reference to such companies as the same may exist from time to time, and the Council may from time to time purchase or authorize the purchase, or acquire or authorize the acquisition of stocks, bonds or securities and alienate, sell, convey or otherwise dispose of the same. The Corporation, however, shall not be in any way restricted in its right to purchase lands and erect buildings for the reasonable use of the Corporation, having regard to the future expansion of its requirements. Nothing herein contained, however, is to be construed so as to prevent the Corporation from giving gratuities or annuities to its servants or former servants of the Corporation and the Corporation is hereby expressly empowered to give such gratuities or annuities.

1932, c. 46, s. 63.

Proviso.

#### MEMBERSHIP

Membership.

7. (1) The membership of the Corporation shall, at the date upon which this Act comes into force, consist of such persons as are members of The Board of Trade of the City of Toronto at that time and in future the membership shall consist of such of said persons as continue to be members of the Corporation and, in addition, of such persons as are admitted to membership from time to time.

Persons who may be members.

(2) The Corporation may admit as members such persons, firms, partnerships or corporations, in such manner and upon such terms, as may be provided by by-law, and may expel, fine or suspend any member, or debar any member from the privileges of and incidental to membership, for such reasons and in such manner as the by-laws of the Corporation shall determine.

Expulsion, suspension, etc.



Limitation  
of number of  
members.

(3) The Corporation may provide by by-law for the limitation of the number of persons who may become, or be from time to time members thereof.

#### MANAGEMENT

Officers.

**8.** (1) The affairs and business of the Corporation shall be managed by a president, one or more vice-presidents, an honorary treasurer, and such other number of members as may be provided by the by-laws of the Corporation, all of whom shall be members, shall together constitute and be called the Council of the Corporation, and, with the exception of the retiring President, who shall be a member of the Council ex officio for the year immediately succeeding his term of office, be elected, at such time, manner and place as may be provided in the by-laws, provided, however, that no two or more persons, partners in trade, shall be members of the Council at the same time. The officers and Council of the Corporation in office at the date upon which this Act come into force shall continue to be the Officers and Council of the Corporation until the first election to be held under the provisions of this Act; and the said Council shall, until the said election, have all the powers assigned to the Council of the said Corporation by this Act.

Council.

Vacancies.

(2) All vacancies that may occur in the Council, by death, resignation or otherwise, shall be filled by the Council, and the member or members so elected shall hold office until the next annual election and no longer.

Quorum.

(3) Any seven or more members of the Council lawfully met shall be a Quorum; and any majority of such Quorum may do all things within the powers of the Council.

#### POWERS OF COUNCIL.

Council  
meetings.

**9.** (1) The Council may hold meetings whenever considered necessary at such time and place and under such regulations and notices as the by-laws of the Corporation shall determine and at the said meetings transact such business as may by this Act, or by the by-laws of the Corporation, be assigned to it. Such meetings may be adjourned as decided at such meetings. The said Council shall, in addition to the powers hereby expressly conferred on it, have such powers as shall be assigned to it by any by-law of the Corporation except only the power of enacting or altering any by-law which shall be done in the manner provided by this Act, and no other.

Meetings of  
Council open.

(2) The meetings of the members of the Council shall be open to all other members of the Corporation who may attend at the same, but who shall take no part in the proceedings thereat.



## EXECUTIVE COMMITTEE.

Executive  
Committee.

**10.** The president, the vice-presidents, the honorary treasurer and the immediate past president shall comprise an Executive Committee of Council who shall, when the Council is not in session, exercise all the powers of the Council. The action of the Executive Committee shall be reported to the Council as soon as possible. 5

## ANNUAL AND GENERAL MEETINGS, ELECTIONS, ETC.

Election of  
officers and  
Council.

**11.** (1) The annual meeting shall be held for the election of the Council, and for such other purposes as may be brought before such meeting, at such time and place and under such regulations and notices as the by-laws of the Corporation shall determine, and may be adjourned as decided at such meeting; but in case of any accident, failure or neglect to hold such general election the said Corporation shall not thereby lapse or terminate but shall continue and exist, and the members of Council then in office shall continue to hold their respective offices until others shall be elected in their stead at a general election to be held as early as convenient following the date specified in the by-laws for elections, or until they shall be removed from office, or shall vacate the same under the provisions of any by-laws of the Corporation. 10  
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Tenure of  
office.Council  
members  
ineligible for  
re-election if  
absent  
without  
leave.

(2) No person shall be capable of being re-elected to the office of president, a vice-president, honorary treasurer or member of the Council for the current year, if he shall have been absent from more than one-half of the meetings of Council held in the preceding year, without leave of absence obtained from the president. 25

Oath of  
office for  
Council.

(3) Each member of the Council of the Corporation shall, before entering upon the discharge of his duties as such, take and subscribe an oath according to the form in Schedule "A" to this Act that he will faithfully and truly perform his duty as such a member, and will in all matters connected with the discharge of his duty, do all such things and such things only, as he shall truly and conscientiously believe to be adapted to promote the objects for which the said Corporation is constituted, according to the true intent and meaning of this Act. 30  
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Administra-  
tion of oath.

(4) The oath of office as aforesaid shall be administered to the president and vice-presidents hereby appointed by the Mayor of the City of Toronto, or in his absence by any Controller of the said city present, and shall remain among the records of the corporation of the said city, and by the president or a vice-president, or one of them, to the other members of the Council and shall remain among the records of the Corporation. 40  
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General meetings.

(5) General meetings of the Corporation may be held whenever considered necessary by the Council at such time and place and under such regulations and notices as the by-laws of the Corporation shall determine, and may be adjourned as decided at such meetings. 5

Special general meetings.

(6) It shall always be lawful for the Council of the Corporation, or a majority of them, by a notice inserted at least two days in one or more newspapers published in the said city of Toronto, and posted during the said time in a conspicuous part of the place where the meetings of the Corporation are then held, or by a circular from the Secretary to each member, to call a general meeting of the Corporation for any of the purposes of this Act. 10

Quorum at general meetings.

(7) At any annual or other general meeting of the Corporation, whether for the purpose of electing members of the Council or for any other purpose, any fifteen or more members of the Corporation shall form a Quorum and shall be competent to do and perform all acts which, either by this Act or by any by-law of the Corporation, are or shall be directed to be done at any such general meeting. 15 20

#### CHAIRMAN OF MEETINGS.

Who shall preside.

**12.** At all meetings of the Council, and of all general meetings of the Corporation, the president, or in his absence a vice-president, or if all are absent any member of the Council then present who may be chosen for the occasion, shall preside and shall have the right to vote as a member, and shall also in all cases of equality of votes upon any division have a casting vote. 25

Casting vote.

#### MINUTES OF MEETINGS.

Minutes to be entered in registers.

**13.** The minutes of the proceedings at all Council and general meetings of the Corporation shall be entered in registers to be kept for that purpose by the secretary, and such minutes shall be read at the following meeting, and if approved, be signed by the president and secretary or their substitutes. 30

#### BY-LAWS.

By-laws, how to be made, and for what purpose.

**14.** (1) It shall be lawful for the Corporation or the majority of those present at any general meeting, to make and enact such by-laws, rules and regulations for the government of the Corporation, its Council, officers and affairs and for the guidance of Boards of Arbitration, hereinafter mentioned, as such majority shall deem meet; provided that no such by-laws shall be contrary to, or inconsistent with, the provisions of this Act, or the laws of the Province of Ontario or of the Dominion of Canada; and such by-laws shall be binding on all members of the Corporation, its 35 40

Proviso.



Proviso.

officers and servants, and all other persons whomsoever, lawfully under its control; provided that no by law as aforesaid shall be made or enacted by the said Corporation without notice thereof having been given by motion of one member and seconded by another member at a previous general meeting, and duly entered on the minutes of the Corporation. 5

Council to prepare by-laws and submit them to a general meeting.

(2) It shall be the duty of the council to frame such by-laws, rules and regulations as they shall consider best adapted to promote the welfare of the said Corporation, and the purposes of this Act and to submit the same for adoption to a general meeting of the Corporation called for that purpose in the manner hereinbefore provided. 10

Certain powers included.

(3) For the sake of greater clarity, but not so as to restrict the generality of the foregoing, the Corporation's power to make by-laws shall include power to make by-laws for the formation, maintenance and regulation of a general Commercial Exchange Office and the property thereof; for the raising of capital therefor by the issue of transferable shares or otherwise; for the determination of the conditions under which shares may be transferred or forfeited; for the employment of a general manager, secretary, and such clerks and other officers and servants as may be necessary; for regulating the mode of voting at any ordinary or general meeting of the Corporation; and for all any any other purposes, within the powers conferred by this Act, and for the administration of their affairs generally, and further to amend and repeal such By-laws from time to time, in the manner provided for such By-laws; and generally shall have all needful corporate powers for the purposes of this Act. 15 20 25 30

#### BOARDS OF ARBITRATION, POWERS, ETC.

Corporation may appoint arbitrators.

**15.** (1) The Corporation shall have power to provide by by-law for the election or appointment by nomination of arbitrators, members of the Corporation, to hear and decide controversies, disputes and misunderstandings relating to any commercial matter which may arise between members of the Corporation, or any person whatsoever claiming by, through, or under them, which shall or may be submitted for arbitration by the parties to any dispute; but nothing shall prevent the parties in any case from naming members or non-members of the Corporation as the arbitrators to whom the matter shall be submitted. It shall also be permissible for each of the parties in any case to name a member or a non-member of the Corporation as arbitrators and for the arbitrators so named to appoint an additional arbitrator who shall be the umpire or chairman. Nothing herein contained shall prevent any non-member of the Corporation from agreeing with a member of the 35 40 45

Disputants may nominate arbitrators.



Corporation to submit matters in dispute between them under the provisions of the corporation for arbitration as provided in this Act.

Majority of arbitrators to decide.

(2) Members and persons assenting to an arbitration by an instrument in writing, signed by them according to the form in Schedule "B" to this Act, shall be understood to have submitted to the decision of the majority of the arbitrators who, under any by-law, or by nomination of the parties, or by the submission, may be appointed to hear the case, and to decide upon the same. 5 10

Arbitrators to be sworn.

(3) The elected arbitrators shall, after their election and before they act as arbitrators, take and subscribe an oath before any justice of the peace, or any commissioner appointed to receive affidavits in the Superior Courts (who are hereby empowered to administer such oaths) that will faithfully, diligently and impartially perform their duties as Arbitrators, and will, in all cases to be submitted give a true and just award according to the best of their judgment and ability, without fear, favour or affection, of or for any party or person whomsoever; and Arbitrators nominated by the parties shall, in each case before they act, take and subscribe a similar oath, in manner aforesaid; and such oath may be according to the form in Schedule "C" of this Act. This oath shall be kept among the documents of the Corporation, in the manner provided with regard to the oath taken by the members of the Council. 15 20 25

Form of oath.

Where to be kept.

Members of Council may be members of Board of Arbitration.

(4) Any member of the Council of the Corporation may be at the same time a member of a Board of Arbitration.

Powers of arbitrators hearing a case.

(5) The three members appointed to hear any case submitted for arbitration, as aforesaid, or any two of them, shall have full power to examine upon oath (which oath any one of such three members is hereby empowered to administer and which may be according to the form in Schedule "D" of this Act) any witness appearing before them, whether voluntarily or subject to subpoena, and may also read and consider any evidence taken on commission by the authority of any court, and shall give their award thereupon in writing; and their decision, or that of any two of them, given in such award, shall bind the parties according to the terms of the submission and the provisions of this Act. 30 35 40

Award.

Issue of subpoena.

(6) In case of any arbitration under or pursuant to the powers or authority or at the instance of the Corporation or the officers thereof, any party thereto may without leave or order obtain and issue from and out of the Supreme Court or Superior Court of any province, a subpoena commanding and requiring the attendance and examination of any witness, and also the production of any documents to and before the arbitrators and at the time and place mentioned in such subpoena. 45 50



Compelling  
attendance of  
witnesses.

(7) If in addition to the service of such subpoena, an appointment of time and place of attendance in obedience thereto signed by the president of the said Corporation, or the chairman of any Board of Arbitration thereof, or by one of the arbitrators before whom the attendance is required, is served either together with or after the service of such subpoena, the disobedience of such subpoena shall be deemed a contempt of Court, but the person whose attendance is required shall be entitled to the like conduct money and payment of expenses, and for loss of time as for and upon attendance at any trial in the Supreme Court or Superior Court of any province in which such arbitration is being held, and no person shall be compelled to produce under any such subpoena any writing or other document that he would not be compelled to produce at a trial in the province in which the arbitration is to be held.

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Evidence  
under oath.

(8) The witnesses upon any such reference shall, unless the parties otherwise agree or consent, be examined upon oath, and one of the arbitrators may administer an oath to any such witness, or take his affirmation in any case where an affirmation is allowed by law instead of an oath.

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Depositions.

(9) Upon petition approved by the arbitrators or a majority of them, any Court of Record in and for the district or county in which the arbitrators, or a majority of them, are sitting may direct the taking of depositions to be used as evidence before the arbitrators in the same manner and for the same reasons as provided by law for the taking of depositions in suits or proceedings pending in the Courts of Record in the province in which the arbitration is to be held.

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Agreement  
may be made  
a rule of  
Court.

(10) Any agreement or submission to arbitration made in writing and signed by the parties thereto in pursuance of the provisions of this Act and the rules and regulations of the Corporation, shall be deemed a consent or voluntary submission within the meaning of the "*Arbitration Act*" of the province in which such arbitration is to be held, and the decision of the arbitrators thereon may be made a rule or order of the Supreme Court or the Superior Court of the province in which such arbitration was held, unless such agreement or submission contains words indicating that the parties intended that it should not be made a rule or order of Court.

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Form of  
agreement for  
arbitration  
may be  
prescribed.

(11) The Corporation may provide by by-law any form of agreement or submission to arbitration between its members not contrary to law in lieu of the form contained in Schedule "B" to this Act, and subsection two of section fifteen of this Act shall apply to the form so substituted.

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## BOARDS OF EXAMINERS.

Council may  
appoint  
Boards of  
Examiners.

**16.** (1) The Council of the Corporation may from time to time appoint as provided in the *Inspection and Sale Act*, chapter one hundred of the Revised Statutes of Canada, Boards of Examiners to examine applicants for the office of inspector or deputy inspector, for or within the City of Toronto, of hay, flour, meal and feed, or of beef and pork, or of pot and pearl ashes, or of leather and raw hides, or of fish nets or of binder twine, or of any other article subject to inspection; the numbers, powers and duties of such Boards, and of the members thereof respectively shall in all respects continue to be in accordance with the provisions of the said Act and they shall be sworn to the due performance of their duty in like manner. 5 10

Members of  
Council may  
be appointed.

(2) Nothing herein contained shall prevent a member of Council from being appointed a member of a Board of Examiners or a member of a Board of Examiners from being elected to the Council of the Corporation. 15

TRADE AND PROFESSIONAL BRANCHES AND AFFILIATED ORGANIZATIONS.

**17.** The Corporation shall have power to provide by by-Law for the organization of Trade and Professional Branches of the Corporation for such purposes and with such powers as may be determined by by-law, and for the affiliation with the Corporation of civic, trade or business associations upon such terms and under such conditions as may be provided by by-law. 20

RECOVERY OF MONEYS DUE CORPORATION.

Power  
to sue.

**18.** All subscriptions of members due to the Corporation under any by-law, all penalties incurred under any by-law, by any person found thereby, and all other sums of money due to the Corporation, shall be paid to the Honorary Treasurer thereof, and in default of payment may be recovered in any action brought by him in the name of the Corporation in any Court of competent civil jurisdiction. 25 30

LIABILITY OF MEMBERS.

Liability of  
members  
limited.

**19.** No member, or office holder, shall as such be responsible for any act, default or liability of the Corporation or for any engagement, claim, payment, loss, injury, transaction, matter or thing relating to or connected with the Corporation beyond the amount unpaid in respect of his dues. 35



## AFFIRMATIONS.

Affirmations  
may be  
substituted  
for oaths.

**20.** Any person who may by law in other cases make a solemn affirmation, instead of taking an oath, may make such solemn affirmation in any case where by this Act an oath is required; and any person hereby authorized to administer an oath, may in such cases as aforesaid, administer such solemn affirmation; and any person who shall wilfully swear of affirm falsely in any case where an oath or solemn affirmation is required or authorized, shall be guilty of wilful and corrupt perjury. 5

## SAVING OF RIGHTS.

Saving of  
rights not  
expressly  
affected.

**21.** Nothing in this Act shall affect any right of His Majesty, his heirs or successors, or of any party or persons whomsoever; such rights only excepted as are herein expressly mentioned or affected. 10

## TORONTO CORN EXCHANGE.

Incorporation  
1845.

Toronto Corn  
Exchange.

**22.** The Board of Trade of the City of Toronto is declared to be a Corporation existing since its incorporation under the name of the Toronto Board of Trade in the year 1845 and to include the Toronto Corn Exchange Association incorporated in the year 1872 and amalgamated with the Board of Trade of the City of Toronto in the year 1884, notwithstanding anything in this Act contained or any provision herein contained for the repeal of any statutes scheduled hereto. 15 20

## SCHEDULE "A"

## FORM OF OATH

*Council*

Oath for  
Council.

I, A.B., solemnly swear that I will faithfully and truly perform my duty as a member of the Council of the Board of Trade of the City of Toronto, and that I will, in all matters connected with the discharge of such duty, do all such things and such things only, as I shall truly and conscientiously believe to be adapted to promote the object for which the said Board was constituted according to the true intent and meaning of the Act incorporating the same. So help me God.

Sworn before me this day A.B.  
of A.D. 19 .







## SCHEDULE "C 1"

## FORM OF OATH

*Members of the Board of Arbitration*

I, \_\_\_\_\_ C.D. solemnly swear that I will faithfully, impartially, and diligently perform my duty as a member of the Board of Arbitration of the Board of Trade of the City of Toronto, and that I will, in all cases in which I shall act as Arbitrator, give a true and just award, according to the best of my judgment and ability, without fear, favour, or affection of or for any party or person whomsoever. So help me God.

C.D.

Sworn before me this \_\_\_\_\_ day  
of \_\_\_\_\_ A.D. 19 \_\_\_\_ .

## SCHEDULE "C 2"

## FORM OF OATH

*Arbitrators when named by the parties*

I, \_\_\_\_\_ solemnly swear that I will faithfully, diligently and impartially perform my duty as Arbitrator, and I will in the case, between \_\_\_\_\_ and \_\_\_\_\_ now submitted to me, give a true and just award, according to the best of my judgment and ability, without fear, favour or affection, of or for any party or person whomsoever. So help me God.

(This oath to be taken before any Justice of the Peace or any Commissioner appointed to receive affidavits in the Supreme or Superior Courts.)

## SCHEDULE "D"

## FORM OF OATH

*Witnesses*

I, \_\_\_\_\_ solemnly swear that I will true answer make to all such questions as shall be asked of me as a witness under examination in this case, between \_\_\_\_\_ and \_\_\_\_\_ and therein I will, to the best of my knowledge, information and belief, speak the truth, the whole truth, and nothing but the truth. So help me God.



## SCHEDULE "E".

The following Statutes relating to the Board of Trade of the City of Toronto are hereby repealed:—

i An Act of the Legislature of the late Province of Canada, passed in the eighth year of the reign of Her Majesty Queen Victoria, Chapter Twenty-four, and entitled "An Act to Incorporate The Board of Trade of the City of Toronto," as amended by 32-33 Victoria, Cap. XLVII, S. 7.

ii An Act of the Parliament of Canada, passed in the thirty-fifth year of Her Majesty's reign, Chapter Forty-five, and entitled "An Act to Incorporate the Toronto Corn Exchange Association."

iii An Act of the Parliament of Canada, passed in the forty-seventh year of Her Majesty's reign, Chapter Forty-six, and entitled "An Act to Amalgamate The Board of Trade of the City of Toronto and the Toronto Corn Exchange Association."

iv An Act of the Parliament of Canada, passed in the forty-ninth year of Her Majesty's reign, Chapter Fifty-six, and entitled "An Act to Amend the Several Acts Relating to The Board of Trade of the City of Toronto."

v An Act of the Parliament of Canada passed in the fifty-first year of Her Majesty's reign, Chapter Ninety-nine, and entitled "An Act to Amend the Several Acts Relating to The Board of Trade of the City of Toronto."

vi An Act of the Parliament of Canada passed in the fifty-second year of Her Majesty's reign, Chapter One Hundred, and entitled "An Act Further to Amend the Several Acts Relating to The Board of Trade of the City of Toronto."

vii An Act of the Parliament of Canada passed in the fifty-third year of Her Majesty's reign, Chapter Thirty-nine, and entitled "An Act Respecting The Board of Trade of the City of Toronto."

viii An Act of the Parliament of Canada passed in the fifty-ninth year of Her Majesty's reign, Chapter Forty-five, and entitled "An Act Relating to The Board of Trade of the City of Toronto."

ix An Act of the Parliament of Canada passed in the sixty-first year of Her Majesty's reign, Chapter One Hundred and Seventeen, and entitled "An Act Respecting The Board of Trade of the City of Toronto'."









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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 30.**

An Act to amend the Customs Act.

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First reading, February 16, 1933.

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The MINISTER OF NATIONAL REVENUE.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 30.

An Act to amend the Customs Act.

R.S., c. 42;  
1928, c. 16;  
1930 (2nd  
Sess.), c. 2;  
1931, c. 29.  
1932-3, c. 7.

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 *Customs Act*, chapter forty-two of the Revised Statutes of Canada, 1927, is amended by inserting immediately after paragraph (q) thereof, the following paragraph:— 5

Definition.  
"Value for  
Duty."

"(q1) 'Value for duty' means the value of the article as it would be determined for the purpose of calculating an *ad valorem* duty upon the importation of such article into Canada under the laws relating to the Customs and the Customs Tariff, whether such article be in fact subject to *ad valorem* or other duty or not". 10

2. Subsection two of section eight of the said Act, is amended by adding thereto the following proviso:— 15

Special  
permission for  
lightening  
vessel and  
unlading  
goods.

"Provided that the collector or other proper officer at the port at which entry of the goods is to be made may give permission in writing for the lightening of a vessel and unlading of goods,—

- (a) on a Sunday or statutory holiday; 20
- (b) after sunset and before sunrise;
- (c) at a place other than a port;

but such unlading shall be done only in the presence of an officer detailed for such service and under such conditions and upon such terms as the Minister may authorize or prescribe." 25

3. Section one hundred and fifty-one of the said Act as enacted by chapter sixteen of the statutes of 1928, is amended by adding thereto the following subsection:—

Boarding and  
searching any  
vessel in  
territorial  
waters.

"(8) Any officer may at any time go on board any vessel at any place in the territorial waters of Canada and examine the manifest and inspect, search and examine the vessel 30

#### EXPLANATORY NOTES.

1. On prosecutions under subsection 3 of section 217 of the Customs Act for harbouring goods unlawfully imported of "the value for duty of \$200 or over" Magistrates have held that where the goods are subject to specific duties and not to ad valorem duties there is, as the law now stands, no "value for duty", and have dismissed the cases. This will apply to seizures of intoxicating liquors which are subject to specific duty.

There is similar legislation in section 85 of the Special War Revenue Act.

2. Modern vessels used in the carrying for instance of oil and oil products, have so great a draught that they cannot without lightening cross shoals or approach sufficiently close to the wharf at which the goods are to be landed. By permitting lightening and unloading on holidays and Sundays and after and before hours, heavy demurrage loss, amounting in many cases to \$2,500 per day, can be avoided.

3. Right of boarding and search of vessels other than those "hovering" is required to prevent smuggling by small vessels obtaining cargo of liquors or any goods from vessels hovering outside territorial waters and proceeding therewith to shore.

and every part thereof and any person, trunk, package or cargo on board, and to this end may hail and exercise the powers to stop such vessel and use the powers to compel compliance as are by this Act provided in cases of vessels found hovering in territorial waters of Canada." 5

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

Prohibited or smuggled or unmanifested goods found in any vessel.

"208. If, upon search by any officer under the authority of this Act, any prohibited or smuggled goods, or goods not included or described in the manifest of the vessel, or goods respecting which there has been any violation of any of the requirements of this Act, are found in any vessel of any description whatsoever, whether proceeding from places beyond or within the limits of Canada, such goods, and the vessel in which the same are found, together with all the sails, rigging, tackle, and all other appurtenances which belong to or are attached to such vessel shall be seized and forfeited, and the master or person in charge of such vessel and any other person concerned in such breach or violation, shall, 15 20

Penalties.

- (a) 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; and 25
- (b) if the value for duty of the goods is two hundred dollars or over be guilty of an indictable offence and liable on conviction, in addition to any other penalty to which he is subject for any 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 30

4. Section 208 now reads as follows:—

"208. If, upon search by any officer under the authority of this Act, any prohibited or smuggled goods, or goods respecting which there has been any violation of any of the requirements of this Act, are found in any vessel *or vehicle* of any description whatsoever, whether arriving from places beyond or within the limits of Canada, such goods, and the vessel *or vehicle* in which the same are found, together with all the sails, rigging, tackle, *apparel, horses, harness* and all other appurtenances which belong to or are attached to such vessel *or vehicle* shall be seized and forfeited."

The words underlined in the proposed section are new.

The words underlined in the existing section are being struck out because they apply to vehicles other than vessels and offences with regard to such are sufficiently provided for in section 193 of the Act.

The word "arriving" in the existing section is being changed to "proceeding".

The object is to provide for seizure and forfeiture of unmanifested goods and also to provide penalty as against the master for any offence under this section. This will aid in the prevention of smuggling by small vessels obtaining cargo from other vessels outside territorial waters and proceeding therewith to shore.







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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 38.**

An Act to amend The Salary Deduction Act, 1932.

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First reading, February 24, 1933.

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The MINISTER OF FINANCE.

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

THE HOUSE OF COMMONS OF CANADA.

**BILL 38.**

An Act to amend The Salary Deduction Act, 1932.

1932, c. 52.

**H**IS 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 Salary Deduction (Continuance) Act, 1933.*

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Act to continue in force until March 31, 1934.

**2.** Section seven of *The Salary Deduction Act, 1932*, chapter fifty-two of the statutes of 1932, is repealed and the following is substituted therefor:—

“**7.** (1) This Act shall expire on the thirty-first day of March, 1934.

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Deduction applicable to indemnities of members of Senate and House of Commons.

(2) The said deduction shall apply to the indemnities of members of the Senate and House of Commons for the session of Parliament which commenced on the sixth day of October, 1932, and the amount of the said indemnity, as reduced by the said deduction, shall, for the purposes of the *Income War Tax Act*, chapter ninety-seven of the Revised Statutes of Canada, 1927, be deemed to be income received during the year 1933, and taxable thereunder accordingly.”

Substitution of fiscal year ending March 31, 1934.

**3.** Wherever in the said Act reference is made to the fiscal year ending the thirty-first day of March, 1933, there shall be substituted the fiscal year ending the thirty-first day of March, 1934.

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EXPLANATORY NOTE.

Under the Salary Deduction Act, 1932, a deduction of ten per centum was made from the compensation of every member of the public service of Canada and from the indemnities of members of the Senate and House of Commons.

This Act will continue the said provision for one year.



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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 39.**

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

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First reading, February 28, 1933.

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Mr. JACOBS.

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

4th Session, 17th Parliament, 23 George V, 1932-33

THE HOUSE OF COMMONS OF CANADA.

**BILL 39.**

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

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

R.S., c. 170.

1. Section three hundred and thirty-six of the *Railway Act*, chapter one hundred and seventy of the Revised Statutes of Canada, 1927, is amended by adding thereto the following subsection:— 5

Return tickets good on railways between same terminals.

“(4) A return ticket issued by any railway company between any two points in Canada shall be accepted by any other railway company whose line runs between the same terminals.” 10

#### EXPLANATORY NOTES.

Subsection 1 of section 336 of the Railway Act was repealed and re-enacted by section 3 of chapter 54 of the statutes of 1929.

The existing section, as so amended, reads as follows:—

**“336.** (1) Where traffic is to pass over any continuous route in Canada operated by two or more companies, the several companies shall agree upon a joint tariff for such continuous route and the initial company or an agent duly authorized by power of attorney of such company, shall file such tariff with the Board and the other company or companies shall promptly notify the Board of its or their concurrence in such joint tariff.

(2) The names of the companies whose lines compose such continuous route shall be shown by such tariffs.

(3) If the company owns, charters, uses, maintains or works, or is a party to any arrangement for using, maintaining or working vessels for carrying traffic, by sea or inland water, between any places or ports in Canada, and if any such vessel carries traffic between a port in Canada reached by such company and a port in Canada reached by the railway of another company, the vessel and the railway of either company shall be deemed to constitute a continuous route in Canada within the meaning of this section.”



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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 40.**

An Act respecting Visiting Forces of His Majesty, and the exercise of command, discipline and attachments of Commonwealth Forces when serving together.

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First reading, March 2, 1933.

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The PRIME MINISTER.

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

THE HOUSE OF COMMONS OF CANADA.

**BILL 40.**

An Act respecting Visiting Forces of His Majesty, and the exercise of command, discipline and attachments of Commonwealth Forces when serving together.

Preamble.

**W**HEREAS it is expedient to make provision with respect to Forces of His Majesty from other parts of the British Commonwealth or from a colony when visiting the Dominion of Canada; and with respect to the exercise of command and discipline when Forces of His Majesty from different parts of the Commonwealth are serving together; and with respect to the attachment of members of one such force to another such force, and with respect to deserters from such forces: 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 Visiting Forces (British Commonwealth) Act, 1933*.

Definitions.

**2.** (1) In this Act:—

“The Commonwealth.”

(a) “The Commonwealth” means the British Commonwealth of Nations; 15

“Colony.”

(b) “Colony” includes Aden and any territory which is under His Majesty’s protection;

“Court.”

(c) “Court” includes a service Court of Inquiry, and any officer of a visiting force who is empowered by the law of that part of the Commonwealth to which the force belongs to review the proceedings of a service court, or to investigate charges, or himself to dispose of charges, and the expression “sentence” shall be construed accordingly; 20 25

“Sentence.”

“Home forces.”

(d) “Home forces” mean the naval, military and air forces of His Majesty raised in Canada; and

“Home force.”

(e) “home force” includes any body, contingent, or detachment of any of the home forces, wherever serving; 30

## EXPLANATORY NOTES

The purpose of this Bill is to make provision for the discipline and internal administration of visiting forces from other parts of the British Commonwealth when present in Canada with the consent of the Government of Canada. Prior to the enactment of the Statute of Westminster, visiting forces were enabled to maintain discipline by virtue of the provisions of the *Army Act*, which extended to Canada. The *Army and Air Force Acts* have of themselves no force, but require to be brought into operation annually by another Act of the Parliament of the United Kingdom styled "*The Army and Air Force Annual Act*," which provides for the basic Acts continuing in force for the year to which the Annual Act relates. Any such Annual Act, however, passed subsequent to the coming into force of the Statute of Westminster no longer has the force of law in Canada, and it is necessary to base the discipline and internal administration of such Forces upon Canadian Legislation. For the same reason it is necessary to provide for the relations of visiting forces to the civil power and to civilians, for deserters, for attachment of personnel and mutual powers of command, and also to provide temporary measures for the continuance of existing arrangements with regard to naval discipline and co-operation in naval matters.

The enactment of legislation by all the members of the Commonwealth for this general purpose was recommended by the Conference on the Operation of Dominion Legislation, 1929, in Paragraph 44 of the Report.

The matter was also considered by the Imperial Conference of 1930, and the following statement is set forth at pp. 25 and 26 of the Summary of Proceedings:—

"(f) Defence Questions.

"(i) Discipline of the Armed Forces.

"In the very short time at the disposal of the Conference, it was impossible to do more than examine some aspects of the practical problems which will be involved in the carrying out of the recommendations contained in paragraph 44 of the Report of the Conference on the Operation of Dominion Legislation.

"It is assumed that all Governments will desire to take such action as may be necessary to secure (1) that the military discipline of any of the armed forces of the Commonwealth when present, by consent, within territory of another, rests upon a statutory basis, and (2) that there shall be no period of time during which the legal basis of military discipline could on any ground be impeached.

"The methods by which the above two objects can best be attained must necessarily be a matter for the Governments themselves.

"As the action to be taken to give effect to the recommendations contained in paragraph 44 of the Report of the Conference on the Operation of Dominion Legislation is likely to take some time, it was agreed that all the Governments concerned will take such steps as may be necessary to provide against possible difficulties during that period."

Internal  
administra-  
tion.

(f) "Internal administration" in relation to any visiting force includes the administration of the property of a deceased member of the force; and

"Member."

(g) "Member" in relation to a visiting force includes any person who is by the law of that part of the Commonwealth to which the force belongs subject to the naval, military or air force law thereof, and who, being a member of another force, is attached to the visiting force, or, being a civilian employed in connection with the visiting force, entered into his engagement outside of Canada; 5 10

"Visiting  
force."

(h) "Visiting force" means any body, contingent or detachment of the naval, military and air forces of His Majesty raised in the United Kingdom, the Commonwealth of Australia, the Dominion of New Zealand, the Union of South Africa, the Irish Free State, or Newfoundland, which is, with the consent of His Majesty's Government in Canada, lawfully present in Canada; 15

"Forces."

(i) "Forces" includes reserve and auxiliary forces. 20

Order in  
Council.

(2) An Order in Council under this Act may be revoked or varied by a subsequent Order in Council.

Discipline  
and internal  
administra-  
tion of visit-  
ing forces.

3. (1) When a visiting force is present in Canada it shall be lawful for the naval, military and air force courts and authorities (in this Act referred to as the "service courts" and "service authorities") of that part of the Commonwealth to which the Force belongs, to exercise within Canada in relation to members of such Force in matters concerning discipline and in matters concerning the internal administration of such Force all such powers as are conferred upon them by the law of that part of the Commonwealth. 25 30

Privileges  
and immuni-  
ties of ser-  
vice Court.

(2) The members of any such service court as aforesaid exercising jurisdiction by virtue of this Act, and witnesses appearing before any such court, shall enjoy the like immunities and privileges as are enjoyed by a service court exercising jurisdiction by virtue of the laws of Canada and by witnesses appearing before such a court. 35

Legality of  
sentence,  
constitution  
of court, and  
proceedings.

(3) Where any sentence has, whether within or without Canada, been passed upon a member of a visiting force by a service court of that part of the Commonwealth to which the force belongs, then for the purposes of any legal proceedings within Canada the court shall be deemed to have been properly constituted, and its proceedings shall be deemed to have been regularly conducted, and the sentence shall be deemed to be within the jurisdiction of the court and in accordance with the law of that part of the Commonwealth, and if executed according to the tenor thereof shall be deemed to have been lawfully executed, and any member of a visiting force who is detained in custody in 40 45 50

SECTION 3. This section provides for the discipline and internal administration of visiting forces. An examination of the definition of "Visiting Forces" in the interpretation section will show that it is restricted to forces from other parts of the British Commonwealth, lawfully present in Canada with the consent of the Government of Canada. The effect of the section is to give such visiting forces the customary extra-territorial immunities with regard to internal discipline and administration.

pursuance of any such sentence, or pending the determination by such a service court as aforesaid of a charge brought against him, shall for the purposes of any such proceedings as aforesaid be deemed to be in lawful custody.

Certificates  
as evidence.

For the purposes of any such proceedings as aforesaid a certificate under the hand of the officer commanding a visiting force that a member of that force is being detained for either of the causes aforesaid shall be conclusive evidence of the cause of his detention, but not of his being such a member, and a certificate under the hand of such an officer that the persons specified in the certificates at as a service court of that part of the Commonwealth to which the force belongs shall be conclusive evidence of that fact.

Proceedings  
not to be  
questioned.

(4) No proceedings in respect of the pay, terms of service or discharge of a member of a visiting force shall be entertained by any court of Canada.

Power of  
Minister  
to order  
arrest, if so  
requested.

(5) For the purpose of enabling such service courts and such service authorities as aforesaid to exercise more effectively the powers conferred upon them by this section, the Minister of National Defence, if so requested by the officer commanding a visiting force or by the Government of that part of the Commonwealth to which the force belongs, may from time to time by general or special orders to any home force direct the members thereof to arrest members of the visiting force alleged to have been guilty of offences against the law of that part of the Commonwealth and to hand over any person so arrested to the appropriate authorities of the visiting force

Powers  
as to home  
forces may  
upon request  
be exercised  
as to visiting  
force.

4. (1) The Governor in Council may authorize any Government Department, Minister of the Crown, or other person in Canada, to perform, at the request of such authority or officer as may be specified in the order, but subject to such limitations as may be so specified, any function in relation to a visiting force and members thereof which that Department, Minister or person performs or could perform in relation to a home force of like nature to the visiting force, or in relation to members of such a force and, for the purpose of the exercise of any such function, any power exercisable by virtue of any enactment by the Minister, Department or person in relation to a home force or members thereof shall be exercisable by him or them in relation to the visiting forces and members thereof:

Proviso.

Provided that nothing in this subsection shall authorize any interference in matters relating to discipline or to the internal administration of the force.

Temporary  
detention.

(2) If the Governor in Council so provides, members of a visiting force if sentenced by a service court of that part of the Commonwealth to which the force belongs to penal servitude, imprisonment or detention may, under the authority of the Minister of National Defence, given at

SECTION 4. This section deals with the relations of visiting forces to the civil power and to civilians. The first subsection enables the Governor in Council to authorize the furnishing of the aid to the Civil power to visiting forces. The second subsection gives legal authority for detention and custody of prisoners. The third subsection entitles, in so far as the Governor in Council directs, the visiting forces to exemption and immunities similar to those enjoyed by Canadian forces, and penalises offences against visiting forces.

Considering the entire section, its effect is to place visiting forces in substantially the same legal position that they were in prior to the enactment of the Statute of Westminster, the foundation of the position being Canadian legislation, instead of the operation of the Army Act.

- the request of the officer commanding the visiting force, be temporarily detained in custody in prisons or detention barracks in Canada, and if so sentenced to imprisonment may, under the like authority, be imprisoned during the whole or any part of the term of their sentences in prisons in Canada, and the Governor in Council may by the same or a subsequent order make provision with respect to any of the following matters, that is to say, the reception of such persons from, and their return to, the service authorities concerned, their treatment while in such custody, or while so imprisoned, the circumstances under which they are to be released, and the manner in which they are to be dealt with in the event of their unsoundness of mind while in such custody, or while so imprisoned.
- Any costs incurred in the maintenance and return of, or otherwise in connection with, any person dealt with in accordance with the provisions of this subsection shall be defrayed in such manner as may, with the consent of the Minister of Finance, be agreed between the Minister of National Defence and the Government of that part of the Commonwealth which is concerned
- (3) Subject as hereinafter provided, any enactment (whether contained in the *Militia Act*, the *Naval Service Act*, or any other statute) which—
- (a) exempts, or provides for the exemption of, any vessel, vehicle, aircraft, machine or apparatus of, or employed for the purposes of the home forces or any of them from the operation of any enactment; or
  - (b) in virtue of a connection with the home forces or any of them, confers a privilege or immunity on any persons; or
  - (c) in virtue of such a connection, excepts any property, trade or business, in whole or in part, from the operation of any enactment, or from any tax, rate, imposition, toll or charge; or
  - (d) imposes upon any person or undertaking obligations in relation to the home forces, or any of them, or any member or service court thereof; or
  - (e) penalises misconduct by any person in relation to the home forces or any of them, or any member or service court thereof,
- shall, with any necessary modifications apply in relation to a visiting force as it would apply in relation to a home force of a like nature to the visiting force;
- Provided that the Governor in Council may direct that any such enactment either shall not apply, or shall apply with such exceptions and subject to such adaptations or modifications as may be specified.
- (4) An order in council under this section may apply either generally, or in relation to visiting forces from any

Imprisonment.

Orders as to treatment, release, etc.

Costs.

Provisions applicable to visiting force same as apply to a home force of a like nature.

R.S., c. 132.  
R.S., c. 139.

Proviso.

Application of order in council.

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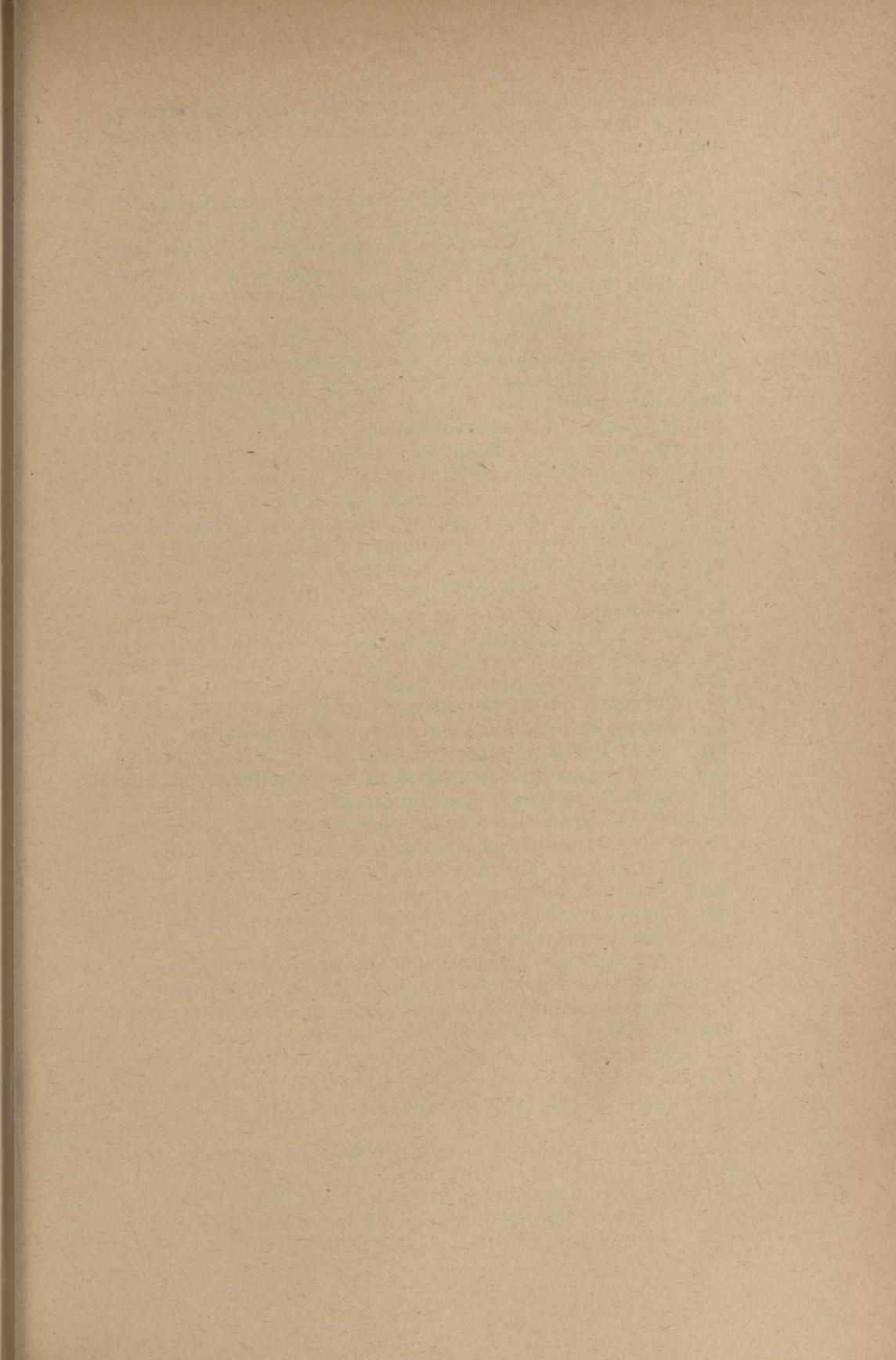
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particular part of the Commonwealth, or in relation to any particular visiting force, or in relation to any particular place.

Application  
of section.

5. (1) The forces to which this section applies are such of the naval, military and air forces of His Majesty raised in the United Kingdom, the Commonwealth of Australia, the Dominion of New Zealand, the Union of South Africa, the Irish Free State, or Newfoundland, as the Governor in Council may direct. 5

Deserters  
and  
absentees.

(2) Subject to the provisions of this section, paragraphs (1) to (4) of section one hundred and fifty-four of the *Army Act* (which relates to the apprehension of deserters and absentees without leave) shall, to the extent to which by the *Militia Act* it is given force and effect as if it had been enacted by the Parliament of Canada for the government of the Militia within Canada, apply in relation to a deserter or absentee without leave from any force to which this section applies (including any member of a reaserve or auxiliary force who, having failed to obey a notice calling upon him to appear at any place for service, is by the law of that part of the Commonwealth to which the force belongs liable to the same punishment as a deserter, or to the same punishment as an absentee without leave), as they apply in relation to a deserter, or absentee without leave, from a home military force: 20 25

Proviso.

Provided that any reference in the said paragraphs to military custody shall be construed as including a reference to naval or air force custody.

Apprehension on  
request.

(3) No person who is alleged to be a deserter from any such force as aforesaid shall be apprehended or dealt with under this section except in compliance with a specific request from the Government of that part of the Commonwealth to which the force belongs, and a person so dealt with shall be handed over to the authorities of that part of the Commonwealth at such place on the coast or frontier of Canada as may be agreed: 30 35

Proviso.

Provided that a person who is alleged to be a deserter or absentee without leave from a visiting force may also be apprehended and dealt with under this section in compliance with a request, whether specific or general, from the officer commanding that force, and shall, if that force is still present in Canada, be handed over to the officer commanding that force at the place where the force is stationed. 40

(4) For the purposes of any proceedings under this section:— 45

Certificate  
of Minister  
evidence of  
request.

(i) a document purporting to be a certificate under the hand of the Secretary of State for External Affairs or the Minister of National Defence, that a request

**SECTION 5.** This section is not confined to visiting forces, but it makes a general provision with regard to deserters from forces raised in other parts of the British Commonwealth. This section, together with corresponding sections which are being enacted in the United Kingdom and in other parts of the British Commonwealth, affords a statutory basis for the continuance of the co-operation with regard to deserters that was formerly secured by the general application of the Army Act and other defence legislation of the Parliament of the United Kingdom.

Subsection 2 of this section refers to paragraphs (1) to (4) of section 154 of the *Army Act*. These are as follows:—

(1) Upon reasonable suspicion that a person is a deserter or absentee without leave, it shall be lawful for any constable, or if no constable can be immediately met with, then for any officer or soldier or other person, to apprehend such suspected person, and forthwith to bring him before a court of summary jurisdiction:

(2) A justice of the peace, magistrate, or other person having authority to issue a warrant for the apprehension of a person charged with crime may, if satisfied by evidence on oath that a deserter or absentee without leave is or is reasonably suspected to be within his jurisdiction, issue a warrant authorizing such deserter or absentee without leave to be apprehended and brought forthwith before a court of summary jurisdiction:

(3) Where a person is brought before a court of summary jurisdiction charged with being a deserter or absentee without leave under this Act, such court may deal with the case in like manner as if such person were brought before the court charged with an indictable offence, or in Scotland an offence:

(4) The court, if satisfied either by evidence on oath or by the confession of such person that he is a deserter or absentee without leave, shall forthwith, as it may seem to the court most expedient with regard to his safe custody, cause him either to be delivered into military custody in such manner as the court may deem most expedient, or until he can be so delivered, to be committed to some prison, police station, or other place legally provided for the confinement of persons in custody, for such reasonable time as appears to the court reasonably necessary for the purpose of delivering him into military custody.

has been made under subsection (3) of this section, shall be admissible without proof as evidence of such a request;

- (ii) a document purporting to be a certificate under the hand of the officer commanding a unit or detachment of any force to which this section applies that a named and described person was at the date of the certificate a deserter, or absentee without leave, from that force shall be admissible without proof as evidence of the facts so certified.

Certificate of commanding officer evidence of desertion.

Application of section.

6. (1) The forces, other than home forces, to which this section applies are the naval, military and air forces of His Majesty raised in the United Kingdom, the Commonwealth of Australia, the Dominion of New Zealand, the Union of South Africa, the Irish Free State, or Newfoundland.

(2) The Minister of National Defence,

Temporary attachments to a home force.

(i) may attach temporarily to a home force any member of another force to which this section applies who is placed at his disposal for the purpose by the service authorities of that part of the Commonwealth to which the other force belongs;

To force of another part of Commonwealth.

(ii) subject to anything to the contrary in the conditions applicable to his service, may place any member of a home force at the disposal of the service authorities of another part of the Commonwealth for the purpose of being attached temporarily by those authorities to a force to which this section applies belonging to that part of the Commonwealth.

Law applicable to member of force attached to home force.

(3) Whilst a member of another force is by virtue of this section attached temporarily to a home force, he shall be subject to the law relating to the Naval Service, the Militia, or the Air Force, as the case may be, in like manner as if he were a member of the home force, and shall be treated and have the like powers of command and punishment over members of the home force to which he is attached as if he were a member of that force of relative rank:

Proviso.

Provided that the Governor in Council may direct that in relation to members of a force of any part of the Commonwealth specified the statutes relating to the home forces shall apply with such exceptions and subject to such adaptations and modifications as may be so specified.

Mutual power of command when forces serving together or in combination.

(4) When a home force and another force to which this section applies are serving together, whether alone or not:—

(a) any member of the other force shall be treated and shall have over members of the home force the like powers of command as if he were a member of the home force of relative rank: and

**SECTION 6.** This section deals with the attachment of personnel and mutual powers of command. The co-operation in defence matters which has existed now for many years involves the interchange of officers and men, and it is necessary to enable such officers and men to carry on their duties on the same basis as if they were members of the forces to which they are attached. Subsection 4 deals with combined operations and makes it legally possible to have a single command, subject, of course, to the consent of the Governments of the component forces.

(b) if the forces are acting in combination, any officer of the other force appointed by His Majesty, or in accordance with regulations made by or by authority of His Majesty, to command the combined force, or any part thereof, shall be treated and shall have over 5 members of the home force the like powers of command and punishment, and may be invested with the like authority to convene, and confirm the findings and sentences of, courts martial as if he were an officer of the home force of relative rank and holding the 10 same command.

Forces serving together or in combination.

(5) For the purposes of this section, forces shall be deemed to be serving together or acting in combination if and only if they are declared to be so serving or so acting by order of the Minister of National Defence, and the relative rank of 15 members of the home forces and of other forces shall be such as may be prescribed by regulations made by His Majesty.

Application of Act to mandated territories, colonies, and other territories.

7. This Act shall, subject to such exceptions, adaptations and modifications as the Governor in Council may direct, 20 apply—

- (a) in relation to any forces and to the officers and members of such forces raised in any territory in respect to which a mandate on behalf of the League of Nations is being exercised by His Majesty's Government in the 25 United Kingdom;
- (b) in relation to any forces and to the officers and members of such forces raised in any territory in respect to which such a mandate is being exercised by His Majesty's Government in a Dominion; 30
- (c) in relation to any forces and to the officers and members of such forces raised in a colony;
- (d) in relation to any forces and to the officers and members of such forces raised in any territory which is being administered by His Majesty's Government 35 in the United Kingdom or by His Majesty's Government in a Dominion.

Saving for other enactments.

8. So far as regards any naval force and the members of any such force, the provisions of this Act shall be deemed to be in addition to and not in derogation of such of the 40 provisions of any Act of the Parliament of the United Kingdom or of the Parliament of any other part of the Commonwealth as are for the time being applicable to that force and the members thereof.

**SECTION 7.** This section provides for the application of the provisions of the Act to forces raised in mandated territories, in colonies and dependencies. In this instance it will be necessary to provide exceptions, adaptations and modifications, and a power is reserved in the Governor in Council for this purpose. It is probable that the provisions of the section will rarely be evoked and that it will be necessary to make a special Order in Council on each occasion.

**SECTION 8.** The Army and Air Force Acts being dependent for their force and effect upon The Army and Air Force Annual Act passed annually by the Parliament of the United Kingdom, are no longer in themselves, subsequent to the passing of the Statute of Westminster, applicable to Canada. Naval discipline, however, is based upon permanent enactments, the continued operation of which is not affected by the coming into force of the Statute of Westminster. Further, Canadian Naval Forces are still organized on the basis of statutes which invoke the operation of the Naval Discipline Acts, and it has been thought desirable to insure the continuance of the existing position with respect to Naval discipline. It will always be open to the Parliament of Canada to bring naval forces solely within the operation of the first four sections of the Act, upon the enactment of new legislation to provide for their organization, or, at any time, to repeal this section and bring naval forces solely within the operation of the first four sections of the Act, if the present course is found to be inconvenient.



THE HOUSE OF COMMONS OF CANADA.

**BILL 40.**

An Act to make provision with respect to Forces of His Majesty from other parts of the British Commonwealth or from a colony when visiting the Dominion of Canada; and with respect to the exercise of command and discipline when Forces of His Majesty from different parts of the Commonwealth are serving together; and with respect to the attachment of members of one such force to another such force, and with respect to deserters from such forces.

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(Reprinted as amended and reported by the Committee  
of the Whole House).

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The PRIME MINISTER.

THE HOUSE OF COMMONS OF CANADA.

**BILL 40.**

An Act to make provision with respect to Forces of His Majesty from other parts of the British Commonwealth or from a colony when visiting the Dominion of Canada; and with respect to the exercise of command and discipline when Forces of His Majesty from different parts of the Commonwealth are serving together; and with respect to the attachment of members of one such force to another such force, and with respect to deserters from such forces.

**H**IS 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 Visiting Forces (British Commonwealth) Act, 1933.* 5
- Definitions.      **2.** (1) In this Act:—
- “The Commonwealth.”      (a) “The Commonwealth” means the British Commonwealth of Nations;
- “Colony.”      (b) “Colony” includes Aden and any territory which is under His Majesty’s protection; 10
- “Court.”      (c) “Court” includes a service Court of Inquiry, and any officer of a visiting force who is empowered by the law of that part of the Commonwealth to which the force belongs to review the proceedings of a service court, or to investigate charges, or himself to dispose of charges, 15 and the expression “sentence” shall be construed accordingly;
- “Sentence.”      (d) “Home forces” mean the naval, military and air forces of His Majesty raised in Canada; and
- “Home forces.”      (e) “home force” includes any body, contingent, or 20 detachment of any of the home forces, wherever serving;
- “Home force.”

## EXPLANATORY NOTES

The purpose of this Bill is to make provision for the discipline and internal administration of visiting forces from other parts of the British Commonwealth when present in Canada with the consent of the Government of Canada. Prior to the enactment of the Statute of Westminster, visiting forces were enabled to maintain discipline by virtue of the provisions of the *Army Act*, which extended to Canada. The *Army and Air Force Acts* have of themselves no force, but require to be brought into operation annually by another Act of the Parliament of the United Kingdom styled "*The Army and Air Force Annual Act*," which provides for the basic Acts continuing in force for the year to which the Annual Act relates. Any such Annual Act, however, passed subsequent to the coming into force of the Statute of Westminster no longer has the force of law in Canada, and it is necessary to base the discipline and internal administration of such Forces upon Canadian Legislation. For the same reason it is necessary to provide for the relations of visiting forces to the civil power and to civilians, for deserters, for attachment of personnel and mutual powers of command, and also to provide temporary measures for the continuance of existing arrangements with regard to naval discipline and co-operation in naval matters.

The enactment of legislation by all the members of the Commonwealth for this general purpose was recommended by the Conference on the Operation of Dominion Legislation, 1929, in Paragraph 44 of the Report.

The matter was also considered by the Imperial Conference of 1930, and the following statement is set forth at pp. 25 and 26 of the Summary of Proceedings:—

"(f) Defence Questions.

"(i) Discipline of the Armed Forces.

"In the very short time at the disposal of the Conference, it was impossible to do more than examine some aspects of the practical problems which will be involved in the carrying out of the recommendations contained in paragraph 44 of the Report of the Conference on the Operation of Dominion Legislation.

"It is assumed that all Governments will desire to take such action as may be necessary to secure (1) that the military discipline of any of the armed forces of the Commonwealth when present, by consent, within territory of another, rests upon a statutory basis, and (2) that there shall be no period of time during which the legal basis of military discipline could on any ground be impeached.

"The methods by which the above two objects can best be attained must necessarily be a matter for the Governments themselves.

"As the action to be taken to give effect to the recommendations contained in paragraph 44 of the Report of the Conference on the Operation of Dominion Legislation is likely to take some time, it was agreed that all the Governments concerned will take such steps as may be necessary to provide against possible difficulties during that period."

- Internal administration. (f) "Internal administration" in relation to any visiting force includes the administration of the property of a deceased member of the force; and
- "Member." (g) "Member" in relation to a visiting force includes any person who is by the law of that part of the Commonwealth to which the force belongs subject to the naval, military or air force law thereof, and who, being a member of another force, is attached to the visiting force, or, being a civilian employed in connection with the visiting force, entered into his engagement outside of Canada; 5 10
- "Visiting force." (h) "Visiting force" means any body, contingent or detachment of the naval, military and air forces of His Majesty raised in the United Kingdom, the Commonwealth of Australia, the Dominion of New Zealand, the Union of South Africa, the Irish Free State, or Newfoundland, which is, with the consent of His Majesty's Government in Canada, lawfully present in Canada; 15
- "Forces." (i) "Forces" includes reserve and auxiliary forces. 20
- Order in Council. (2) An Order in Council under this Act may be revoked or varied by a subsequent Order in Council.
- Discipline and internal administration of visiting forces. **3.** (1) When a visiting force is present in Canada it shall be lawful for the naval, military and air force courts and authorities (in this Act referred to as the "service courts" and "service authorities") of that part of the Commonwealth to which the Force belongs, to exercise within Canada in relation to members of such Force in matters concerning discipline and in matters concerning the internal administration of such Force all such powers as are conferred upon them by the law of that part of the Commonwealth. 25 30
- Privileges and immunities of service Court. (2) The members of any such service court as aforesaid exercising jurisdiction by virtue of this Act, and witnesses appearing before any such court, shall enjoy the like immunities and privileges as are enjoyed by a service court exercising jurisdiction by virtue of the laws of Canada and by witnesses appearing before such a court. 35
- Legality of sentence, constitution of court, and proceedings. (3) Where any sentence has, whether within or without Canada, been passed upon a member of a visiting force by a service court of that part of the Commonwealth to which the force belongs, then for the purposes of any legal proceedings within Canada the court shall be deemed to have been properly constituted, and its proceedings shall be deemed to have been regularly conducted, and the sentence shall be deemed to be within the jurisdiction of the court and in accordance with the law of that part of the Commonwealth, and if executed according to the tenor thereof shall be deemed to have been lawfully executed, and any member of a visiting force who is detained in custody in 40 45 50

SECTION 3. This section provides for the discipline and internal administration of visiting forces. An examination of the definition of "Visiting Forces" in the interpretation section will show that it is restricted to forces from other parts of the British Commonwealth, lawfully present in Canada with the consent of the Government of Canada. The effect of the section is to give such visiting forces the customary extra-territorial immunities with regard to internal discipline and administration.

pursuance of any such sentence, or pending the determination by such a service court as aforesaid of a charge brought against him, shall for the purposes of any such proceedings as aforesaid be deemed to be in lawful custody.

Certificates  
as evidence.

For the purposes of any such proceedings as aforesaid a certificate under the hand of the officer commanding a visiting force that a member of that force is being detained for either of the causes aforesaid shall be conclusive evidence of the cause of his detention, but not of his being such a member, and a certificate under the hand of such an officer that the persons specified in the certificates at as a service court of that part of the Commonwealth to which the force belongs shall be conclusive evidence of that fact.

Proceedings  
not to be  
questioned.

(4) No proceedings in respect of the pay, terms of service or discharge of a member of a visiting force shall be entertained by any court of Canada.

Power of  
Minister  
to order  
arrest, if so  
requested.

(5) For the purpose of enabling such service courts and such service authorities as aforesaid to exercise more effectively the powers conferred upon them by this section, the Minister of National Defence, if so requested by the officer commanding a visiting force or by the Government of that part of the Commonwealth to which the force belongs, may from time to time by general or special orders to any home force direct the members thereof to arrest members of the visiting force alleged to have been guilty of offences against the law of that part of the Commonwealth and to hand over any person so arrested to the appropriate authorities of the visiting force

Powers  
as to home  
forces may  
upon request  
be exercised  
as to visiting  
force.

4. (1) The Governor in Council may authorize any Government Department, Minister of the Crown, or other person in Canada, to perform, at the request of such authority or officer as may be specified in the order, but subject to such limitations as may be so specified, any function in relation to a visiting force and members thereof which that Department, Minister or person performs or could perform in relation to a home force of like nature to the visiting force, or in relation to members of such a force and, for the purpose of the exercise of any such function, any power exercisable by virtue of any enactment by the Minister, Department or person in relation to a home force or members thereof shall be exercisable by him or them in relation to the visiting forces and members thereof:

Proviso.

Provided that nothing in this subsection shall authorize any interference in matters relating to discipline or to the internal administration of the force.

Temporary  
detention.

(2) If the Governor in Council so provides, members of a visiting force if sentenced by a service court of that part of the Commonwealth to which the force belongs to penal servitude, imprisonment or detention may, under the authority of the Minister of National Defence, given at

SECTION 4. This section deals with the relations of visiting forces to the civil power and to civilians. The first subsection enables the Governor in Council to authorize the furnishing of the aid to the Civil power to visiting forces. The second subsection gives legal authority for detention and custody of prisoners. The third subsection entitles, in so far as the Governor in Council directs, the visiting forces to exemption and immunities similar to those enjoyed by Canadian forces, and penalises offences against visiting forces.

Considering the entire section, its effect is to place visiting forces in substantially the same legal position that they were in prior to the enactment of the Statute of Westminster, the foundation of the position being Canadian legislation, instead of the operation of the Army Act.

- the request of the officer commanding the visiting force, be temporarily detained in custody in prisons or detention barracks in Canada, and if so sentenced to imprisonment may, under the like authority, be imprisoned during the whole or any part of the term of their sentences in prisons in Canada, and the Governor in Council may by the same or a subsequent order make provision with respect to any of the following matters, that is to say, the reception of such persons from, and their return to, the service authorities concerned, their treatment while in such custody, or while so imprisoned, the circumstances under which they are to be released, and the manner in which they are to be dealt with in the event of their unsoundness of mind while in such custody, or while so imprisoned.
- Any costs incurred in the maintenance and return of, or otherwise in connection with, any person dealt with in accordance with the provisions of this subsection shall be defrayed in such manner as may, with the consent of the Minister of Finance, be agreed between the Minister of National Defence and the Government of that part of the Commonwealth which is concerned
- (3) Subject as hereinafter provided, any enactment (whether contained in the *Militia Act*, the *Naval Service Act*, or any other statute) which—
- (a) exempts, or provides for the exemption of, any vessel, vehicle, aircraft, machine or apparatus of, or employed for the purposes of the home forces or any of them from the operation of any enactment; or
- (b) in virtue of a connection with the home forces or any of them, confers a privilege or immunity on any persons; or
- (c) in virtue of such a connection, excepts any property, trade or business, in whole or in part, from the operation of any enactment, or from any tax, rate, imposition, toll or charge; or
- (d) imposes upon any person or undertaking obligations in relation to the home forces, or any of them, or any member or service court thereof; or
- (e) penalises misconduct by any person in relation to the home forces or any of them, or any member or service court thereof,
- shall, with any necessary modifications apply in relation to a visiting force as it would apply in relation to a home force of a like nature to the visiting force;
- Provided that the Governor in Council may direct that any such enactment either shall not apply, or shall apply with such exceptions and subject to such adaptations or modifications as may be specified.
- (4) An order in council under this section may apply either generally, or in relation to visiting forces from
- Imprisonment. 5
- Orders as to treatment, release, etc. 10
- Costs. 15
- Provisions applicable to visiting force same as apply to a home force of a like nature. 20
- R.S., c. 132.  
R.S., c. 139. 25
- Proviso. 30
- Application of order in council. 35
- 40
- 45
- 50



particular part of the Commonwealth, or in relation to any particular visiting force, or in relation to any particular place.

Application  
of section.

5. (1) The forces to which this section applies are such of the naval, military and air forces of His Majesty raised in the United Kingdom, the Commonwealth of Australia, the Dominion of New Zealand, the Union of South Africa, the Irish Free State, or Newfoundland, as the Governor in Council may direct. 5

Deserters  
and  
absentees.

(2) Subject to the provisions of this section, paragraphs (1) to (4) of section one hundred and fifty-four of the *Army Act* (which relates to the apprehension of deserters and absentees without leave) shall, to the extent to which by the *Militia Act* it is given force and effect as if it had been enacted by the Parliament of Canada for the government of the Militia within Canada, apply in relation to a deserter or absentee without leave from any force to which this section applies (including any member of a reserve or auxiliary force who, having failed to obey a notice calling upon him to appear at any place for service, is by the law of that part of the Commonwealth to which the force belongs liable to the same punishment as a deserter, or to the same punishment as an absentee without leave), as they apply in relation to a deserter, or absentee without leave, from a home military force: 10 15 20 25

Proviso.

Provided that any reference in the said paragraphs to military custody shall be construed as including a reference to naval or air force custody.

Apprehen-  
sion on  
request.

(3) No person who is alleged to be a deserter from any such force as aforesaid shall be apprehended or dealt with under this section except in compliance with a specific request from the Government of that part of the Commonwealth to which the force belongs, and a person so dealt with shall be handed over to the authorities of that part of the Commonwealth at such place on the coast or frontier of Canada as may be agreed: 30 35

Proviso.

Provided that a person who is alleged to be a deserter or absentee without leave from a visiting force may also be apprehended and dealt with under this section in compliance with a request, whether specific or general, from the officer commanding that force, and shall, if that force is still present in Canada, be handed over to the officer commanding that force at the place where the force is stationed. 40

(4) For the purposes of any proceedings under this section:— 45

Certificate  
of Minister  
evidence of  
request.

(i) a document purporting to be a certificate under the hand of the Secretary of State for External Affairs or the Minister of National Defence, that a request

**SECTION 5.** This section is not confined to visiting forces, but it makes a general provision with regard to deserters from forces raised in other parts of the British Commonwealth. This section, together with corresponding sections which are being enacted in the United Kingdom and in other parts of the British Commonwealth, affords a statutory basis for the continuance of the co-operation with regard to deserters that was formerly secured by the general application of the Army Act and other defence legislation of the Parliament of the United Kingdom.

Subsection 2 of this section refers to paragraphs (1) to (4) of section 154 of the *Army Act*. These are as follows:—

(1) Upon reasonable suspicion that a person is a deserter or absentee without leave, it shall be lawful for any constable, or if no constable can be immediately met with, then for any officer or soldier or other person, to apprehend such suspected person, and forthwith to bring him before a court of summary jurisdiction:

(2) A justice of the peace, magistrate, or other person having authority to issue a warrant for the apprehension of a person charged with crime may, if satisfied by evidence on oath that a deserter or absentee without leave is or is reasonably suspected to be within his jurisdiction, issue a warrant authorizing such deserter or absentee without leave to be apprehended and brought forthwith before a court of summary jurisdiction:

(3) Where a person is brought before a court of summary jurisdiction charged with being a deserter or absentee without leave under this Act, such court may deal with the case in like manner as if such person were brought before the court charged with an indictable offence, or in Scotland an offence:

(4) The court, if satisfied either by evidence on oath or by the confession of such person that he is a deserter or absentee without leave, shall forthwith, as it may seem to the court most expedient with regard to his safe custody, cause him either to be delivered into military custody in such manner as the court may deem most expedient, or until he can be so delivered, to be committed to some prison, police station, or other place legally provided for the confinement of persons in custody, for such reasonable time as appears to the court reasonably necessary for the purpose of delivering him into military custody.

has been made under subsection (3) of this section, shall be admissible without proof as evidence of such a request;

Certificate of commanding officer evidence of desertion.

- (ii) a document purporting to be a certificate under the hand of the officer commanding a unit or detachment of any force to which this section applies that a named and described person was at the date of the certificate a deserter, or absentee without leave, from that force shall be admissible without proof as evidence of the facts so certified. 5 10

Application of section.

**6.** (1) The forces, other than home forces, to which this section applies are the naval, military and air forces of His Majesty raised in the United Kingdom, the Commonwealth of Australia, the Dominion of New Zealand, the Union of South Africa, the Irish Free State, or Newfoundland. 15

Temporary attachments to a home force.

- (2) The Governor in Council,  
(i) may attach temporarily to a home force any member of another force to which this section applies who is placed at his disposal for the purpose by the service authorities of that part of the Commonwealth to which the other force belongs; 20

To force of another part of Commonwealth.

- (ii) subject to anything to the contrary in the conditions applicable to his service, may place any member of a home force at the disposal of the service authorities of another part of the Commonwealth for the purpose of being attached temporarily by those authorities to a force to which this section applies belonging to that part of the Commonwealth. 25

Law applicable to member of force attached to home force.

(3) Whilst a member of another force is by virtue of this section attached temporarily to a home force, he shall be subject to the law relating to the Naval Service, the Militia, or the Air Force, as the case may be, in like manner as if he were a member of the home force, and shall be treated and have the like powers of command and punishment over members of the home force to which he is attached as if he were a member of that force of relative rank: 30 35

Proviso.

Provided that the Governor in Council may direct that in relation to members of a force of any part of the Commonwealth specified the statutes relating to the home forces shall apply with such exceptions and subject to such adaptations and modifications as may be so specified. 40

Mutual power of command when forces serving together or in combination.

(4) When a home force and another force to which this section applies are serving together, whether alone or not:— 45

- (a) any member of the other force shall be treated and shall have over members of the home force the like powers of command as if he were a member of the home force of relative rank: and

SECTION 6. This section deals with the attachment of personnel and mutual powers of command. The co-operation in defence matters which has existed now for many years involves the interchange of officers and men, and it is necessary to enable such officers and men to carry on their duties on the same basis as if they were members of the forces to which they are attached. Subsection 4 deals with combined operations and makes it legally possible to have a single command, subject, of course, to the consent of the Governments of the component forces.

(b) if the forces are acting in combination, any officer of the other force appointed by His Majesty, or in accordance with regulations made by or by authority of His Majesty, to command the combined force, or any part thereof, shall be treated and shall have over 5 members of the home force the like powers of command and punishment, and may be invested with the like authority to convene, and confirm the findings and sentences of, courts martial as if he were an officer of the home force of relative rank and holding the 10 same command.

Forces serving together or in combination.

(5) For the purposes of this section, forces shall be deemed to be serving together or acting in combination if and only if they are declared to be so serving or so acting by order of the Governor in Council, and the relative rank of members 15 of the home forces and of other forces shall be such as may be prescribed by regulations made by His Majesty.

Application of Act to mandated territories, colonies, and other territories.

7. This Act shall, subject to such exceptions, adaptations and modifications as the Governor in Council may direct, apply— 20

(a) in relation to any forces and to the officers and members of such forces raised in any territory in respect to which a mandate on behalf of the League of Nations is being exercised by His Majesty's Government in the United Kingdom; 25

(b) in relation to any forces and to the officers and members of such forces raised in any territory in respect to which such a mandate is being exercised by His Majesty's Government in a Dominion;

(c) in relation to any forces and to the officers and 30 members of such forces raised in a colony;

(d) in relation to any forces and to the officers and members of such forces raised in any territory which is being administered by His Majesty's Government in the United Kingdom or by His Majesty's Govern- 35 ment in a Dominion.

Saving for other enactments.

8. So far as regards any naval force and the members of any such force, the provisions of this Act shall be deemed to be in addition to and not in derogation of such of the provisions of any Act of the Parliament of the United 40 Kingdom or of the Parliament of any other part of the Commonwealth as are for the time being applicable to that force and the members thereof.

**SECTION 7.** This section provides for the application of the provisions of the Act to forces raised in mandated territories, in colonies and dependencies. In this instance it will be necessary to provide exceptions, adaptations and modifications, and a power is reserved in the Governor in Council for this purpose. It is probable that the provisions of the section will rarely be evoked and that it will be necessary to make a special Order in Council on each occasion.

**SECTION 8.** The Army and Air Force Acts being dependent for their force and effect upon The Army and Air Force Annual Act passed annually by the Parliament of the United Kingdom, are no longer in themselves, subsequent to the passing of the Statute of Westminster, applicable to Canada. Naval discipline, however, is based upon permanent enactments, the continued operation of which is not affected by the coming into force of the Statute of Westminster. Further, Canadian Naval Forces are still organized on the basis of statutes which invoke the operation of the Naval Discipline Acts, and it has been thought desirable to insure the continuance of the existing position with respect to Naval discipline. It will always be open to the Parliament of Canada to bring naval forces solely within the operation of the first four sections of the Act, upon the enactment of new legislation to provide for their organization, or, at any time, to repeal this section and bring naval forces solely within the operation of the first four sections of the Act, if the present course is found to be inconvenient.



Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 41.**

An Act to incorporate The Sarnia-Port Huron Vehicular  
Tunnel Company.

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First reading, March 6, 1933.

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(PRIVATE BILL).

Mr. GRAY.

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

THE HOUSE OF COMMONS OF CANADA.

**BILL 41.**

An Act to incorporate The Sarnia-Port Huron Vehicular Tunnel Company.

Preamble.

**W**HEREAS a petition has been presented praying for the incorporation of a company to lay out, construct, complete, maintain, work, manage, and use subways or tunnels under the St. Clair River for vehicular, pedestrian or other purposes with the necessary approaches from convenient points on the Canadian side of the International Boundary between the United States of America and the Dominion of Canada in or near the city of Sarnia, the township of Sarnia and the township of Moore, to points in or near the city of Port Huron and the city of Marysville, in the State of Michigan, one of the United States of America, as hereinafter set forth and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

**1.** John Doherty, service station proprietor, John Alexander Dalziel, operator, Hugh Arthur Mustard, dental surgeon, John Thomas Kennedy, merchant, all of the city of Sarnia, in the county of Lambton, and Frederick Wellington Martin, manager, of the city of Windsor, in the county of Essex, in the province of Ontario, together with such persons as become shareholders in the company hereby incorporated, are hereby constituted a body corporate under the name of "The Sarnia-Port Huron Vehicular Tunnel Company," hereinafter called "the Company,"

Corporate name.

Declaratory.

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

Provisional directors.

**3.** The said John Doherty, service station proprietor, John Alexander Dalziel, operator, Hugh Arthur Mustard, dental surgeon, John Thomas Kennedy, merchant, and



Frederick Wellington Martin, manager, named in section one of this Act, are constituted the provisional directors of the Company.

Head office. **4.** The head office of the Company shall be at the city of Sarnia in the county of Lambton, in the province of Ontario. 5

Capital stock. **5.** (1) The capital stock of the Company shall consist of one hundred thousand shares without nominal or par value.

Shares. (2) Each share of the capital stock without nominal or par value shall be equal to every other share of such capital stock. Every certificate of shares without nominal or par value shall have plainly written or printed upon its face the number of shares which it represents and the number of such shares which the Company is authorized to issue, and no such certificate shall express any nominal or par value of such shares. 10 15

Issue of shares. (3) The issue and allotment of shares authorized by this section may be made from time to time for such consideration as may be fixed by the board of directors by by-law duly confirmed by the holders of two-thirds of the shares then outstanding, at a meeting called for that purpose in such manner as is prescribed by the by-laws of the Company. Any and all shares issued as permitted by this section shall be deemed fully paid and non-assessable and the holder of such shares shall not be liable to the Company or to its creditors in respect thereof. 20 25

Capital requisite for carrying on business. (4) The amount of capital with which the Company shall carry on business shall be not less than the aggregate amount of the consideration for the issue and allotment of the shares without nominal or par value from time to time outstanding. 30

Deposit before commencing operations, etc. (5) The Company shall not commence its operations or incur any liability before a sum of at least twenty-five thousand dollars has been paid into the treasury of the Dominion of Canada, which sum shall not be withdrawn until at least twenty-five per cent of the proposed tunnel is constructed and such sum shall be forfeited if the project is not proceeded with. 35

Bonding powers. **6.** The Company may issue bonds, debentures or other securities to an amount not exceeding five million dollars in aid of the construction of the subways or tunnels authorized by this Act; and such bonds, debentures or other securities shall be secured by deed of mortgage; and such deed of mortgage may contain provisions that all tolls and revenues derived from the use of such subways or tunnels by other corporations or persons shall be specially charged 40 45



and pledged as security for such bonds and may also provide that the Company shall pay to the trustees of such mortgage, rates and tolls similar to those fixed for the use of the subways or tunnels by similar corporations, which rates and tolls may also be charged as security for such bonds. 5

Amalgamation  
with other  
companies.

7. The Company may, subject to the provisions of sections 151 to 153 inclusive, of the *Railway Act*, enter into an agreement with any other company incorporated by the laws of Canada or the laws of the State of Michigan or Delaware, two of the United States of America, for the purpose of completing its undertaking of uniting and amalgamating its stock, property and franchise with the stock, property and franchises of any such company. 10

Effect of  
amalgamation.

8. Upon the agreement for amalgamation coming into effect as provided in the last preceding section, all and singular the property, real, personal and mixed, and all rights and interest appurtenant thereto, all stock subscriptions and other debts due on whatever account, and other things in action belonging to such companies or either of the, shall be taken and deemed to be transferred to and vested in such new company, without further act or deed: Provided, however, that all rights of creditors and all liens upon the property of either of such companies shall be unimpaired by such amalgamation, and all debts, liabilities and duties of either of the said companies shall thenceforth attach to the new company and may be enforced against it to the same extent as if the said debts, liabilities and duties had been incurred or contracted by it: Provided, also, that no action or proceedings, legal or equitable, by or against the said companies so amalgamated or either of them, shall abate or be affected by such amalgamation, but for all the purposes of such action or proceeding such company may be deemed still to exist, or the new company may be substituted in such action or proceeding in the place thereof. 15  
20  
25  
30  
35

Right of  
voting.

9. At all meetings of the shareholders of the amalgamated company hereinbefore provided for, each shareholder shall be entitled to cast one vote for each share of stock held by him, and to vote either in person or by proxy. 40

Powers.

Subways  
or tunnels.

10. The Company may,—

(a) lay out, construct, complete, maintain, work, manage and use subways or tunnels under the St. Clair River, for vehicular, pedestrian, railway and other purposes, with the necessary approaches from convenient points on the Canadian side of the International Boundary 45



- between the United States of America and the Dominion of Canada in or near the city of Sarnia, the township of Sarnia and the Township of Moore, to points in or near the city of Port Huron, and the city of Marysville, in the state of Michigan, one of the United States of America. 5
- Elevators, etc. (b) construct, maintain and operate elevators, lifts, escalators and other means of ingress to and egress from the said subways or tunnels;
- Electrical and other power. (c) manufacture, produce, generate or buy electricity for light, heat and motive power and to produce compressed air; 10
- Acquisition of shares in other companies. (d) take, or otherwise acquire and hold shares in any other company having objects altogether or in part similar to those of the Company or carrying on any business capable of being conducted so as directly or indirectly to benefit the company; 15
- Arrangements with municipal and other authorities. (e) enter into any arrangements with any authorities, municipal, local or otherwise, that may seem conducive to the Company's objects, or any of them, and obtain from any such authority any rights, privileges and concessions which the Company may think it desirable to obtain, and to carry out, exercise and comply with any such arrangements, rights, privileges and concessions; 20
- Promotion of subsidiary companies. (f) promote any company or companies for the purpose of acquiring all or any of the property and liabilities of the Company, or for any other purpose which may seem directly or indirectly calculated to benefit the Company; 25
- Acquisition of personal property, rights, etc. (g) purchase, take on lease or in exchange, hire or otherwise acquire any personal property and any rights or privileges which the Company may think necessary or convenient for the purposes of its business and in particular any machinery, plant and stock-in-trade; 30
- Disposal of Company's undertaking. (h) sell or dispose of the undertaking of the Company or any part thereof for such consideration as the Company may think fit, and in particular for shares, debentures or securities of any other company having objects altogether or in part similar to those of the Company; 35
- Incidental powers. (i) do all such other things as are incidental or conducive to the attainment of the above objects; 40
- Acquisition of rights. (j) apply for, secure, acquire by assignment, transfer, purchase or otherwise, and exercise, carry out and enjoy, any charter, licence, power, authority, franchise, concession, rights or privileges, which any government or authority or any corporation or other public body may be empowered to grant, and pay for, aid in and contribute towards carrying the same into effect, and appropriate any of the Company's shares, bonds and assets to defray the necessary costs, charges and expenses thereof; 45 50



Assistance  
to other  
companies.

(k) raise and assist in raising money for, and aid by way of bonus, loan, promise, endorsement, guarantee of bonds, debentures or other securities or otherwise, any other company or corporation, and guarantee the performance of contracts by any such company or corporation, or by any other person or persons with whom the Company may have business relations. 5

Application  
of R.S. 1927,  
cc. 54, 55,  
140, 170, and  
of R.S., 1906,  
c. 37, s. 247.

**11.** The powers granted under the next preceding section hereof shall be subject to the provisions of the *Electricity and Fluid Exportation Act*, chapter fifty-four of 10 the Revised Statutes of Canada, 1927, the *Electricity Inspection Act*, chapter fifty-five of the Revised Statutes of Canada, 1927, the *Navigable Waters Protection Act*, chapter one hundred and forty of the Revised Statutes of Canada, 1927, the *Railway Act*, chapter one hundred and seventy 15 of the Revised Statutes of Canada, 1927, and section two hundred and forty-seven of the *Railway Act*, chapter thirty-seven of the Revised Statutes of Canada, 1906.

Approval  
of plans by  
Governor  
in Council.

**12.** The Company shall not commence the said subways or tunnels or any of them or any work thereunto appertaining, until it has submitted to the Governor in Council plans of such subways or tunnels, and all the intended works thereunto appertaining, nor until such plans and the site of such subways or tunnels have been approved by the Governor in Council, and such conditions as he thinks fit 25 for the public good to impose, touching the said subways or tunnels and works, have been complied with; nor shall any such plans be altered, or any deviation therefrom be allowed except with the permission of the Governor in Council, and upon such conditions as he imposes. 30

Expropria-  
tion.

**13.** The Company may,—

(a) expropriate and take any lands actually required for the construction, maintenance and operation of the subways or tunnels authorized by this Act, or expropriate and take an easement in, over, under or through 35 such lands without the necessity of acquiring a title in fee simple thereto, after the plan of such lands, has been approved by the Governor in Council; and all the provisions of the *Railway Act*, applicable to such taking and acquisition, shall apply as if they were 40 included in this Act; and all the provisions of the *Railway Act* which are applicable, shall in like manner apply to the ascertainment and the payment of the compensation for or damages to land arising out of such taking and acquisition, or the construction or 45 maintenance of the works of the Company;

Reduction of  
damages.

(b) in reduction of the damage or injury to any lands taken or affected by such authorized works, abandon or grant to the owner of party interested therein any



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

R.S., c. 170.

Entry on property.

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

R.S., c. 170.

Approval by United States.

**14.** The Company shall not commence the actual construction of the said subways or tunnels until permitted by the Congress of the United States of America or other competent authority in the said United States of America, but the company may in the meantime acquire the lands, submit its plans to the Governor in Council and do all other things authorized by this Act.

Consent of municipalities.

**15.** The Company shall not construct or operate any of the works mentioned in this Act along, under and over any highway, street or other public place, without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway, street or other public place, and upon terms to be agreed upon with such municipality.



Tolls and rates.

**16.** The directors may fix and regulate the tolls and rates to be charged, and such tolls and rates, before being imposed, shall be submitted to and approved by the Board of Railway Commissioners for Canada, which Board may revise the same from time to time.

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Time for commencement and completion of subways.

**17.** The said subways or tunnels shall be commenced within one year after the Governor in Council and the Executive of the United States, or other competent authority therein, have approved thereof, and shall be completed within three years after such commencement, otherwise the powers granted by this Act shall cease and be null and void as respects so much of the undertaking as then remains uncompleted: Provided, however, that if such approval is not obtained within two years after the passing of this Act, the powers granted for the construction of the said subway shall cease and be null and void. Section one hundred and sixty-one of the *Railway Act* shall not apply to the Company.

R.S., c. 170.

Municipalities may purchase tunnel.

**18.** Immediately after the tunnel has been in operation for a period of two years, a Board of Arbitration shall fix the value of the tunnel, together with its approaches, buildings, and all other assets used in connection therewith. The Board shall consist of three members, one to be appointed by the city of Sarnia or the municipality within the Dominion of Canada in which the portion of the tunnel in Canada may be constructed, one by the city of Port Huron or the municipality within the United States of America in which the portion of the tunnel in the United States of America may be constructed and the third by the Company. When the tunnel has been in operation for a period of twenty years, the municipalities within which the tunnel is located may purchase the portions thereof within their respective boundaries as the value fixed as aforesaid. At the termination of thirty years, the tunnel may be purchased by the aforesaid municipalities at 80 per cent of the aforesaid valuation. At the termination of forty years, the tunnel may be purchased by the municipalities aforesaid at 60 per cent of the aforesaid valuation. At the termination of fifty years, the tunnel may be purchased by the municipalities aforesaid at 40 per cent of the aforesaid valuation. At the termination of sixty years, the tunnel shall become the property of the aforesaid municipalities without any consideration being paid therefor.

R.S., c. 170, to apply to the Company.

**19.** The *Railway Act*, shall, so far as is not inconsistent with the special provisions of this Act, unless the context otherwise requires, apply to the Company and to its works and undertakings and wherever in the *Railway Act* the

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word "railway" occurs, it shall, for the purposes of the Company, mean the subways and tunnels authorized by this Act.

R.S., c. 27,  
not to  
apply.

**20.** The *Companies Act* shall not apply to the Company.

Labour and  
materials.  
1930, c. 20.

**21.** The employment of labour in the construction, 5  
maintenance and supervision of the said tunnel shall be  
subject to the terms and conditions of *The Fair Wages and  
Eight Hour Day Act, 1930*. So far as it may be practicable  
to do so, Canadian materials must be used in the con-  
struction of the said tunnel or tunnels, and a certified 10  
statement shall be sent weekly to the Department of Labour  
giving the names and addresses of firms supplying materials  
and the quantity thereof.

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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 42.**

An Act respecting the Algoma Central and Hudson Bay  
Railway Company.

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First reading, March 10, 1933.

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(PRIVATE BILL)

Mr. BRADETTE.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 42.

An Act respecting the Algoma Central and Hudson Bay Railway Company.

Preamble.  
1899, c. 50;  
1901, c. 46;  
1902, c. 38;  
1905, c. 53;  
1906, c. 54;  
1907, c. 57;  
1909, c. 40;  
1910, c. 65;  
1911, c. 34;  
1912, c. 48;  
1916, c. 32;  
1927, c. 78;  
1930, c. 51.

WHEREAS The Algoma Central and Hudson Bay Railway Company has by its petition prayed that the time may be extended for the construction and completion of that portion of their line of railway extending from the National Transcontinental Railway to some point on James Bay, and it is expedient to grant the prayer of the said petition:—Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Extension of time for construction and completion of line of railway.

1. The Algoma Central and Hudson Bay Railway Company, hereinafter called "the Company" may within five years from the date of the passing of this Act commence to construct that part of the extension of its line of railway, authorized by section three of chapter forty-six of the Statutes of 1901, which now remains unconstructed, namely, from the point of intersection of the Company's line of railway with the National Transcontinental Railway to some point on James Bay not further north than Equam River; and may within ten years after the passing of this Act complete the said line of railway; and if within the said periods respectively the said line of railway is not commenced or is not completed and put in operation, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said line of railway as shall then remain uncompleted.

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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 43.**

An Act to amend the Immigration Act.

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First reading, March 13, 1933.

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Mr. WOODSWORTH.

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

THE HOUSE OF COMMONS OF CANADA.

**BILL 43.**

An Act to amend the Immigration Act.

R.S., c. 93.

**H**IS 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 5  
by adding thereto the following paragraph:—

“Public charge.”

“(w) ‘public charge’ means a person who is in charge of or supported by a charitable or public institution but does not include any person in receipt of unemployment relief from any charitable or public institution 10  
or otherwise, or any inmate of an unemployment shelter, camp, or other refuge.”





Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 44.**

An Act to amend the Exchequer Court Act  
(Exclusive jurisdiction).

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First reading, March 13, 1933.

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THE MINISTER OF JUSTICE.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 44.

An Act to amend the Exchequer Court Act  
(Exclusive jurisdiction).

R.S., c. 34.

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

Exclusive original jurisdiction.

1. Section nineteen of the *Exchequer Court Act*, chapter thirty-four of the Revised Statutes of Canada, 1927, is amended by inserting immediately after paragraph (i) of subsection one thereof the following paragraph:—

Writs in relation to officer or man of Canadian Forces.

“(j) Every application for a writ of *habeas corpus ad subjiciendum* or a writ of *certiorari* or a writ of prohibition, or a writ of *mandamus*, in relation to any officer or man of any Canadian Naval, Military or Air Forces serving outside of Canada, or in relation to any proceedings, or to any act or omission respecting any such officer or man, to the same extent as and under similar circumstances in which jurisdiction now exists in the Exchequer Court of Canada or in the courts or judges of the several provinces in respect of similar matters within Canada.”

2. The said section is further amended by adding thereto the following subsection:—

Writ to be directed to Minister of National Defence. Duty of Minister.

“(3) Any writ mentioned in paragraph (j) of subsection one of this section shall be directed to the Minister of National Defence, and, upon receipt of such writ, it shall be the duty of the Minister of National Defence, by the most rapid means of communication available, to transmit such writ or notification of the issue and terms thereof, to the appropriate authority, having regard to the matters to which such writ relates. Upon receipt of such writ or such notification, it shall be the duty of such appropriate authority to take such steps as may be necessary to comply with the terms thereof.”

## EXPLANATORY NOTE.

Section nineteen of the Exchequer Court Act, at present reads as follows:—

“19. The Exchequer Court shall also have exclusive original jurisdiction to hear and determine the following matters:—

- (a) Every claim against the Crown for property taken for any public purpose;
  - (b) Every claim against the Crown for damage to property injuriously affected by the construction of any public work;
  - (c) Every claim against the Crown arising out of any death or injury to the person or to property resulting from the negligence of any officer or servant of the Crown while acting within the scope of his duties or employment upon any public work.
  - (d) Every claim against the Crown arising under any law of Canada or any regulation made by the Governor in Council;
  - (e) Every set-off, counter claim, claim for damages whether liquidated or unliquidated, or other demand whatsoever, on the part of the Crown against any person making claim against the Crown;
  - (f) Every claim against the Crown arising out of any death or injury or loss to the person or to property caused by the negligence of any officer or servant of the Crown while acting within the scope of his duties or employment upon, in or about the construction, maintenance or operation of the Intercolonial Railway or the Prince Edward Island Railway;
  - (g) The amount to be paid whenever the Crown and any person have agreed in writing that the Crown or such person shall pay an amount of money to be determined by the Exchequer Court, or any question of law or fact as to which the Crown and any person have agreed in writing that any such question of law or fact shall be determined by the Exchequer Court;
  - (h) The determining of the value of any real or personal, moveable or immovable, property, or of any interest therein, sold leased or otherwise disposed of by the Crown, or which the Crown proposes to sell, lease or otherwise dispose of, when such matter has been referred to the Exchequer Court by the head of the Department charged with the administration of such property;
  - (i) Every claim, demand, set off, counter claim, dispute, or question with respect to any debt, property right or interest mentioned in section three or section four of Part X of the Treaty of Peace with Germany, or in any similar section or provision which may be included in the Treaties of Peace with Austria, Bulgaria or Turkey, or in any statute or Order in Council passed for the purpose of carrying into effect the said section three or section four or any such similar section or provision.
2. Nothing in paragraph (i) shall affect the jurisdiction of any other court to hear and determine any matter now pending before such court.”

The purpose of the amendment is to confer upon the Exchequer Court jurisdiction by way of *habeas corpus*, *certiorari*, prohibition and *mandamus* in the cases mentioned and to provide machinery for the convenient exercise of such jurisdiction. This is rendered necessary by the adoption by the Nations of the British Commonwealth of the reciprocal scheme of legislation exemplified by the provisions of Bill 40, “An Act respecting visiting forces of His Majesty, and the exercise of command, discipline and attachments of Commonwealth Forces when serving together.”



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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 45.**

An Act to amend the Soldier Settlement Act.

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First reading, March 16, 1933.

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The MINISTER OF IMMIGRATION AND COLONIZATION.

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

THE HOUSE OF COMMONS OF CANADA

BILL 45.

An Act to amend the Soldier Settlement Act.

R.S., c. 188;  
1928, c. 48;  
1930, c. 42;  
1931, c. 53;  
1932, c. 53.

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

1. The *Soldier Settlement Act*, chapter one hundred and eighty-eight of the Revised Statutes of Canada, 1927, is amended by adding thereto the following sections:—

Certain interest charges remitted.

Application of payments made.

“72. All interest charges which accrued under this Act during the twelve months immediately preceding the standard date in 1932, other than in respect of any contract between the Director and any person under and by virtue of an agreement between His Majesty’s Secretary of State for the Colonies and the Government of the Dominion of Canada and bearing date the twentieth day of August, 1924, are remitted, and any payment heretofore made in respect thereof shall be applied toward reduction of principal indebtedness.

Additional credit on payments of arrears or instalments.

“73. (1) Any settler or person indebted in respect of any contract or agreement made prior to the first day of January, 1933, under the provisions of this Act, who after the thirty-first day of March, 1933, and up to and including the thirty-first day of March, 1936, makes payment in respect of any arrears or of any instalment due and payable within the said period or within one year thereafter shall, subject to the provisions of this section, receive credit toward payment of arrears or on the balance of such instalment or on any other such instalment for a further sum equal to the payment made.

Limitation.

(2) No such additional credit shall be accorded in respect of moneys the proceeds of alienation of any property charged under this Act or of fire insurance or due as the cash down payment under any agreement for sale of land.

#### EXPLANATORY NOTES.

Section **72**. One year's interest accruing within the period mentioned, whether part of any instalment or interest on arrears, is totally remitted except to British settlers under the 3,000 British Family Settlement Scheme.

The standard date in Manitoba, Saskatchewan, Alberta and British Columbia is October 1st. In all Provinces lying east of Manitoba the standard date is November 1st.

The agreement referred to is the agreement entered into between the British and Canadian Governments with respect to the settlement of three thousand British families.

Section **73**. (1) Any settler or purchaser with the exceptions as designated, whose contract was made prior to January 1st, 1933, and who makes payments during the fiscal years 1933-34, 1934-35, and 1935-36 on arrears or instalments due between April 1st, 1933, and March 31st, 1937, inclusive, shall have his account credited with an additional amount equal to such payment. Such payment and such additional credit combined can not exceed the total amount due and payable between the above dates. The ordinary renter does not benefit under this section.

(2) Moneys received from the disposal of the Department's security and credited to the account of the settler or purchaser will not be augmented by the bonus.

(3) Taxes and insurance premiums falling due within the year must be provided for by the settler or purchaser before he can secure the benefits of section 73 (1).

Evidence satisfactory to Director must be produced.

(3) Any such credit shall be accorded only upon production to the Director of evidence satisfactory to him that any fire insurance premium payable and all taxes imposed in respect of such person's interest in the land charged under this Act during the then current year in the case of payment of arrears or the year or years in respect of which payment is made in the case of instalments have been paid or made the subject of arrangement. 5

Exceptions.

(4) This section shall not apply to any person indebted under a contract between him and the Director under or by virtue of an agreement between His Majesty's Secretary of State for the Colonies and the Government of the Dominion of Canada mentioned in section seventy-two of this Act until the consent thereto of His Majesty's Government of Great Britain has been obtained as hereinafter provided, or to a settler or person in respect of land held under this Act by virtue of a lease. 10 15

By consent of British Government, Director may apply certain provisions to British settlers.

"74. Upon the consent of His Majesty's Government of Great Britain to bear the loss thereby occasioned in the proportion specified in the agreement between His Majesty's Secretary of State for the Colonies and the Government of the Dominion of Canada mentioned in section seventy-two of this Act, the Director shall apply *mutatis mutandis* the provisions of section seventy, seventy-two and seventy-three of this Act to any person indebted under a contract for purchase of land entered into with the Director under and by virtue of such agreement. 20 25

Director's rights in equipment to be released.

"75. Notwithstanding anything in this Act, on or after the thirty-first day of March, 1933, in the case of any settler holding under purchase from the Director any equipment to which the Director retains title pending the completion by the settler of the payment of balance of the purchase price thereof, or on which the Director has a charge, lien, or other encumbrance as the result of any advances made to the settler pursuant to the provisions of this Act, the Director's right, title and interest in such equipment shall be released by the Director in favour of the settler; provided that such release shall in no way relieve the settler from the payment by him to the Director of the balance of the purchase price of such equipment remaining unpaid together with accrued interest, or from the repayment of any amount secured by a lien, charge or other encumbrance against such equipment; provided further that no such release of title shall be made in favour of the settler where the settler has with the Director's consent assigned his interest in such equipment to another party to whom the Director is obligated to deliver clear title upon the fulfilment by such party of certain obligations to the Director." 30 35 40 45

Exceptions.

Section **74.** If the Government of Great Britain consents to bear the loss occasioned by the application of section 70 of the *Soldier Settlement Act* and sections 72 and 73 of this Bill in the proportion specified in the 3,000 British Family Settlement Agreement, then the Director shall apply sections 70, 72, and 73 to the British Family settlers.

Section **75.** The lien on equipment of soldier settlers will be removed similar to the removal of the lien on live stock in 1930. This will allow the settler to trade in old equipment when purchasing new implements.







Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA

**BILL 46.**

An Act to amend the Criminal Code (Lotteries).

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First reading, March 14, 1933.

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Mr. CASGRAIN.

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

THE HOUSE OF COMMONS OF CANADA.

**BILL 46.**

An Act to amend the Criminal Code (Lotteries).

R.S., c. 36.

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

Lottery sale  
voi

**1.** Subsection three of section two hundred and thirty-six of the *Criminal Code*, chapter thirty-six of the Revised Statutes of Canada, 1927, is repealed, and the following is substituted therefor:— 5

“(3) Every sale, loan, gift, barter or exchange of any property, by any lottery, ticket, card or other mode of chance depending upon or to be determined by chance or lot, is void, and all property so sold, lent, given, bartered or exchanged is liable to be forfeited to any person who, after having obtained leave of the Attorney General for the province in which proceedings are to be taken, sues for the same by action or information in any court of competent jurisdiction.” 15

EXPLANATORY NOTE.

**1.** The only change in this subsection is made by inserting therein the words underlined on the opposite page.



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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 47.**

An Act respecting The Canadian Anthracite Coal  
Company, Limited.

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First reading, March 15, 1933

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(PRIVATE BILL)

Mr. STANLEY.

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

THE HOUSE OF COMMONS OF CANADA.

**BILL 47.**

An Act respecting The Canadian Anthracite Coal Company, Limited.

Preamble.

**W**HEREAS The Canadian Anthracite Coal Company, Limited, hereinafter called "the Company," has by its petition; prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— 5

Agreement  
ratified  
and  
confirmed.

**1.** The agreement dated the 5th day of February, A.D. 1897, made between Louis S. Tainter and others, of the first part, the said Louis S. Tainter and others, of the second part, one McLeod Stewart, of the third part, The Quebec Bank and others, of the fourth part, and the company, of the fifth part, a copy of which is set out in the schedule to this Act, is hereby ratified and confirmed and declared to be legal, valid and binding for all purposes and the Company, from the date of the said agreement, is hereby declared to have had and to have full power and authority to accept the transfers and assignments to it of the two thousand nine hundred and forty-four (2,944) shares of its capital stock referred to in the said agreement and it is further declared that, by virtue of the said agreement and the said transfers and assignments, the said two thousand nine hundred and forty-four (2,944) shares became revested in the company as unissued shares and without effecting a reduction of the capital of the company. 25



## SCHEDULE.

THIS INDENTURE made the fifth day of February, A.D. 1897.

BETWEEN Louis S. Tainter, of Menomonie, Wisconsin, Lumber Merchant; F. Weyerhaeuser, of St. Paul, Minnesota, Lumber Merchant; F. B. CLARK, of St. Paul aforesaid, Manager, O. H. Ingram of Eau Claire, Wisconsin, Lumber Merchant; W. A. Rust, of Eau Claire aforesaid, Banker; J. G. Thorp of Cambridge, Massachusetts, Counsellor-at-Law, Sarah C. Bull of Cambridge aforesaid, Widow; C. H. Carriere of the City of Ottawa, Canada, assignee for the benefit of the creditors of one McLeod Stewart of the City of Ottawa, Barrister-at-Law; Archibald Stewart of the said City of Ottawa, Contractor; Henry Vavasour Noel of the said City of Ottawa, Banker; William King Coffin of Eau Claire aforesaid, Banker; Levi Crannel of the said City of Ottawa, Accountant; F.C.A. Denkman of Rock Island, Illinois, Lumber Merchant; D. B. McTavish of the said City of Ottawa, Barrister-at-Law, (being all the shareholders of The Canadian Anthracite Coal Company Limited and hereinafter called "The Shareholders")

## OF THE FIRST PART

AND the said Louis S. Tainter; said F. Weyerhaeuser; said F. B. Clark; said O. H. Ingram, said W. A. Rust; said J. G. Thorp and Edmund M. Parker of Cambridge aforesaid, Counsellor-at-Law; and Annie L. Thorp of Cambridge aforesaid, wife of the said J. G. Thorp; said Sarah C. Bull; said C. H. Carriere (assignee as aforesaid); said Archibald Stewart and said William King Coffin (being the holders of all the outstanding First Mortgage Bonds of The Company and all the persons now interested in the Pool Agreement of the 19th May A.D., 1891, and hereinafter called "The Bondholders")

## OF THE SECOND PART

AND the said McLeod Stewart (made a party for the purpose of consenting hereto)

## OF THE THIRD PART

AND The Quebec Bank, the said Archibald Stewart; and Maria Griffin of the said City of Ottawa, widow; and Catherine Stewart of the said City of Ottawa, widow, (being the creditors of the said McLeod Stewart entitled under the assignment to said C. H. Carriere as Assignee as aforesaid) the said Archibald Stewart and Catherine



Stewart (endorsers of certain negotiable paper of the said McLeod Stewart held by the Quebec Bank), all made parties hereto and executing these presents for the purpose of consenting to the same, and also of authorizing the said C. H. Carriere as such Assignee to agree to and execute the same,

OF THE FOURTH PART

AND the said "The Canadian Anthracite Coal Company Limited", a corporation incorporated under the Laws of Canada, hereinafter called "The Company",

OF THE FIFTH PART:

WHEREAS under and by virtue of the Companies Act (Canada), "The Company" was duly incorporated by Letters Patent under the Great Seal of Canada bearing date the 28th October A.D. 1886, with an authorised Capital Stock of \$500,000.00 divided into 5,000 shares of \$100.00 each. And whereas by Supplementary Letters Patent issued under the authority of The Companies Act aforesaid and bearing date the 7th August A.D. 1890, the authorized Capital Stock was increased by \$500,000.00 divided into 5,000 shares of \$100.00 each.

AND WHEREAS the present authorized Capital Stock of the Company under the Letters Patent and Supplementary Letters Patent aforesaid is \$1,000,000.00 divided into 10,000 shares of \$100.00 each all of which said shares have been heretofore duly issued and fully paid up.

AND WHEREAS the Schedule hereunto annexed marked "A" shews the names of all the present shareholders of The Company and also set opposite to their respective names, the number of shares of the Company held by them respectively.

AND WHEREAS the only existing issue of Bonds of The Company is an issue of \$600,000.00, of First Mortgage Coupon Bonds of The Company consisting of 1,200 Bonds of \$500.00 each, dated the 1st day of January A.D. 1891, and bearing interest at the rate of six per cent. per annum payable half-yearly, which said issue of Bonds was secured by a certain Mortgage Trust Deed dated the 15th of January 1891 and made between The Company of the First Part and George Hay of the City of Ottawa, Esquire, and the said William King Coffin (therein called The Trustees), of the second part. And whereas 1,008 of said Bonds (amounting in the aggregate to \$504,000.00) have been duly issued and are now outstanding, and the balance of said Bonds are still unissued and the property of The Company.



AND WHEREAS the schedule hereunto annexed marked "B" shews the names of all the present Bondholders of The Company and set opposite to their respective names the number and amount of the Bonds of The Company held by them respectively.

AND WHEREAS the said McLeod Stewart was a Shareholder in The Company, and becoming insolvent by an assignment dated the 7th day of November A.D. 1891 assigned to the said C. H. Carriere as Assignee all his estate real and personal for the general benefit of his creditors.

AND WHEREAS the parties of the Fourth Part or some of them have become and are owners of the debts and claims proved against the estate of said McLeod Stewart under the said assignment to the said C. H. Carriere and the said parties of the Fourth Part are made parties to these presents for the purpose of consenting hereto and being bound hereby, and further for the purpose of authorizing the said C. H. Carriere as such Assignee to agree to and execute the same.

AND WHEREAS it has been deemed desirable in the interests of The Company to enter into the scheme for the re-organization of the present holdings of Shares and First Mortgage Bonds of The Company embodied in these presents, the general affect of which will be to leave the outstanding only 7,056 shares of The Company amounting to \$705,600 in the aggregate (the remainder of said Capital Stock consisting of 2,944 shares amounting to \$294,400 being transferred to The Company so as to be available for re-issue at any time in the future), and to release and extinguish the said Mortgage Trust Deed of the 15th day of January, A.D. 1891, and to extinguish all the said 1,200 First Mortgage Bonds of The Company.

AND WHEREAS the said scheme of re-organization has been approved by the Shareholders, the Bondholders, and all the other parties hereto, as testified by their execution hereof.

NOW THEREFORE THIS INDENTURE WITNESSETH AS FOLLOWS:—

1. In pursuance of the premises and in order to carry out the said scheme of re-organization and re-arrangement of the Capital Stock of The Company, and for valuable consideration, the said William King Coffin hereby acknowledges that he has this day transferred to the following persons, by the usual forms of transfer, the number of fully paid up shares of The Company set opposite to their respective names, that is to say:—



To the said Louis S. Tainter, one hundred and eighty-three shares;

To the said F. Weyerhaeuser, eight shares;

To the said W. A. Rust, thirty-nine shares;

To the said J. G. Thorp, one hundred and forty-three shares;

To the said Annie L. Thorp, fourteen shares;

To the said Edmund M. Parker and Joseph G. Thorp, jointly, seven shares;

To the said Sarah C. Bull, three hundred and thirteen shares;

To the said J. G. Thorp (as Trustee re Archibald Stewart agreement) two hundred and fifty-two shares.

AND in pursuance of the premises and for valuable consideration the said F. C. A. Denkman acknowledges that he had this day transferred to the said F. Weyerhaeuser five hundred fully paid up shares of The Company.

AND in pursuance of the premises and for valuable consideration the said Archibald Stewart acknowledges that he has this day transferred to one R. C. Luther ten fully paid up shares of The Company.

II. AND in pursuance of the premises and for valuable consideration the said F. B. Clark hereby conveys, transfers and assigns to the Company two hundred and seventy-four fully paid up shares of The Company.

AND the said O. H. Ingram hereby conveys, transfers and assigns to the Company seventy-eight fully paid up shares of the Company.

AND the said C. H. Carriere hereby conveys, transfers and assigns to The Company seventeen hundred and seventy-five fully paid up shares of The Company.

AND the said Archibald Stewart hereby conveys, transfers and assigns to The Company three hundred and eleven fully paid up shares of The Company.

AND the said William King Coffin hereby conveys, transfers and assigns to The Company five hundred and six fully paid up shares of The Company.

AND each of them the said F. B. Clark, O. H. Ingram, C. H. Carriere, Archibald Stewart and William King Coffin doth hereby release The Company of and from all claims and demands past, present or future in respect of the said shares so conveyed, transferred and assigned by them respectively to The Company as aforesaid.

III. The Schedule hereto annexed marked "C" shows the names of all the Shareholders of The Company and the amount of the fully paid up shares now held by them respectively as set opposite to their respective names, after



the completion of said re-organization scheme and after registration and acceptance of the transfers and assignments mentioned in the first and second clauses hereof.

IV. AND in pursuance of the premises and for valuable consideration the Bondholders (each of them acting only in respect of the bonds held by him or them respectively as shewn in said Schedule "B") hereby release surrender and assign to the Company all said one thousand and eight outstanding First Mortgage Coupon Bonds of The Company of five hundred dollars each together with the coupons annexed thereto, for the purpose of being cancelled and extinguished; and each of the Bondholders in respect of the Bonds so held by him as aforesaid doth hereby release The Company of and from all claims and demands whatsoever in respect of said Bonds and Coupons and the moneys and interest past due, or accruing due, and secured thereby. And the Bondholders and The Company do hereby authorise and direct the said George Hay and the said William King Coffin to cancel, deface and extinguish all the said issue of twelve hundred First Mortgage Bonds and Coupons mentioned in the said Mortgage Trust Deed of the 15th day of January A.D. 1891, and thereupon to grant to the Company a release and discharge of the said Deed so that the said Mortgage Trust Deed may be extinguished and put an end to.

V. AND it is hereby declared that if the said Archibald Stewart shall not exercise the option of purchasing the two hundred and fifty-two fully paid up shares of The Company mentioned in Schedule "C" as vested in said J. G. Thorp as Trustee within the time and in accordance with the terms of a certain agreement in that behalf made by the Company with said Archibald Stewart, then the said J. G. Thorp shall convey, transfer and assign to The Company the said two hundred and fifty-two shares of The Company so vested in him as Trustee as aforesaid.

VI. IT IS DECLARED that all persons executing this Indenture though named as parties hereto more than once and in various capacities shall be deemed to be fully bound in all their said capacities and otherwise by executing the said Indenture once only; but said Indenture and the transfers mentioned therein shall not be operative till said Indenture has been executed by all the parties thereto.



IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals.

SIGNED, SEALED and  
DELIVERED in the  
presence of:

James F. Wilson	to	Louis S. Tainter	(Seal)
E. B. Farr	"	F. Weyerhaeuser	"
H. H. Waldren	"	F. B. Clark	"
E. B. Farr	"	O. H. Ingram by his attorney C. H. Ingram	"
E. B. Farr	"	W. A. Rust	"
Geo. J. Knox	"	J. G. Thorp	"
Lewis G. James	"	Sarah C. Bull	"
W. H. Carriere	"	Chas. H. Carriere	"
John F. Orde	"	L. Crannell	"
Chas. H. Carriere	"	H. V. Noel	"
E. B. Farr	"	William King Coffin	"
John F. Orde	"	Archibald Stewart	"
F. C. D. Denkman	"	F. C. A. Denkman	"
Thos. J. Morris	"	D. B. MacTavish	"
Henry B. Cabot	"	Edmund M. Parker	"
Edith L. Dana	"	Annie L. Thorp	"
Isabella Stewart	"	McLeod Stewart	"
Archibald Stewart	"	Maria Griffin	"
Isabelle Stewart	"	Catherine Stewart	"
T. C. Coffin	"	G. R. Renfrew, Acting Prest. Quebec Bank	"
George J. Knox	"	Canadian Anthracite Coal Co. (Ltd.) by J. G. Thorp, Pres.	"
P. Blanchet	"	" L. Crannell, Secy.	"



## SCHEDULE "A"

This is Schedule "A" referred to in the annexed Indenture dated the Fifth day of February, A.D. 1897, and shews the names of all the Shareholders of The Canadian Anthracite Coal Company, Limited, with the numbers and amounts of shares of said Company held by them respectively immediately prior to the re-organization scheme embodied in the annexed Indenture.

Name of shareholders	Number of shares	Amount in dollars
		\$
Louis S. Tainter.....	1,000	100,000
F. Weyerhaeuser.....	500	50,000
F. B. Clarke.....	890	89,000
O. H. Ingram.....	789	78,900
W. A. Rust.....	332	33,200
J. G. Thorp.....	704	70,400
Mrs. S. C. Bull.....	436	43,600
C. H. Carriere, Assin. Est. McL. Stewart.....	2,318	231,800
Archibald Stewart.....	751	75,100
H. V. Noel.....	150	15,000
W. K. Coffin.....	1,619	161,900
Levi Crannell.....	10	1,000
F. C. A. Denkman.....	500	50,000
D. B. MacTavish.....	1	100
	10,000	1,000,000

## SCHEDULE "B".

This is Schedule "B" referred to in the annexed Indenture dated the Fifth day of February, A.D. 1897, and shews the names of all the First Mortgage Bondholders of The Canadian Anthracite Coal Company Limited with the numbers and amounts of the Bonds of said Company held by them respectively immediately prior to the re-organization scheme embodied in the annexed Indenture.

Name of Bondholder	Number of bonds held	Amount in dollars
		\$
Louis S. Tainter.....	169	84,500
F. Weyerhaeuser.....	144	72,000
F. B. Clarke.....	88	44,000
O. H. Ingram.....	103	51,500
W. A. Rust.....	53	26,500
J. G. Thorp.....	121	60,500
Arnie L. Thorp.....	2	1,000
Edmund M. Parker and Jos. G. Thorp.....	1	500
Mrs. S. C. Bull.....	107	53,500
C. H. Carriere, Assignee of McLeod Stewart.....	99	49,500
Archibald Stewart.....	63	31,500
W. K. Coffin.....	22	11,000
J. G. Thorp as Trustee re Archibald Stewart.....	36	18,000
In the Treasury.....	192	96,000
Total.....	1,200	600,000

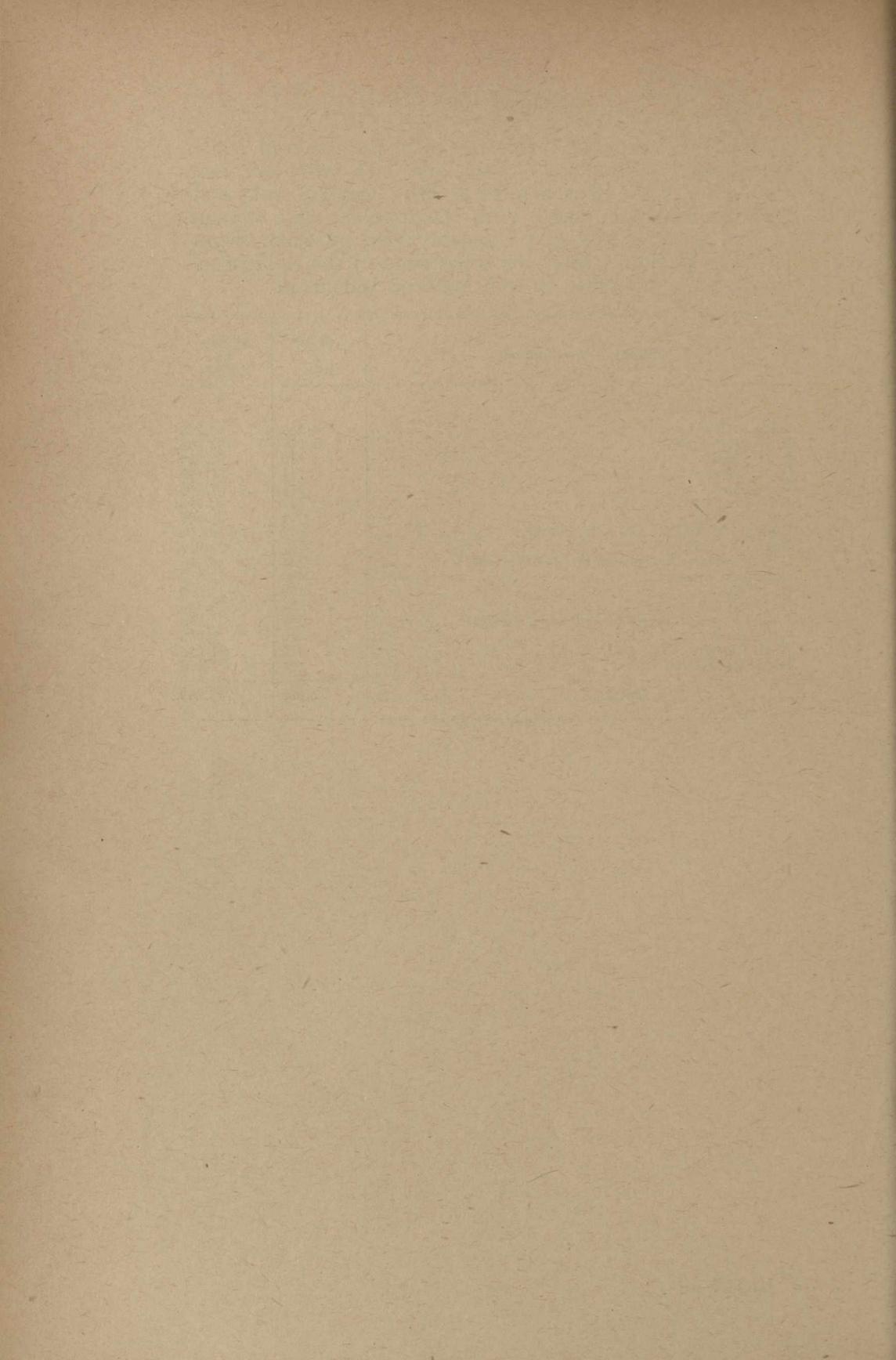




## SCHEDULE "C".

This is Schedule "C" referred to in the annexed Indenture dated the Fifth day of February, A.D. 1897, and shews the names of the Shareholders of The Canadian Anthracite Coal Company, Limited, with the numbers and amounts of the shares of the said Company held by them respectively immediately after the completion of the re-organization scheme embodied in said annexed Indenture.

Names of Shareholders	Number of shares	Amount in dollars
		\$
Louis S. Tainter.....	1,183	118,300
F. Weyerhaeuser.....	1,008	100,800
F. B. Clarke.....	616	61,600
O. H. Ingram.....	711	71,100
W. A. Rust.....	371	37,100
J. G. Thorp.....	847	84,700
Annie L. Thorp.....	14	1,400
Edmund M. Parker and J. G. Thorp.....	7	700
Mrs. S. C. Bull.....	749	74,900
C. H. Carriere, Assignee of McLeod Stewart.....	543	54,300
Archibald Stewart.....	430	43,000
H. V. Noel.....	150	15,000
W. K. Coffin.....	154	15,400
J. G. Thorp as Trustee re Archibald Stewart.....	252	25,200
L. Crannell.....	10	1,000
R. C. Luther.....	10	1,000
D. B. MacTavish.....	1	100
Total.....	7,056	705,600



Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 48.**

An Act to confirm an agreement made between the Vancouver, Victoria and Eastern Railway and Navigation Company and the Northern Pacific Railway Company.

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First reading, March 15, 1933.

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(PRIVATE BILL)

Mr. McDADE.

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

THE HOUSE OF COMMONS OF CANADA.

**BILL 48.**

An Act to confirm an agreement made between the Vancouver, Victoria and Eastern Railway and Navigation Company and the Northern Pacific Railway Company.

Preamble.

**W**HEREAS the Vancouver, Victoria and Eastern Railway and Navigation 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:— 5

Agreement ratified and confirmed.

**1.** The agreement made between the Vancouver, Victoria and Eastern Railway and Navigation Company and Northern Pacific Railway Company, dated the first day of October, A.D. 1931, a copy of which forms Schedule "A" to this Act, is hereby ratified and confirmed and declared to be valid and binding on the parties thereto in all respects whatsoever as fully and completely as if the said agreement and each and every clause thereof were set out at length and enacted in this Act, and the parties to the said agreement and each of them are hereby authorized and empowered to do whatever may be necessary to give full effect to the provisions of the said agreement. 10 15

Powers of Board of Railway Commissioners not affected.

**2.** Nothing in this Act contained shall be deemed in any way to impair the powers of the Board of Railway Commissioners for Canada, and all the provisions of the *Railway Act* now applying to the said Companies and their respective railways and undertakings, and not inconsistent with the provisions of this Act, shall continue to apply to the same. 20 25

R.S., c. 170 to continue to apply.



## SCHEDULE A.

THIS AGREEMENT, made this first day of November, 1932, between the Vancouver, Victoria and Eastern Railway and Navigation Company, a corporation organized under the laws of the Dominion of Canada, hereinafter called the "Vancouver Company", and the Northern Pacific Railway Company, a corporation organized under the laws of the State of Wisconsin, hereinafter called the "Pacific Company",

WITNESSETH:

THAT WHEREAS, the parties hereto entered into a written agreement dated August 11, 1913, whereby the Vancouver Company granted to the Pacific Company the joint use of its railroad between the International Boundary line at Sumas, Washington, and Vancouver, British Columbia, which said agreement was ratified and confirmed by an Act of the Parliament of Canada entitled "An Act to confirm an agreement made between the Vancouver, Victoria and Eastern Railway and Navigation Company and Northern Pacific Railway Company", assented to May 24, 1918 (8-9 Geo. V, Chapter 59), and which said agreement was amended by the parties by written agreements dated January 13, 1914, May 28, 1914, June 24, 1916, and October 15, 1917; and

WHEREAS, the parties desire to bring about the abandonment of the portion of said railroad which is shown in red on the blue print hereto attached marked Exhibit "A" (1) and hereby referred to and made a part of this agreement, and which extends from a point of connection with the tracks of the Pacific Company at the International Boundary line at Sumas, Washington, to the junction near Colebrook, British Columbia, with the Vancouver Company's line of railroad extending from Vancouver, British Columbia, to the International Boundary line at Blaine, Washington; and the Pacific Company desires to acquire the joint use of the portion of the Vancouver Company's line of railroad shown in green on said Exhibit "A" and which extends from the International Boundary line at Blaine, Washington, to the junction near Colebrook with the said line of railroad shown in red on Exhibit "A";

Now, THEREFORE, in consideration of the premises and of the mutual dependent promises hereinafter contained, the parties hereto agree as follows:

(1) The Vancouver Company may immediately discontinue the maintenance of that portion of the line of railroad and its appurtenances described in said agreement

(1) Submitted to the Private Bills Committee.



on August 11, 1913, which is shown in red on said Exhibit "A", and may, and when in its judgment conditions are favourable it will, abandon and dismantle the same.

(2) The Pacific Company shall make no claim for a reduction in the rental specified in said contract of August 11, 1913, as amended, or in the agreed valuation of the property upon which said rental is based, because of the discontinuance of maintenance and the abandonment of said portion of railroad shown in red on said Exhibit "A".

(3) The average monthly saving to the Vancouver Company by reason of the discontinuance of the maintenance of said railroad shown in red on said Exhibit "A" is agreed to be twenty-two hundred dollars (\$2,200.00), and effective October 1, 1931, the Pacific Company shall be credited monthly with eleven hundred dollars (\$1,100.00), being one-half of the amount of said agreed monthly saving.

(4) Upon the abandonment and dismantling of said railroad as provided in paragraph (1) hereof, the Vancouver Company will remove all materials therefrom which shall have a value in excess of the cost of removal and shall endeavour to sell any of the right of way or station grounds appurtenant to said railroad, to which the Vancouver Company shall have marketable title, at its fair market value. The Vancouver Company shall thereafter credit the Pacific Company monthly with one-twelfth ( $1/12$ ) of three per cent (3%) upon the net salvage value of the material so removed, and after any sale or sales of such right of way or station grounds, it shall credit the Pacific Company monthly with one-twelfth ( $1/12$ ) of three per cent (3%) upon the selling price thereof. The Vancouver Company will further credit the Pacific Company monthly with one-half ( $\frac{1}{2}$ ) of one-twelfth ( $1/12$ ) of the aggregate annual saving in taxes by the Vancouver Company as a result of the removal and dismantling of said railroad, which said aggregate annual saving in taxes for each year shall be, for the purpose of this agreement, the difference between the sum of five thousand five hundred six and no/100 dollars (\$5,506.00) (being the amount of taxes paid by the Vancouver Company on the section of said railroad between Sumas and Colebrook for the calendar year 1931) and the amount of taxes paid on unsold right of way, station grounds and other property appurtenant to said railroad for the year for which the saving is computed; provided, however, no credit for such saving in taxes shall commence until the date upon which said taxes would have been paid if such saving had not been effected. The Vancouver Company will further credit the Pacific Company monthly with one-half ( $\frac{1}{2}$ ) of one-twelfth ( $1/12$ ) all rentals collected by the Vancouver Company under leases of said right of way and station grounds for the period commencing October 1, 1931, up to the time of the sale thereof as above provided.



(5) In the event that the Pacific Company shall hereafter at any time while this agreement is in force desire to commence operations under the said contract of August 11, 1913, over any part of the railroad of the Vancouver Company between Vancouver and Colebrook it shall, upon thirty (30) days' notice in writing given to the Vancouver Company, and subject to the conditions hereinafter set forth, be given access to such railroad over the Vancouver Company's line of railroad shown in green on said Exhibit "A". To that end the Vancouver Company hereby grants to the Pacific Company the joint and equal possession and use of said line of railroad shown in green on said Exhibit "A", subject to the conditions hereinafter set forth. The rights, privileges, duties and obligations of each party with respect to the said line of railroad shown in green on said Exhibit "A" shall be the same from and after the date specified in the said notice as they would have been if the said line of railroad shown in green on said Exhibit "A" had been described in said contract of August 11, 1913, as heretofore amended, in place of the line of railroad the abandonment of which is herein provided for. It is the intention of the parties that the amount of rental which the Pacific Company is now required to pay the Vancouver Company under the terms of said agreement of August 11, 1913, as heretofore amended, for the joint use of the Vancouver Company's line of railroad extending from Vancouver to the International Boundary line at Sumas, shall not be changed because of the substitution of the Vancouver Company's line of railroad shown in green for its line of railroad shown in red on said Exhibit "A".

The foregoing provisions of this paragraph (5) are subject, however, to the following exceptions, terms and conditions:

- (a) The Pacific Company shall not have the right to deliver or receive any passengers, freight, express, mail matter or other traffic, or to construct industry spurs, or other improvements, or to make track connections, at any point on the said line of railroad shown in green on said Exhibit "A".
- (b) Upon and after the date mentioned in said notice referred to in paragraph (5) hereof the credits to the Pacific Company provided for in paragraphs (3) and (4) of this agreement shall cease. Upon the construction of any improvements, additions or betterments thereafter made to or upon the said line of railroad shown in green on said Exhibit "A", the rental payable under said contract of August 11, 1913, as heretofore amended, shall be increased in the manner and to the extent provided for in Section 1 of Article II of said contract as heretofore amended, for improve-



ments, additions or betterments upon the lines therein described; provided, however, that such rentals shall not be increased because of any expenditures for improvements, additions or betterments from the use of which the Pacific Company is excluded under the terms of this contract, such as spur tracks at intermediate points, or other improvements constructed purely for the handling of local business, from which the Pacific Company is excluded.

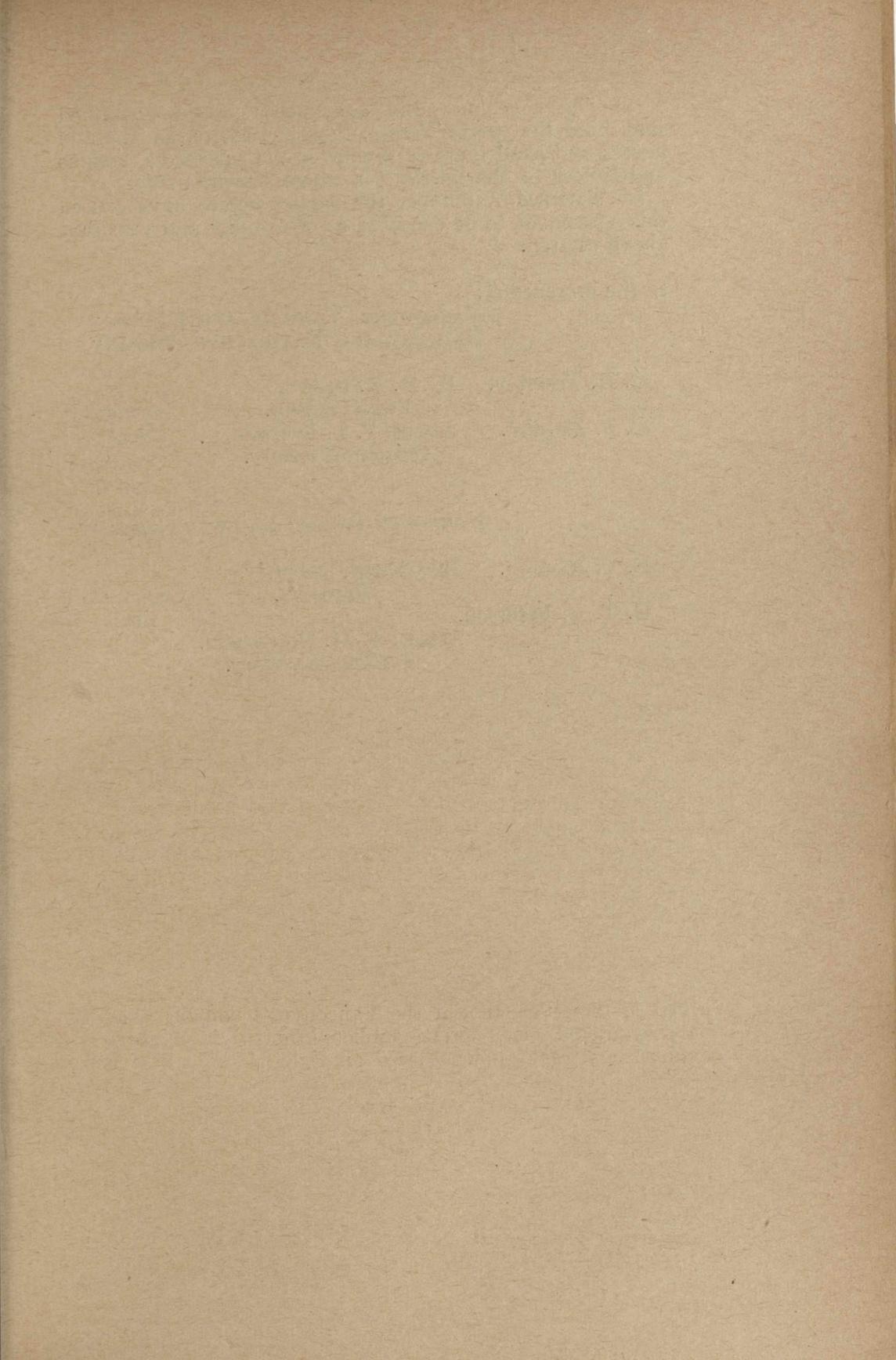
The Pacific Company shall not be required to pay any added rental or contribute to any maintenance or operating costs by reason of the construction, maintenance and operation of more than two main tracks on the said line of railroad shown in green on said Exhibit "A".

(c) In applying the provisions of Section 2 of Article II of said contract of August 11, 1913, as heretofore amended, to the said line of railroad shown in green on said Exhibit "A", amounts expended for insurance and taxes upon said line shall be included in maintenance cost, but costs incurred in the maintenance of facilities from the use of which the Pacific Company is excluded under the terms of this contract, including amounts expended for insurance and taxes thereon, shall not be included. The Pacific Company shall not be charged with any part of the maintenance of station buildings on the line of railroad shown in green on Exhibit "A" (but not including Colebrook) except a fair proportion based on the fact that it uses only the telegraph offices in said buildings, and shall not be charged with any part of the cost of station labour or supplies between said points except a proper proportion of the wages of such persons as are employed or used as telegraph operators and a like proportion of the cost of telegraph office supplies.

(6) Said contract of August 11, 1913, as heretofore amended, shall, continue in full force and effect in accordance with the terms and provisions thereof except as the same is modified or affected by this agreement.

(7) This contract shall take effect as of October 1, 1931; provided, however, that if the Vancouver Company shall be prevented by competent public authority from abandoning said track shown in red on Exhibit "A", or if it shall be compelled by competent public authority to restore or continue the said track, this agreement shall thereupon terminate and the parties shall thereafter be governed by the said contract of August 11, 1913, with such modifications as have heretofore been made therein.

The Vancouver Company shall co-operate with the Pacific Company in obtaining all governmental approval or permission which may be necessary to make this agreement effective and to make the provisions thereof operative.



(8) The covenants and agreements herein contained shall bind the parties hereto, their successors, assigns and lessees and shall inure in favour of the successors, assigns and lessees of the parties for whose benefit made.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed as of the day and year first above written.

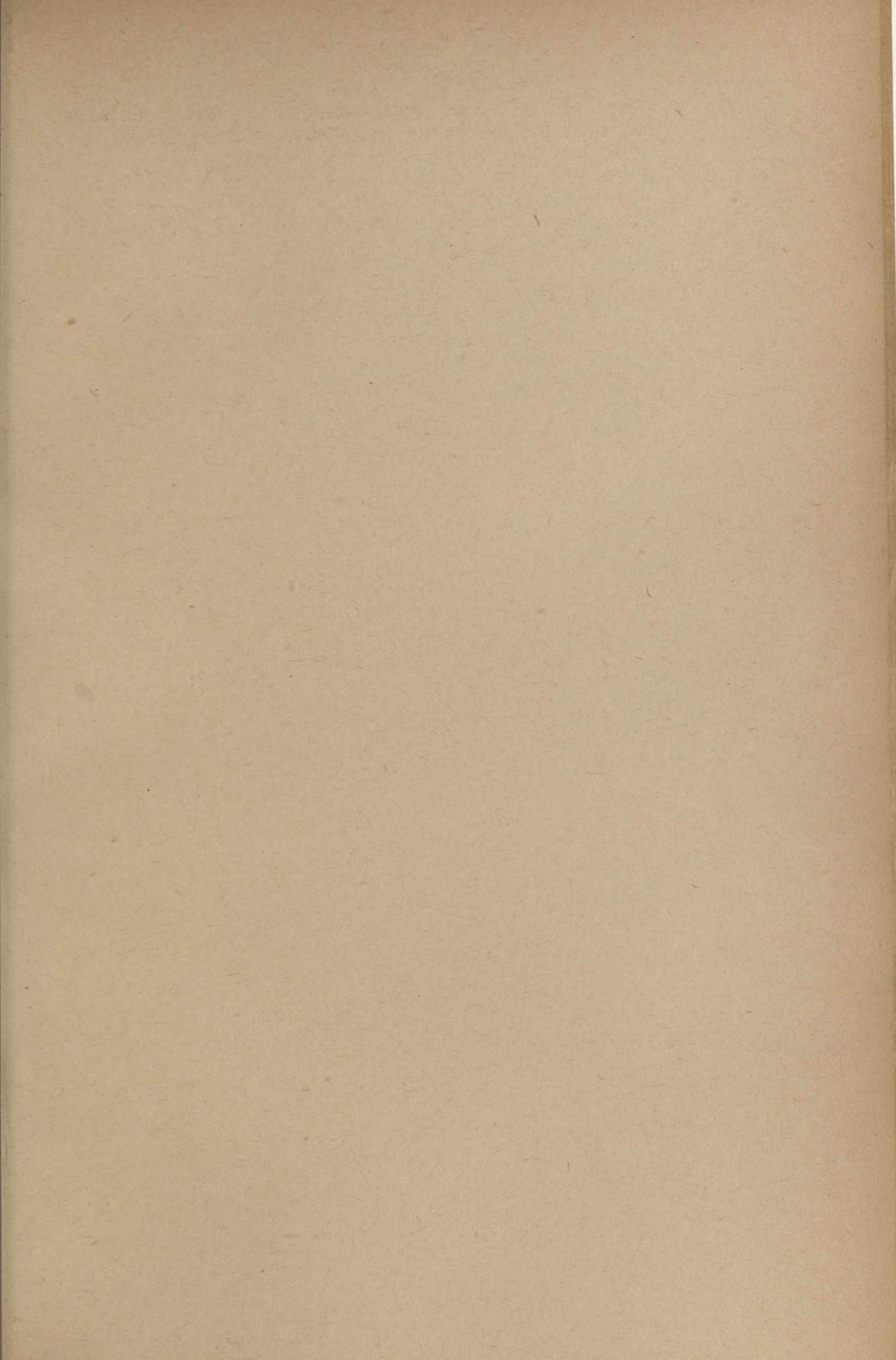
In the presence of:

VANCOUVER, VICTORIA AND EASTERN  
RAILWAY AND NAVIGATION COMPANY,

C. H. Trembly.	By H. H. Brown, <i>Vice-President.</i>	} Corporate Seal }
C. F. Ziegahn.	Attest: F. L. Paetzold, <i>Assistant Secretary.</i>	

NORTHERN PACIFIC RAILWAY COMPANY,

E. V. Johnson.	By Charles Donnelly, <i>President.</i>	} Corporate Seal }
G. T. C. Peterson.	Attest: A. M. Gottschald, <i>Assistant Secretary.</i>	









Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 49.**

An Act respecting a certain Patent application of Fred  
Charles Fantz.

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First reading, March 15, 1933.

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(PRIVATE BILL)

Mr. ANDERSON  
(Toronto—High Park).

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

THE HOUSE OF COMMONS OF CANADA.

**BILL 49.**

An Act respecting a certain Patent application of Fred Charles Fantz.

Preamble.

R.S., c. 150.

**W**HEREAS Fred Charles Fantz, a resident of Webster Groves, St. Louis County, State of Missouri, one of the United States of America, has by his petition set forth that on the twenty-ninth day of April, 1929, pursuant to the provisions of the *Patent Act*, he made application for patent for certain new and useful improvements in and relating to Return Bends, invented by him, which said application was filed under serial No. 349,958 and allowed by the Commissioner of Patents on the seventeenth day of December, 1929; and whereas the said application became forfeited through the inadvertent failure of the agents for the said Fred Charles Fantz to pay the fees payable upon grant of the patent pursuant to the terms of subsections one and three of section forty-three of the *Patent Act*; and whereas the said Fred Charles Fantz has by his petition prayed that it may be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and the House of Commons of Canada, enacts as follows:—

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Power to restore forfeited application and grant patent.

**1.** The Commissioner of Patents, within three months from the date of passing of this Act, may restore the said forfeited application of Fred Charles Fantz, and grant a patent upon the said application upon payment of the fees payable as aforesaid and otherwise complying with the provisions of the said Act.

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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 50.**

An Act to amend the Railway Act (Rate Structure).

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First reading, March 15, 1933.

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Mr. REID.

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

THE HOUSE OF COMMONS OF CANADA.

**BILL 50.**

An Act to amend the Railway Act (Rate Structure).

R.S., c. 170.

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

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

Scope of functions of Board.

“**320.** (1) In deciding whether a lower toll, or difference in treatment, does or does not amount to an undue preference or an unjust discrimination, the Board may consider whether such lower toll, or difference in treatment, is necessary for the purpose of securing in the national interest, both producing and consuming, the traffic in respect of which it is made, and whether such object can be obtained without unduly reducing the higher tolls.”

Rate structure for trade development.

“(2) The Board may consider the question of what should be reasonable compensation under the circumstances, and may establish a rate structure in the interests of trade development and public policy, though such experimental rates may not at the time or of themselves give reasonable compensation to the railway companies.”

### EXPLANATORY NOTE.

1. Section 320, to be repealed and re-enacted, at present reads as follows:—

“320. In deciding whether a lower toll, or difference in treatment, does or does not amount to an undue preference or an unjust discrimination, the Board may consider whether such lower toll, or difference in treatment, is necessary for the purpose of securing, *in the interests of the public*, the traffic in respect of which it is made, and whether such object cannot be attained without unduly reducing the higher tolls.”

The underlined words in the text of the Bill show the proposed changes and additions.



51.

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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 51.**

An Act to incorporate Devonshire Jockey Club.

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First reading, March 17, 1933

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(PRIVATE BILL)

Mr. MORAND.

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

THE HOUSE OF COMMONS OF CANADA.

**BILL 51.**

An Act to incorporate Devonshire Jockey Club.

Preamble.

**W**HEREAS Ottawa Racing Association was incorporated by letters patent under the Companies Act on the twenty-seventh November, 1903, and, by supplementary letters patent, the corporate name was changed to Western Racing Association, Limited; and Whereas the persons named in section one of this Act have by their petition alleged that they represent the purchasers of the assets, undertaking and goodwill of Western Racing Association, Limited, from its Trustee in Bankruptcy; that by order of the Supreme Court of Ontario in Bankruptcy, dated the twenty-second day of March, 1932, the Trustee was held to have no right to convey to the purchasers the corporate powers and privileges enjoyed by the Western Racing Association, Limited; that this application is made for the primary purpose of having confirmed in the petitioners the right to use the assets, undertaking and goodwill purchased, and not for the purpose of obtaining a new racing charter; and have 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.** William Robinson Woollatt, manager, of the town of Walkerville, Clarence Augustus Pfeffer, capitalist, of the city of Detroit, Charles Patrick McTague, barrister-at-law, Stanley Lount Springsteen, barrister-at-law, both of the city of Windsor, and Alfred Lassaline, farmer, of the township of Sandwich East, together with such persons as become shareholders in the Company, are hereby incorporated under the name of "Devonshire Jockey Club," hereinafter called "the Company".

Corporate name.

Provisional directors.

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

#### EXPLANATORY NOTES.

Section **6.** Except for subsection 2 of section 235 of the Criminal Code, a race track carrying on a race-meeting with pari-mutuel betting in connection therewith would be a common betting place, and to permit this section to apply the Association must have been incorporated before the 20th day of March, 1912, or incorporated after that date by Special Act of the Parliament of Canada or of the Legislature of one of its provinces.

Section **8.** The Company desires no special powers not held by a Company incorporated under the Companies Act, except the powers contained in sections five and six.

Head  
Office.

**3.** The head office of the Company shall be at the city of Windsor, in the province of Ontario.

Directors

**4.** The number of directors shall not be less than five nor more than nine, one or all of whom may be paid directors.

Powers.

**5.** The Company shall be deemed to be vested with the corporate powers and privileges heretofore enjoyed by the Western Racing Association, Limited, and to have the right to use the assets, undertaking and goodwill of the said Western Racing Association, Limited. 5

Lands for  
race meeting  
in Essex  
County.

**6.** The Company may acquire by lease, purchase or otherwise, land suitable for the purpose of carrying on the business of holding race-meetings at any place in the county of Essex, in the province of Ontario, and to conduct race-meetings thereon (and shall enjoy the same powers, privileges and exemptions in connection therewith as though it had been incorporated prior to the 20th day of March, 1912). 10 15

Capital  
stock.

**7.** The capital stock of the Company shall be five thousand shares without nominal or par value.

Application  
of Com-  
panies Act.

**8.** Except where inconsistent with the provisions of this Act, the Company shall have the same powers and pri- 20  
leges and shall be subject to the same restrictions and regulations as though it had been incorporated under the provisions of the *Companies Act*.

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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 52.**

An Act for granting to His Majesty certain sums of money  
for the public service of the financial year ending the  
31st March, 1933.

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AS PASSED BY THE HOUSE OF COMMONS,  
17th MARCH, 1933.

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

THE HOUSE OF COMMONS OF CANADA.

**BILL 52.**

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1933.

MOST GRACIOUS SOVEREIGN,

Preamble.

**W**HEREAS it appears by message from His Excellency the Right Honourable the Earl of Bessborough, 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-three, 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, 1932-33.*

\$54,380,349.93  
granted for  
1932-33.

**2.** From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole fifty-four million, three hundred and eighty thousand, three hundred and forty-nine dollars, and ninety-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-two, to the thirty-first day of March, one thousand nine hundred and thirty-three, not otherwise provided for, set forth in the Schedule to this Act.

Account to  
be rendered  
in detail.

**3.** A detailed account of the sums expended under the authority of this Act shall be laid before the House of Commons of Canada during the first fifteen days of the then next session of Parliament.



## SCHEDULE

Based on Further Supplementary Estimates, 1932-33. The amount hereby granted is \$54,380,349.93.

SUMS granted to His Majesty by this Act for the financial year ending 31st March, 1933, and the purposes for which they are granted.

No. of Vote.	Service.	Amount.	Total.
		\$ cts.	\$ cts.
	LEGISLATION.		
	THE SENATE.		
289	Salaries and Contingent Expenses—Further amount required.....		10,000 00
	Expenses of Committees, Clerical Assistance, etc.—Further amount required.....	26,750 00	
	Contingencies—Further amount required.....	450 00	
	Publishing Debates—Further amount required.....	39,200 00	
	Sergeant-at-Arms—Further amount required.....	10,900 00	
	To provide for refunds of Private Bills Fees and Penalties on account of the following:		
	Montreal Underground Terminal Company.....	610 00	
	Burrard Inlet Tunnel and Bridge Company.....	45 00	
290	Niagara Falls Memorial Bridge Company.....	614 00	
	Family Trust (name changed to Financial Trust Company).....	306 00	
	Army and Navy Veterans in Canada.....	68 50	
	Christine Adams Bourne.....	200 00	
	Edith Spenceley.....	200 00	
	Vera Maud Gendron.....	200 00	
	George Frederick Wilson.....	200 00	
	Albert Nott.....	200 00	
	Catherine McRae Beattie McRae.....	300 00	
	Sydney James Black.....	300 00	
	Llewellyn John Chubb.....	200 00	
			80,743 50
	GENERAL.		
291	To provide, notwithstanding anything contained in the Senate and House of Commons Act, for the payment to each Member of the Senate and of the House of Commons who attended the first part of the present Session of an amount representing the actual moving or transportation expenses and reasonable living expenses of such members while on the journey between Ottawa and his place of residence after the adjournment of Parliament on November 25, 1932, and on the return journey from his place of residence to Ottawa at the end of the recess which commenced on the said date, or in case any such member did not return to his place of residence during the said recess an amount equivalent to what would have been his travelling expenses if he had returned to his place of residence during the said recess:—		
	The Senate.....	5,000 00	
	House of Commons.....	15,000 00	
			20,000 00



SCHEDULE—*Concluded*

No. of Vote.	Service.	Amount.	Total.
	RAILWAYS AND CANALS.	\$ cts.	\$ cts.
	MARITIME FREIGHT RATES ACT.		
292	Additional amount, in excess of the sum of \$6,217,400.00 already appropriated, required to provide for the payment from time to time to the Canadian National Railway Company of the deficit in receipts and revenues, occurring during the year 1932, of the Eastern Lines, as provided by the Maritime Freight Rates Act:— (a) Amount of the deficit (less that amount thereof occurring on account of the reduction in tolls under the application of the Maritime Freight Rates Act) in Receipts and Revenues.....	418,444 76	
	DEFICIT OF CANADIAN NATIONAL RAILWAYS.		
293	Amount required to provide for payment to the Canadian National Railway Company of the net income deficit including Profit and Loss incurred by the system during the year 1932 as certified to by the Shareholders' Auditors in the Annual Report of the Company for the year 1932, but exclusive of all non-cash items including interest on Dominion Government Advances and Eastern Lines Deficits as further certified to by the Shareholders' Auditors and approved by the Minister of Railways and Canals, this payment to be applied in reduction of temporary advances made to the Company from the Consolidated Revenue Fund under authority of the Canadian National Railways Guarantee Act, 1932.....	53,422,661 67	53,841,106 43
	ROYAL CANADIAN MOUNTED POLICE.		
294	Further amount required for the services of the Royal Canadian Mounted Police, the allocation of this and other votes pertaining to this service to be as Treasury Board may direct, with effect from April 1, 1932, notwithstanding the provisions of Vote No. 202 and Vote No. 277 of the Main Estimates, 1932-33—the amount hereby granted being the equivalent of the half-yearly payments due under the Provincial Agreements, such payments having been made by the several Provinces and paid into the Consolidated Revenue Fund.....		357,500 00
	MISCELLANEOUS.		
295	Grant to the Pacific Science Association towards expenses of the fifth Pacific Science Congress.....	70,000 00	
296	Grant to Philip Campbell <i>re</i> illegal warfare claim.....	1,000 00	
			71,000 00
			54,880,349 93





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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 53.**

An Act to amend the Criminal Code (Offensive Weapons).

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First reading, March 20, 1933.

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The MINISTER OF JUSTICE.

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

THE HOUSE OF COMMONS OF CANADA.

**BILL 53.**

An Act to amend the Criminal Code (Offensive Weapons).

R.S., c. 36.

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

Offensive  
weapons.

**1.** Sections one hundred and eighteen to one hundred and twenty-nine, both inclusive of the *Criminal Code*, chapter thirty-six of the Revised Statutes of Canada, are repealed and the following are substituted therefor:—

Having or  
carrying  
a pistol  
or revolver  
without  
a permit.

“**118.** Every one is guilty of an indictable offence and liable to imprisonment for not less than five years who, not having a permit in Form 76, has upon his person elsewhere than in his own dwelling house, shop, warehouse, counting-house, or premises, or is carrying concealed a pistol or revolver. (New). 10

Dangerous  
weapons.

“**119.** Every one is guilty of an offence and liable, on summary conviction to a penalty not exceeding one hundred dollars and costs or to imprisonment for three months or to both fine and costs and imprisonment who, 15

Permit  
required  
for offensive  
weapon.

(a) not having a permit in Form 76A, has upon his person elsewhere than in his own dwelling house, shop, warehouse, counting-house or premises, or is carrying concealed any offensive weapon that may be concealed upon the person other than a pistol or revolver; 20

Alien not  
to have a  
firearm, etc.,  
without  
a permit.

(b) being an alien, has in his possession any shot gun, rifle or other such firearm or any ammunition for any such firearm without having a permit in Form 76B; 25

Selling or  
offering  
for sale.

(c) not having a permit in Form 76c sells or offers for sale any pistol or revolver;

Selling or  
lending.

(d) sells, or without lawful excuse, gives or lends any pistol, revolver or other offensive weapon that may be concealed upon the person to any one not being the holder of a permit; 30

### EXPLANATORY NOTES.

SECTION **118.** This section is new. It distinguishes pistols and revolvers from other concealable weapons. It makes it an indictable offence punishable with not less than five years' imprisonment to carry a pistol or revolver without a permit.

SECTION **119.** This section is substantially the same as the repealed subsection one of section 118, except that pistols and revolvers are not dealt with thereby as they have been dealt with by the new section 118. The only other important change contained in section 119 is paragraph (c) thereof, which required a vendor of firearms to have a permit to sell. Other changes are consequential.

Subsection one of section 118 to be repealed at present reads as follows:—

"**118.** Every one is guilty of an offence and liable, on summary conviction, to a penalty not exceeding one hundred dollars and costs or to imprisonment for three months, or to both fine and costs and imprisonment, who,

- (a) not having a permit in Form 76, has upon his person, elsewhere than in his own dwelling house, shop, warehouse, counting-house, or premises, or is carrying concealed, a pistol, revolver, sheath knife, bowie knife, dagger, stiletto, metal knuckles, skull cracker or other offensive weapon that may be concealed upon the person; or
- (b) sells or, without lawful excuse, gives or lends any such offensive weapon, firearm, airgun, device or contrivance to any one not being the holder of a permit; or
- (c) in the case of a sale, neglects to keep a record of such sale, the date thereof, the name of the purchaser, such sufficient description of the weapon, firearm, airgun, device or contrivance sold as may be necessary to identify it, the date and place of issue of the permit and the name and office of the issuer of the permit, or neglects to send a duplicate of such record by registered mail to the person who issued such permit or neglects to endorse upon such permit, the date and place of sale, the said description of the weapon, firearm, airgun, device or contrivance and the name of the vendor; or
- (d) being authorized to issue a permit, issues it without keeping a duplicate thereof as a record, or having issued a permit fails to keep any record received by him of sales of weapons, devices or contrivances to the holder thereof; or

Not recording sale.

(e) upon making a sale of any offensive weapon, for which a permit is required, neglects to keep a record of such sale, the date thereof, the name of the purchaser, such sufficient description of the offensive weapon sold as may be necessary to identify it, the date and place of issue of the permit and the name of the issuer of the permit, or neglects to send a duplicate of such record by registered mail to the person who issued such permit, or neglects to endorse upon such permit the date and place of sale, the said description of the weapon and the name of the vendor; 5

Failure to keep duplicate of permit. Issuing a permit without authority.

(f) being authorized to issue a permit, issues it without keeping a duplicate thereof as a record;

(g) issues a permit without lawful authority."

Persons who may issue permits. Pistol or revolver permits.

"120. (1) The Commissioner of the Royal Canadian Mounted Police or any officer thereof duly authorized by the Commissioner, or any person authorized by the Attorney-General of any province, may issue a permit in Form 76 to any person upon being satisfied that such person requires a pistol or revolver for the protection of life or property. 20

Other permits.

(2) The Commissioner of the Royal Canadian Mounted Police or any officer thereof duly authorized by him or any person authorized by the Attorney-General of any province, may, upon sufficient cause being shown, issue a permit in Form 76A or 76B or 76C to any applicant therefor as to whose discretion and good character he is satisfied. 25

Vendor's permit.

Duration.

(3) Any permit issued hereunder shall remain in force only during the calendar year in which it is issued and at the end of such calendar year shall lapse and be null and void. 30

Burden of proof.

(4) Upon the trial of an offence under sections one hundred and eighteen and one hundred and nineteen the onus shall be upon the accused person to prove that he has the permit required thereby and such permit shall be *prima facie* evidence of its contents and of the signature and official character of the person by whom it purports to be granted. 35

Powers of Governor in Council.

"121. Whenever the Governor in Council deems it expedient in the public interest, he may by proclamation

(a) suspend the operation of any of the provisions of sections 118, 119 and 120 in any part of Canada and for such period as he deems fit; 40

(b) forbid for such period as he deems fit any person except such persons as may be expressly exempted by the terms of the proclamation, from having in possession in such portion of Canada as may be named in the proclamation, any offensive weapon or any device or contrivance for muffling the report of any firearm, and upon the issue of such procla- 45

(e) being an alien has in his possession any pistol, revolver, shot gun, rifle or other firearm or any ammunition for any firearm or any offensive weapon without having a permit therefor, which permit may be issued in the same manner by the same persons and as near as may be in the same form as in the case of the other permits referred to in this section; or

(f) issues a permit without lawful authority."

**SECTION 120.** Subsections (1), (2) and (3). This corresponds to section 118, ss. 2. The change is to allow the issue of permits only by the Commissioner of the R.C.M.P. and the nominees of the Provincial Attorney-General and in the case of revolvers and pistols to authorize permits only for the protection of life or property.

Subsections 2 of section 118 at present reads as follows:—

"2. Upon sufficient cause being shown, any officer of the Royal Canadian Mounted Police or of a provincial police or detective force, or any stipendiary or district magistrate or police magistrate or acting police magistrate or sheriff or chief constable of any city, incorporated town or district municipality, or any person authorized under the law of any province to issue licences or permits to carry firearms, or to hunt or shoot, or any officer or class of officers or persons thereto authorized by the Governor in Council, may grant any applicant therefor as to whose discretion and good character he is satisfied a permit in Form 76, for such period not exceeding twelve months as he deems fit."

**SECTION 120.** Subsection (4). This subsection is new in part. It places the onus on the accused to prove that he has a permit. It is necessary because of the difficulty of proving a negative.

**SECTION 121.** This is similar to the repealed subsection four of section 118. The only change is to provide for the exemption in the proclamation of any persons from the operation thereof rather than for the issue of permits to such persons.

mation, every one is guilty of an offence and liable on summary conviction to a penalty not exceeding one hundred dollars and costs, or to imprisonment for three months, or to both fine and costs and imprisonment, who not being exempted from the operation of the proclamation by the terms thereof has in his possession any offensive weapon, device or contrivance contrary to the said proclamation." 5

Having  
pistol or  
revolver  
while  
committing  
offence.

"122. Every one who has upon his person a pistol or revolver while committing any criminal offence of which he is convicted, shall receive a sentence of two years in addition to the sentence imposed in respect of the offence aforesaid of which he is convicted. 10

"123. Every one who has upon his person any offensive weapon, with intent therewith unlawfully to do injury to any other person, is guilty of an offence and liable, on summary conviction before two justices, to a penalty not exceeding two hundred dollars and not less than fifty dollars, or to imprisonment for any term not exceeding six months, with or without hard labour. 15 20

Pointing  
any firearm  
or air gun  
at any  
person.

"124. Every one who, without lawful excuse, points at another person any firearm or airgun, whether loaded or unloaded, is guilty of an offence and liable, on summary conviction before two justices, to a penalty not exceeding one hundred dollars and not less than ten dollars, or to imprisonment for any term not exceeding thirty days, with or without hard labour. 25

Selling  
pistol or  
air gun  
to minor.

"125. Every one is guilty of an offence and liable on summary conviction to a penalty not exceeding fifty dollars who sells any firearm or gives or sells any pistol or airgun, or any ammunition therefor, to a minor under the age of sixteen years unless he establishes to the satisfaction of the justice before whom he is charged that he used reasonable diligence in endeavouring to ascertain the age of the minor before making such sale or gift and that he had good reason to believe that such minor was not under the age of sixteen years. 30 35

Search.

"126. (1) Every peace officer may search any person whom he has reason to believe and does believe has upon his person any offensive weapon, contrivance or device contrary to the provisions of the eleven next preceding sections and may seize any offensive weapon, device or contrivance illegally in the possession of any person without a permit. 40

Disposal  
of weapon.

(2) Any offensive weapon, device or contrivance had or carried in violation of the eleven next preceding sections shall be forfeited to the Crown, to be disposed of as the Attorney-General of the province in which such forfeiture takes place may direct. 45

SECTION **122**. This corresponds to the repealed section 120. It imposes an additional sentence of two years where a person has upon his person a pistol or revolver while committing an offence of which he is convicted.

Section one hundred and twenty to be repealed, at present reads as follows:—

"**120**. Every one who when arrested, either on a warrant issued against him for an offence or while committing an offence, has upon his person a pistol or airgun is guilty of an offence and liable, on summary conviction before two justices, to a penalty not exceeding fifty dollars and not less than twenty dollars, or to imprisonment for any term not exceeding three months, with or without hard labour."

SECTION **123**. This corresponds to repealed section 121, the only change being to substitute the underlined words "any offensive weapons" for the words "a pistol or airgun".

SECTION **124**. This is repealed section 122 unchanged.

SECTION **125**. This is repealed section 119 unchanged.

SECTION **126**, ss. 1. This corresponds to section 118, ss. 6, with only formal changes.

SECTION **126**, ss. 2. This corresponds to section 118, ss. 7, with only formal changes.

Refusing to deliver offensive weapon.

“127. Every one attending any public meeting or being on his way to attend the same who, upon demand made by any justice within whose jurisdiction such public meeting is appointed to be held, declines or refuses to deliver up, peaceably and quietly, to such justice, any offensive weapon with which he is armed or which he has in his possession, is guilty of an indictable offence. 5

Procedure and penalty.

(2) The justice may record the refusal and adjudge the offender to pay a penalty not exceeding eight dollars, or the offender may be proceeded against by indictment 10 as in other cases of indictable offences.”

Lying in wait for persons returning therefrom.

“128. Every one is guilty of an indictable offence and liable to a penalty not exceeding two hundred dollars, or to imprisonment for a term not exceeding six months, or to both, who lies in wait for any person returning, or expected to return from any such public meeting, with intent to commit an assault upon such person, or with intent, by abusive language, opprobrious epithets or other offensive demeanour, directed to, at or against such person, to provoke such person, or those who accompany him, to a breach of the peace. 15 20

Immigration officers added to those who may carry weapons.

“129. Nothing in the fifteen next preceding sections shall apply to the having upon his person or the carrying by any member of His Majesty’s Naval, Military or Militia Forces, or by any peace officer or immigration officer of any weapon, device or contrivance which he is by law permitted or authorized so to have or carry, or to any bona fide sale made by any manufacturer of or person trading wholesale in such weapons, devices or contrivances to any person bona fide dealing in such articles and having an established and fixed place of business.” 25 30

Permits cancelled.

2. Every permit heretofore issued pursuant to any section repealed by this Act is hereby cancelled.

New forms enacted.

3. Form 76 in Part 25 of the Criminal Code is repealed and the following forms are enacted in lieu thereof: 35

“FORM 76.

*Pistol or Revolver Permit.*

(Insert name and place of issue and date.)

Permission is hereby given to ..... (insert name of holder of permit) of ..... to carry (insert character of weapon, whether a pistol or revolver) for (insert calendar year of issue of permit) for the protection of life or property. 40

SECTION **127.** This is repealed section 126 without change.

SECTION **128.** This section is the same. There is no change.

SECTION **129.** This is repealed section 118, ss. 5, with only formal changes.

*Reason for Granting Permit.*

*(Here are to be inserted the reasons for issuing permit.)*  
*(Name and office of person issuing permit.)*

## FORM 76A.

*Permit for Weapon other than Pistol or Revolver.* 5

*(Insert name and place of issue and date.)*

Permission is hereby given to.....*(insert name of holder of permit)* of.....to carry *(insert character of weapon)* for *(insert calendar year of issue of permit.)* 10

*Reason for Granting Permit.*

*(Here are to be inserted the reasons for issuing permit.)*  
*(Name and office of person issuing permit.)*

## FORM 76B.

*Alien's Permit for Shotgun, Rifle or other such Firearm.* 15

*(Insert name and place of issue and date.)*

Permission is hereby given to.....*(insert name of holder or permit)* being a *(insert nationality)* of.....to have in his possession *(insert character of weapon)* for *(insert calendar year of issue of permit.)* 20

*Reason for Granting Permit.*

*(Here are to be inserted the reasons for issuing permit.)*  
*(Name and office of person issuing permit.)*

## FORM 76C.

*Vendor's Permit to sell Pistols and Revolvers.* 25

*(Insert name and place of issue and date.)*

Permission is hereby given to.....*(insert name of holder of permit)* of.....to sell pistols and revolvers for *(insert calendar year of issue of permit.)* 30



*Reason for Granting Permit.*

*(Here are to be inserted the reasons for issuing permit.)  
(Name and office of person issuing permit.)"*

Coming  
into force.

4. This Act shall come into force on a date to be fixed  
by proclamation of the Governor in Council, provided 5  
that section one hundred and twenty of the *Criminal Code*,  
as enacted by section one of this Act, shall come into force  
upon the date of the Assent to this Act, but the permits  
mentioned in said section one hundred and twenty shall be  
valid only upon the date this Act comes into force by 10  
proclamation.









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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 54.**

An Act to amend the Dominion Notes Act.

---

First reading, March 22, 1933.

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The MINISTER OF FINANCE.

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

THE HOUSE OF COMMONS OF CANADA.

**BILL 54.**

An Act to amend the Dominion Notes Act.

R.S. c. 41.

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

**1.** Subsection three of section four of the *Dominion Notes Act*, chapter forty-one of the Revised Statutes of Canada, 1927, is repealed and the following is substituted therefor:—

Redemption  
in gold.

“(3) Dominion notes shall be redeemable in gold on presentation at branch offices established, or at banks with which arrangements are made for the redemption thereof as hereinafter provided. The Governor in Council may from time to time, and for such period or periods as he may deem desirable, suspend the operation of this subsection.”

Power to  
suspend  
operation.

#### EXPLANATORY NOTES.

1. The existing subsection reads as follows:—

“(3) Dominion notes shall be redeemable in gold on presentation at branch offices established, or at banks with which arrangements are made for the redemption thereof as hereinafter provided.”

The underlined words in the text of the Bill are added, and give the Governor in Council power to suspend the operation of the subsection.



Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 55.**

An Act respecting Relief Measures.

---

First reading, March 22, 1933.

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The MINISTER OF LABOUR.

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

THE HOUSE OF COMMONS OF CANADA.

**BILL 55.**

An Act respecting Relief Measures.

Preamble.

1932, c. 36.

**W**HEREAS by reason of the prolonged world wide economic depression, recovery to a more normal economic condition has been retarded in the Dominion of Canada; and whereas the Provinces may require assistance in carrying out necessary relief measures and to meet financial conditions as the same may arise; and whereas in such event it is in the national interest that Parliament should support and supplement the relief measures of the Provinces and grant them financial assistance in such manner and to such extent as the Governor in Council may deem expedient; and whereas it is necessary to make special provisions to deal with the situation in the National Parks of Canada and elsewhere; and whereas for these and similar purposes the powers necessary to insure the speedy and unhampered prosecution of such relief measures and the maintenance of the credit of the Dominion and the Provinces thereof should be vested in the Governor in Council: Now, therefore, His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Relief Act, 1933*.

**2.** Notwithstanding the provisions of any statute or law the Governor in Council may,—

Agreements with provinces.

(a) Upon such terms and conditions as may be agreed upon,—enter into agreements with any of the provinces respecting relief measures therein; grant financial assistance to any province by way of loan, advance, guarantee or otherwise; loan or advance money to or guarantee the payment of money by any public body, corporation or undertaking; and in respect of such loans, advances and guarantees, may accept such security, enter into such agreements and generally do all such things as the Governor in Council may deem necessary and expedient in the public interest.

Loans to provinces, and others.

## EXPLANATORY NOTES.

PREAMBLE. The underlined words "and elsewhere" are inserted in the preamble in place of the words, "and in the drought-stricken areas of the Province of Saskatchewan."

2. The existing section reads as follows:—

"2. The Governor in Council may, on such terms and conditions as may be agreed upon, and notwithstanding the provisions of any statute or law,—

- (a) Enter into agreements with any of the Provinces respecting relief measures therein;
- (b) Grant financial assistance to any Province by way of loan, advance, guarantee or otherwise;
- (c) Take all such measures as in his discretion may be deemed necessary or advisable to protect the credit and financial position of the Dominion or any Province thereof;
- (d) Loan or advance money to, or guarantee the payment of money by any public body, corporation or undertaking."

The section has been re-drafted and the underlined words in paragraphs (a) and (b) of the section are inserted.

Maintain  
peace, order  
and good  
government.

(b) Take all such measures as in his discretion may be deemed necessary or advisable to maintain, within the competence of Parliament, peace, order and good government throughout Canada, and to protect the credit and financial position of the Dominion or any province thereof. 5

Protect  
financial  
credit.

Further  
powers of  
Governor in  
Council.

**3.** Without restricting the generality of the terms of the next preceding section hereof and notwithstanding the provisions of any statute or law, the Governor in Council may 10

(a) Provide for special relief, works and undertakings in the National Parks of Canada and elsewhere;

(b) Assist in defraying the cost of the sale and distribution of the products of field, farm, forest, sea, river and mine; 15

(c) Take all such other measures as may be deemed necessary or advisable for carrying out the provisions of this Act.

Payments  
for direct  
relief not  
to exceed  
\$20,000,000.

**4** The Governor in Council may pay out of the Consolidated Revenue Fund such moneys as may be necessary 20 for all or any of the purposes of this Act, but the amount paid for direct relief for the fiscal year ending the 31st day of March, 1934, shall not exceed the sum of twenty million dollars.

Orders and  
regulations.

**5.** The Governor in Council shall have full power to 25 make all such orders and regulations as may be deemed necessary or desirable to carry out the purposes and intention of this Act.

Enforcement  
of orders and  
regulations.

**6.** All orders and regulations of the Governor in Council made hereunder shall have the force of law and may be 30 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, 35 accrued, accruing or incurred thereunder be affected by any such variation, extension or revocation.

Orders and  
regulations  
laid before  
Parliament.

**7.** 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 Parlia- 40 ment 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*.

**3.** The only change in this section is the insertion of the underlined words "and elsewhere" in paragraph (a) in place of the words "and for the continuance during such period as may be necessary and advisable of the relief measures heretofore undertaken and now being carried on at the cost of Canada in the drought stricken areas of Saskatchewan by the Saskatchewan Relief Commission".

**4.** This section is amended by adding thereto the the underlined words in the text of the Bill.

**5.** No change.

**6.** No change.

**7.** No change.

Report to  
Parliament.

8. A report shall be laid before Parliament within fifteen 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, guarantees given and obligations contracted under this Act. 5

Duration  
of Act.

9. This Act shall expire on the thirty-first day of March, 1934, and any obligation or liability incurred or created under the authority of this Act prior to the thirty-first day of March, 1934, may be paid and discharged out of the Consolidated Revenue Fund notwithstanding the expiration of this Act on the said date. 10

**8.** No change.

**9.** In this section the year 1934 is substituted for the year 1933, by which change the operation of the Act is continued for one year.



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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 56.**

An Act respecting The Nipissing Central Railway  
Company.

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First reading, March 27, 1933.

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(PRIVATE BILL)

Mr. CASSELMAN.

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

THE HOUSE OF COMMONS OF CANADA.

**BILL 56.**

An Act respecting The Nipissing Central Railway Company.

Preamble.

1907, c. 112;  
1908, c. 135;  
1913, c. 160;  
1918, c. 56;  
1923, c. 80;  
1928, c. 63.

**W**HEREAS The Nipissing Central Railway Company, hereinafter called the Company, has by its petition represented that it was authorized by its Act of incorporation, chapter one hundred and twelve of the statutes of 1907, to construct and operate certain lines of railway as therein set forth; and that the Company has commenced to construct and operate the said lines of railway but has been unable to complete the same within the time fixed by chapter sixty-three of the statutes of 1928, namely, the eleventh day of June one thousand nine hundred and thirty-three; and has prayed that the time for the completion of its lines of railway may be further extended, and it is expedient to grant the prayer of the said petition; Therefore His Majesty, by and with the advice and consent of the Senate and the House of Commons, enacts as follows:—

Extension of  
time for  
completion.

**1.** The Company may within five years from the passing of this Act complete and put in operation the lines of railway and branch which the Company is by section seven of chapter one hundred and twelve of the statutes of 1907, section two of chapter fifty-six of the statutes of 1918 and section one of chapter sixty-three of the statutes of 1928 authorized to construct and operate, namely:—

(a) Extending from a point in or near the town of Latchford, in the district of Nipissing, now the district of Timiskaming, in the province of Ontario, thence through the townships of Coleman, Bucke, Dymond, Harris and Casey to a point on or near Blanche river, thence in a northerly direction to a point at or near Windigo lake, thence in a northeasterly direction to a point on the line of the National Transcontinental in the province of Quebec at or near the Matagami river; also,



- (b) Extending from Latchford in a course following the Montreal river through the townships of Coleman, Barr, Lundy, Auld, Cane, Barber, Tudhope, James, Smyth, Willison, Truax and Davidson, and thence in a northerly direction, by the most direct line to a point on the line of the National Transcontinental; also, 5
- (c) Extending from Lartchford in a southerly direction to a point at or near Tamagami station; also,
- (d) Extending from a point in or near New Liskeard in the said district of Nipissing, now the district of Timiskaming, in a westerly direction through the townships of Dymond, Hudson, Lundy, and Auld to meet the line above described as (b); also, 10
- (e) Extending from a point at or near Windigo lake on the line above described as (a) in a westerly direction to the line of the Timiskaming and Northern Ontario Railway; also, 15
- (f) Extending from a point in or near New Liskeard in a northwesterly direction through the townships of Kearns, Armstrong, Evanturel, Beauchamp and Dack to Charlton; also, 20
- (g) A branch extending from a point in the township of Casey on the line above described as (a) to North Temiscamingue on the river des Quinze. 25

Repeal.

2. Section one of chapter sixty-three of the statutes of 1928 is hereby repealed.

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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 57.**

An Act respecting the Criminal Code (Appeals to Privy Council).

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First reading, March 28, 1933.

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Mr. LAPOINTE.

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

THE HOUSE OF COMMONS OF CANADA.

**BILL 57.**

An Act respecting the Criminal Code (Appeals to Privy Council).

R.S., c. 36.  
Preamble.

WHEREAS subsection four of section one thousand and twenty-four of the *Criminal Code*, which abolished appeals to the Privy Council in criminal cases, was declared to be *ultra vires* of the Parliament of Canada by the Privy Council in 1926; and whereas the provisions of the Statute of Westminster have conferred power upon the Parliament of the Dominion to enact laws having extra-territorial operation, and declared that the Colonial Laws Validity Act, 1865, shall not in future apply to any law made by the Parliament of a Dominion; and whereas it is advisable to abolish appeals to the Privy Council in criminal cases: Therefore, His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Appeals to  
Privy  
Council  
abolished.

1. Notwithstanding anything to the contrary, it is hereby declared and enacted that subsection four of section one thousand and twenty-four of the *Criminal Code*, which abolishes appeals to the Privy Council in criminal cases, is of full force, virtue and effect, and shall be deemed to be re-enacted by this Act.

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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 58.**

An Act to amend the Royal Canadian Mounted Police Act.

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First reading, March 30, 1933.

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The MINISTER OF JUSTICE.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 58.

An Act to amend the Royal Canadian Mounted Police Act.

R.S., c. 160;  
1930, c. 39;  
1931, c. 11;  
1932, c. 37.

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

Arrangements  
with local  
governments  
for the use  
of the Force.

**1.** Section five of the *Royal Canadian Mounted Police Act*, chapter one hundred and sixty of the Revised Statutes of Canada, 1927, as amended by section one of chapter eleven of the statutes of 1931, is further amended by adding thereto the following subsection:—

Moneys may  
be utilized for  
maintenance  
of R.C.M.P.

“(3) Notwithstanding the provisions of *The Consolidated Revenue and Audit Act, 1931*, the Governor in Council may, whenever in his discretion he deems it necessary or advisable so to do, direct that moneys payable by the provinces under the provisions of subsection two of this section be utilized for the maintenance of the Royal Canadian Mounted Police.”

Governor  
in Council to  
determine  
rates of pay.

**2.** Section twenty of the said Act is repealed, and the following is substituted therefor:—

“**20.** The Governor in Council may by regulation determine the pay and allowances to be received by the Commissioner and other members of the Force.”

Fines and  
forfeitures  
earned by  
members of  
the Force  
to be paid to  
the Minister.

**3.** Section twenty-one of the said Act is repealed and the following is substituted therefor:—

“**21.** (1) Notwithstanding the provisions of any Act inconsistent herewith, all fines and the proceeds of all forfeitures and seizures and all portions of any fine and of any forfeiture or seizure that may be awarded or adjudged to any member of the Force in connection with the performance of his duties shall be paid to the Minister.

Fees, costs  
and  
remuneration  
granted to  
members of  
the Force  
to be paid to  
the Minister.

(2) All fees or costs which are ordinarily paid to any member of the Force and any remuneration granted to or awarded him by way of salary, commission or fee for duties performed for any Department of the Federal, Provincial or Territorial Governments or any other organization, or

## EXPLANATORY NOTES.

**1.** Section 5 of the R.C.M. Police Act, as amended by section 1 of chapter 11 of the statutes of 1931, at present reads as follows:—

“5. (1) The Governor in Council may, from time to time, enter into arrangements with the government of any province of Canada for the use or employment of the Force, or any portion thereof, in aiding the administration of justice in such province, and in carrying into effect the laws of the legislature thereof; and may, in any such arrangement, agree upon and determine the amount of money which shall be paid by the province for such services of the Force.

(2) There may be included in any such arrangement provisions for the taking over by the Royal Canadian Mounted Police Force of such officers and men of any provincial Police Force as may be required and for the extension to such officers and men of the pension benefits provided for officers and constables of the Royal Canadian Mounted Police Force, upon such terms and conditions, including recognition of prior service, as may be approved by the Governor in Council and agreed upon between the Dominion Government and the Government of any province.”

The purpose of the amendment is to empower the Governor in Council, in case of emergency or other special circumstance, to authorize the utilization of the moneys in question for the use of the Royal Canadian Mounted Police.

**2.** Section 20 as it stands at present reads as follows:—

“20. The Governor in Council may by regulation determine the pay and allowances to be received by the Commissioner and other members of the Force, and such regulation shall be and be deemed to have been effective from and after the thirty-first day of May, one thousand nine hundred and twenty-four. 1924, c. 66, s. 1.”

The only change in the proposed amendment is to delete all words following the word “Force,” to preclude any possibility of the claim that any change in the regulations regarding pay and allowances must be antedated to the 31st of May, 1924.

**3.** Section 21 of the R.C.M. Police Act at present reads as follows:—

“21. Notwithstanding the provisions of any Act inconsistent herewith, all fines and the proceeds of all forfeitures and seizures and all portions of any fine and of any forfeiture or seizure that may be awarded or adjudged to any member of the Force in connection with the performance of his duties shall be paid to the Minister.

2. The moneys so paid to the Minister shall be used or paid

(a) for the benefit of members of the Force and their families and the families of deceased members of the Force; or

(b) to such benefit fund established or as may hereafter be established in the interests of the members of the Force or their dependents; as the Governor in Council may prescribe.

3. The Governor in Council may make any regulations deemed by him necessary or convenient for the management and administration of the said moneys and of any benefit fund established in connection therewith. 1921, c. 53, s. 1.”

any money whatsoever earned, awarded or granted to him in connection with the performance of his duties over and above his regular salary or pay and allowances as a member of the Force, shall be paid to the Minister, except cases in which the Minister may from time to time otherwise direct, 5 and this subsection shall be deemed to have come into operation on the 1st day of June, 1932. (New.)

How money is to be used.

(3) The money so paid to the Minister shall be used or paid

(a) for the benefit of members of the Force and their 10 families and the families of deceased members of the Force; or

(b) to such benefit fund established or as may hereafter be established in the interests of the members of the Force or their dependents as the Governor in Council 15 may prescribe.

Regulations.

(4) The Governor in Council may make any regulations deemed by him necessary or convenient for the management and administration of the said moneys, and of any Benefit Fund established in connection therewith." 20

The only change is the addition of the new subsection 2. Former subsections 2 and 3 are renumbered 3 and 4.

It will be observed from the above quoted section that there is no provision making it obligatory that all amounts of remuneration, commissions or fees such as those granted in the enforcement of Provincial or Territorial Game laws, salaries or commissions to members of the Force acting as Collectors of Customs at remote points and similar moneys granted to other members of the Force, such as costs and so forth, shall be paid to the Minister for deposit to the Benefit Trust Fund.

It is now considered that all moneys, fees, costs and any remuneration or commission granted to members of the Force of whatever nature, over and above their regular salaries or pay and allowances as members of the Force should be paid to the Minister for deposit to the Benefit Trust Fund and the new Section 21 is intended to accomplish this.

It is desired, however, that the Minister in control of the Force shall be authorized to make exception where it is considered impractical or inadvisable to apply any part of the section. For example—The former Saskatchewan Provincial Police Force always turned their Constable's fees or costs over to the Provincial Government and by agreement between the Federal Government and the Saskatchewan Provincial authorities for the services of the Royal Canadian Mounted Police approved by Order in Council of the 14th April, 1928 (P.C. 580), the R.C.M. Police is already committed to hand these costs over to the Province of Saskatchewan in the same manner as if the Saskatchewan Provincial Police Force was in operation, and these amounts are therefore not deposited in the Benefit Trust Fund in this case.

In similar situations it is proposed to authorize the Minister in control of the Force to give decisions on these questions as they arise, and by subsection 2 to authorize present procedure which was approved by the Minister as from the 1st day of June, 1932, whereby certain remunerations not required by any overtime or extra work have already been ordered to be paid to the Minister from that date.

4. Subsection two of section thirty-one of the said Act, as amended by section nine of chapter thirty-seven of the statutes of 1932, is repealed, and the following is substituted therefor:—

Punishment  
of offences  
by non-  
commis-  
sioned  
officers and  
constables.

“(2) Any such offender shall be liable to a penalty not 5  
exceeding one month’s pay, or to imprisonment, with hard  
labour, for a term not exceeding one year, or to both fine  
and imprisonment, and also to reduction in rank, in addition  
in any case to any punishment to which the offender is 10  
liable, with respect to such offence, under any other law in  
force in the Northwest Territories or the Yukon Territory,  
or in the province in which the offence is committed.”

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

Governor in  
Council may  
determine  
amount of  
allowance  
for purposes  
of pension.

“(2) The Governor in Council may by regulation 15  
determine the amount of allowances for purposes of pension  
to be received by the Commissioner and other officers of  
the Force and this subsection shall be and be deemed to  
have been effective from and after the 1st day of November,  
1902.” (New.) 20

4. Section thirty-one of the R.C.M. Police Act as amended by section nine of chapter thirty-seven of the statutes of 1932, at present reads as follows:—

“31. (1) The Commissioner, the Deputy Commissioner and the Assistant Commissioner, or the superintendent or other commissioned officer commanding at any post or in any district, may, forthwith, on a charge, in writing of any one or more of the offences mentioned in the last preceding section being preferred against any member of the Force, other than a commissioned officer, cause the person so charged to be brought before him, and he shall then and there, in a summary way, investigate the said charge, and, if proved on oath, to his satisfaction, shall thereof convict the offender.

(2) Any such offender shall be liable to a penalty not exceeding one month's pay, or to imprisonment, with hard labour, for a term not exceeding one year, or to both fine and imprisonment, and also *if a non-commissioned officer*, to reduction in rank, in addition in any case to any punishment to which the offender is liable, with respect to such offence, under any other law in force in the Northwest Territories or the Yukon Territory, or in the province in which the offence is committed.

The only change in the proposed amendment is to delete the words in italics above, namely: “*if a non-commissioned officer*,”.

This is necessary because there are first, second and third class constables now in the Force, and reduction in rank is sometimes imposed in the case of a constable, and, in these circumstances, reductions in rank is not confined merely to non-commissioned officers.

5. Section 44 of the present Act reads as follows:—

“44. An Officer who is retired compulsorily for any cause other than misconduct or inefficiency after ten years' service, shall be entitled to a pension for life, not exceeding one-fiftieth of the pay and allowances of his rank or permanent appointment at the time of his retirement for each completed year of service. 1919, c. 69, s. 12.”

It will be noted from the above that an Officer is entitled to pension on the basis of a stated proportion of his pay and allowances at the time of his retirement.

It may so happen that on account of the exigencies of the Service, two Officers of equal rank may be receiving different values in connection with allowances. For example, one Officer may be living in Government quarters in Barracks rent free, and another in a rented house outside Barracks, and the value of the accommodation may be entirely different. Again, the rations for one Officer living in a remote region are naturally more costly than for an Officer in a comparatively thickly populated centre.

In the circumstances above set forth, ever since Officers of the Force were granted the privileges of pension (in 1902) it has been customary for the Governor in Council to determine from time to time what amounts shall be authorized for “allowances.”

Notwithstanding this, the question recently arose as to whether the Police Act permitted such procedure and the intention of the proposed amendment is to legalize past practice, and remove any doubt on the matter.

6. Section forty-eight of the said Act, as amended by section twelve of chapter thirty-seven of the statutes of 1932, is further amended by adding thereto the following subsections:—

Time served in South Africa may be included.

“(7) Time served with the Canadian Military Forces in South Africa in any one or more of the years 1899, 1900, 1901 and 1902, and time during which the Officer was invalidated but remained on full pay on account of wounds, injuries or disease suffered or contracted on such service may be included in the term of service for the purpose of pension under this Part. (New.)

Time with the Military Forces.

“(8) Time served with the Military Forces for which a pension has been granted under the provisions of the Militia Pension Act, shall not be included in the term of service for the purposes of pension under this Part.” (New.)

7. Section sixty-six of the said Act is amended by adding thereto the following subsection:—

Governor in Council may determine amount of allowances for purposes of pension.

“(4) The Governor in Council may by regulation determine the amount of allowances for pension purposes to be received by any constable of the Force, and this subsection shall be and be deemed to have been effective from and after the 1st day of August, 1919.” (New.)

8. Section sixty-seven of the said Act is amended by adding thereto the following subsections:—

Time served in South Africa may be included.

“(4) Time served with the Canadian Military Forces in South Africa in any one or more of the years 1899, 1900, 1901 and 1902, and the time during which the constable was invalidated but remained on full pay on account of wounds, injuries, or disease suffered or contracted on such service may be included in the term of service for the purpose of pension under this Part. (New.)

Time with the Military Forces.

“(5) Time served with the Military Forces for which a pension has been granted under the provisions of the Militia Pension Act, shall not be included in the term of service for the purposes of pension under this Part.” (New.)

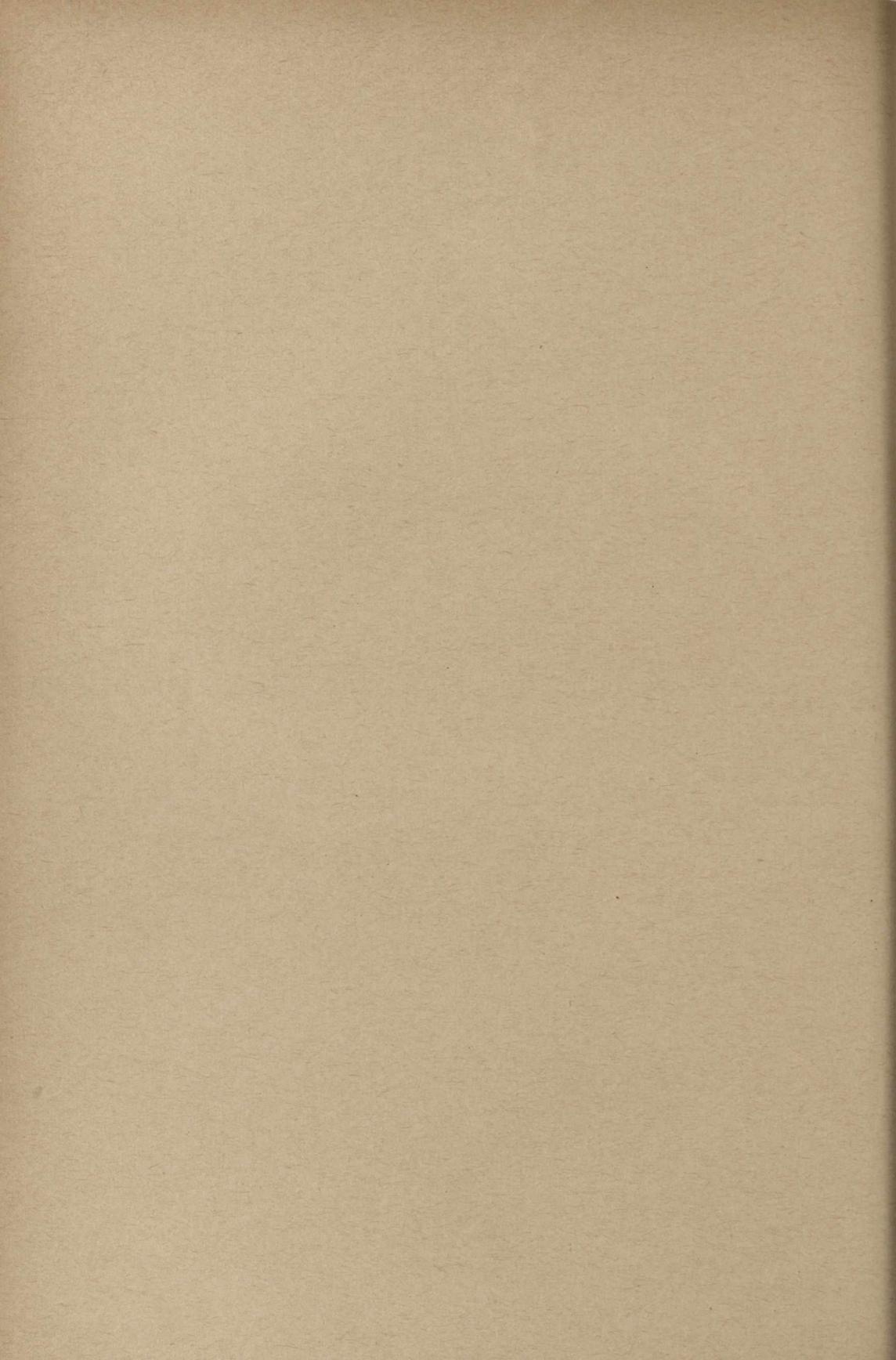
**6. Section 48.** The intention here is to permit time served in South Africa with the Canadian Military Forces during the years mentioned to count for pension in the same way as is done with the permanent Corps of the Active Militia. See section 8 of chapter 133 of the Revised Statutes of Canada, 1927.

**7. Section 66.** The proposed amendment is to legalize past procedure since 1919, with respect to constables of the Force in the same manner as that detailed under section five of this Act.

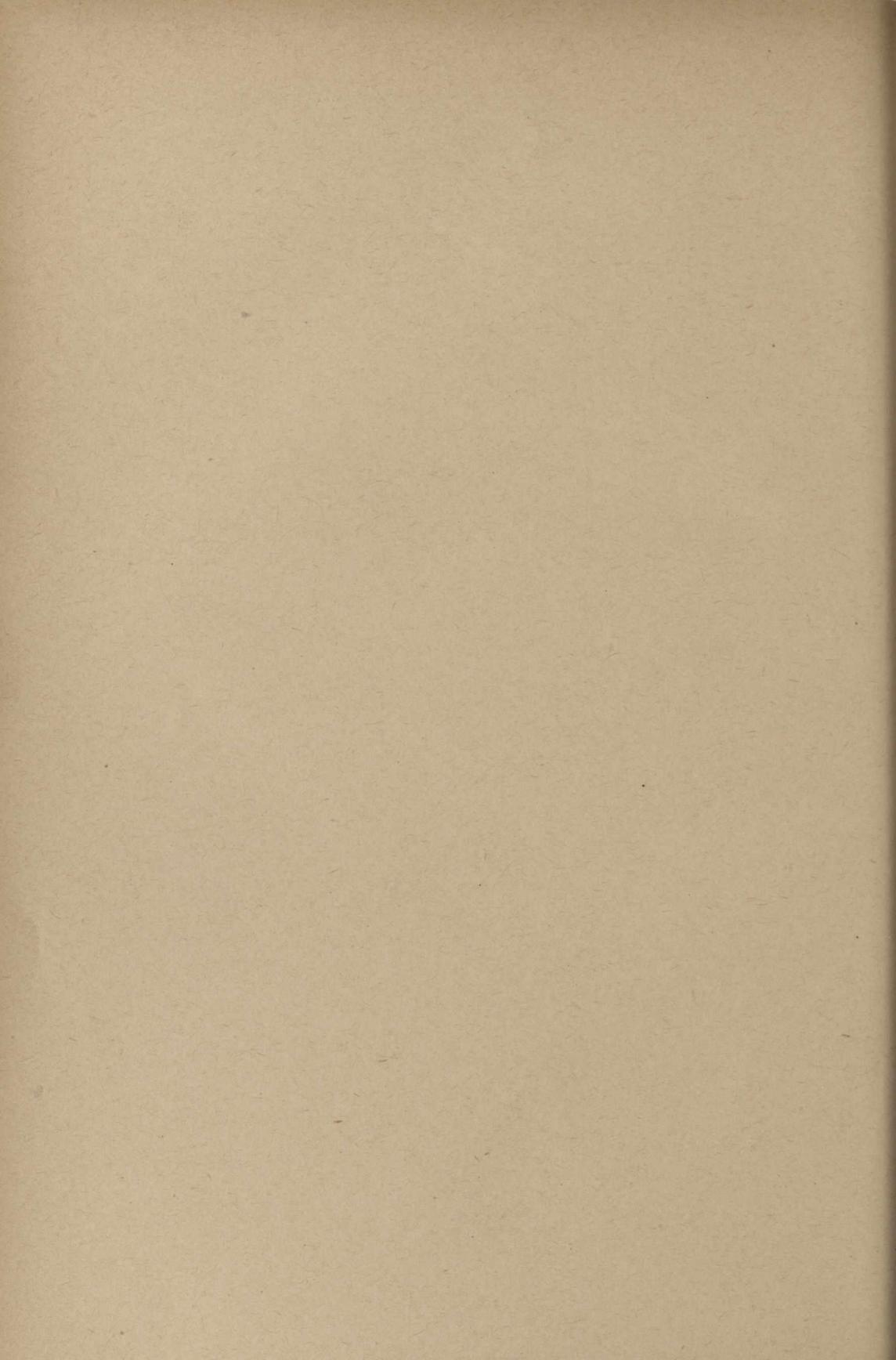
**8. Section 67.** The proposed amendment is to make provision for service with Canadian Military Forces in South Africa to count in the case of a "constable" in the same manner as for officers, as set forth above under section six.



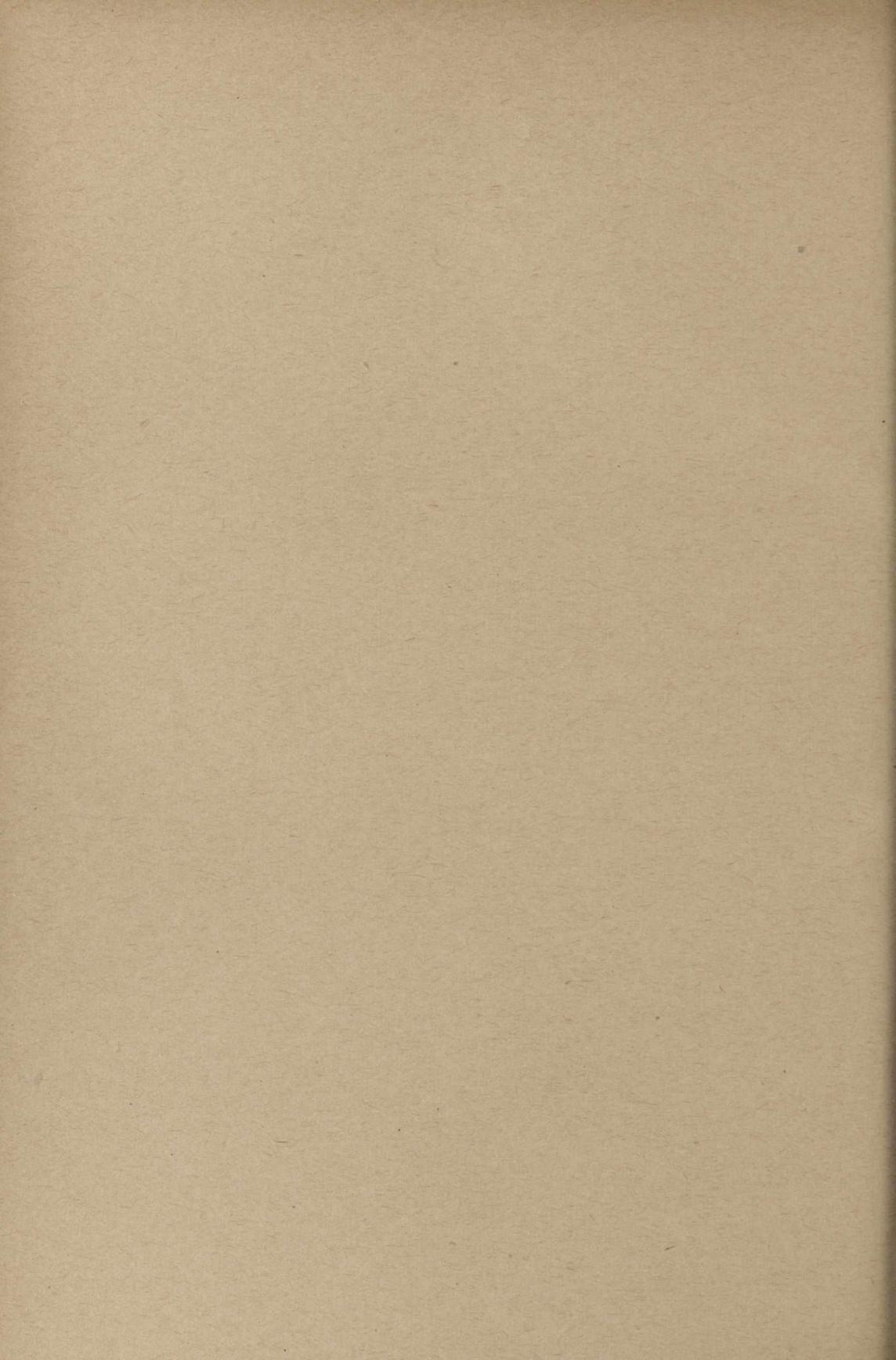












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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 59.**

An Act to amend the Penitentiary Act.

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First reading, March 30, 1933.

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The MINISTER OF JUSTICE.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 59.

An Act to amend the Penitentiary Act.

R.S., c. 154.

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

1. The *Penitentiary Act*, chapter one hundred and fifty-four of the Revised Statutes of Canada, 1927, is amended 5 by repealing subsection one of section fourteen thereof and substituting therefor the following:—

Governor in Council to appoint Superintendent.

“14. (1) The Governor in Council may appoint a Superintendent of Penitentiaries, who shall be an officer of the Department of Justice, and shall, under the Minister, 10 direct and superintend the administration and business of the penitentiaries, and perform such other duties as may from time to time be assigned to him by the Minister.”

2. The said Act is further amended by repealing section twenty thereof and substituting therefor the following:— 15

Governor in Council to appoint inspectors, wardens, officers and clerks.

“20. (1) The Governor in Council may appoint such inspectors, wardens, deputy wardens and other administrative or executive officers as are required for the proper administration and management of the penitentiaries, and also such officers, clerks and employees as are necessary 20 for the proper conduct of the business of the Penitentiary Branch of the Department of Justice.

Salaries.

(2) The inspectors, wardens, deputy wardens and other officers, clerks and employees so appointed shall be paid such salaries as are approved by the Governor in Council.” 25

3. The said Act is further amended by inserting after section twenty thereof the following section:—

Appointment of guards, trade instructors, and subordinate officers.

“20A (1) The Superintendent may, upon the recommendation of the warden, appoint such guards, trade instructors and other subordinate officers and employees 30 as are necessary for the service of any of the penitentiaries.

## EXPLANATORY NOTES.

**1.** The subsection to be repealed and re-enacted reads as follows:—

“**14.** There shall be a Superintendent of Penitentiaries, who shall be an officer of the Department of Justice, who shall, under the Minister, direct and superintend the administration and business of the penitentiaries, and perform such other duties as may from time to time be assigned to him by the Minister.”

**2.** The section to be repealed and re-enacted reads as follows:—

“**20.** There may be not more than three inspectors of penitentiaries, who shall perform such of the duties by this Act required to be performed by an inspector as the Minister may assign to them respectively.

2. The inspectors shall receive such salary as may be authorized by law.”

**3.** This is new.

Salaries.

(2) The guards, trade instructors and other officers and employees so appointed shall be paid such salaries as are approved by the Governor in Council."

Departmental staff.

4. The said Act is further amended by repealing section twenty-three thereof.

5

Gratuities to retiring officers.

"5. Subsection one of section thirty-two of the said Act is amended by striking out the words "the rules" in paragraph (c) thereof, and substituting therefor the words "any Act."

No increase of gratuity if compensation payable.

6. Subsection two of section thirty-two of the said Act 10 is amended by adding thereto the following proviso:—

"Provided that in no case shall the retiring allowance of any officer be so increased if he is eligible to receive compensation in respect of the infirmity or injury which has compelled his retirement from the service under and in 15 virtue of the provisions of the *Government Employees' Compensation Act.*"

R.S., c. 30.

7. Section thirty-two of the said Act is further amended by repealing subsection three thereof, and substituting therefor the following subsections:— 20

Saving of eligibility for gratuity.

"(3) Except as hereinafter otherwise provided, the eligibility of any officer to be paid such a gratuity shall not be affected by his having heretofore or hereafter become a contributor under Part II of the *Civil Service Superannuation and Retirement Act*, or under the *Civil Service Superannuation Act*; but the amount of the gratuity which may be paid under this Act to any such officer on retirement from the Service shall be computed in respect only of the period of his service down to the date on which he became a contributor under either of the Acts aforementioned. 25 30

R.S., 1906, c. 17.

R.S., 1927, c. 24.

Gratuity in addition to retirement fund moneys.

"(4) If any officer, being a contributor under Part II of the *Civil Service Superannuation and Retirement Act*, be eligible on retirement to receive a gratuity under this Act, he may be paid such gratuity in addition to the amount to his credit in the Retirement Fund. 35

4. Section 23 of the existing Act, to be repealed, reads as follows:—

“23. A parole officer, an accountant, an architect and such other officers as are necessary, may be appointed, in the manner authorized by law, to perform the work in connection with the penitentiary branch of the Department of Justice, and such duties as the Minister directs.”

5. This amendment is to substitute the words “any Act” in paragraph (c) of the existing section which reads as follows:—

\* “32. To any officer whose conduct has been good, and who has been faithful in the discharge of his duties, who

(a) is compelled to retire from the service on account of some mental or physical infirmity or injury which unfits him for the performance of his duty; or

(b) may be retired to promote efficiency or economy; and

(c) is not entitled to a superannuation allowance under the rules in that behalf in force;

a gratuity, or retiring allowance may be given, calculated at the rate of a half month's salary for each year of his service, up to five years, and a month's salary for each year of service in excess of five years, based on the salary that such officer was in receipt of at the time of his retirement.”

6. Subsection 2 reads as follows:—

“2. Such retiring allowance may be increased by one-half the amount thereof if the infirmity or injury which compels such officer to retire from the service is occasioned by any hurt received by him in the performance of his duty, without fault or negligence on his part, at the hands of any convict, or in preventing an escape or rescue, or in suppressing a revolt.”

7. Subsection 3 to be repealed, reads as follows:—

“3. The eligibility of any officer to be paid such a gratuity shall not be affected by his promotion heretofore or hereafter to an office which makes him a member of the Civil Service, as defined for the purpose of the *Civil Service Superannuation and Retirement Act*, or by his having otherwise become or becoming a member of the Civil Service as so defined; but such officer, upon retirement from the service, under circumstances which would have rendered him eligible for a gratuity, may be paid a gratuity based upon his services up to the date of such promotion or of his becoming a member of the Civil Service as aforesaid, in addition to any superannuation allowance or gratuity or other payment or benefit for which he may be eligible or to which he may be entitled under the said Act.”

Gratuity  
less benefits  
under Civil  
Service  
Superanna-  
tion Act.

“(5) If any officer, being a contributor under the *Civil Service Superannuation Act*, be eligible on retirement to receive a gratuity under this Act, and also a withdrawal allowance of the amount of his contributions, or a gratuity, under the *Civil Service Superannuation Act*, he may be paid a gratuity under this Act less the amount of any withdrawal allowance of contributions or of any gratuity granted to him under the *Civil Service Superannuation Act*. 5

No gratuity  
to officer  
retired on  
annuity.

“(6) If any officer, being a contributor under the *Civil Service Superannuation Act*, be eligible on retirement to receive a superannuation or annual retiring allowance under the said Act, he shall not be eligible to receive, in addition to such superannuation or annual retiring allowance, any gratuity under this Act: Provided that if such officer is compelled to retire from the service on account of infirmity or injury occasioned in the manner specified in subsection two of this section and is otherwise eligible to receive a gratuity under this Act, he may be paid such gratuity (subject to the limitation contained in the proviso to said subsection two), in addition to the superannuation or annual retiring allowance aforementioned.” 10 15 20

Exception.

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

No gratuity  
payable  
under Civil  
Service Act.  
R.S., c. 22.

“(4) Any gratuity paid under the authority of this section shall be in lieu of any gratuity which might otherwise be paid to the widow or dependents of a deceased officer under the provisions of the *Civil Service Act*.” 25

8. Section 33 reads as follows:—

“**33.** If any officer dies in the service leaving a widow or any person who in his lifetime was dependent on him, a gratuity may be paid to his widow, if any, and if not, to any person or persons in the lifetime of such officer dependent on him, or to any person or corporation in trust for any such person or persons so dependent on him.

2. No such gratuity shall exceed the amount of the salary

(a) for the two months preceding his death, if such officer was a warden or deputy warden;

(b) for the three months preceding his death, in the case of any other officer.

3. Such gratuity may be increased by one-half the amount thereof if the death of such officer is occasioned by any injury received by him in the performance of his duty, without fault or negligence on his part, at the hands of any convict, or in preventing an escape or rescue, or in suppressing a revolt.”



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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 66.**

An Act respecting Courts of Admiralty.

---

First reading, April 5, 1933.

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The MINISTER OF JUSTICE.

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

THE HOUSE OF COMMONS OF CANADA.

**BILL 66.**

An Act respecting Courts of Admiralty.

R.S., c. 33;  
1932, c. 4.

**H**IS 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 Admiralty Act, 1933*.

INTERPRETATION.

Definitions.

"The  
Exchequer  
Court."

"The Court."

"Judge."

"Local  
Judge."

"Ship."

- 2.** In this Act, unless the context otherwise requires, 5  
(a) "the Exchequer Court" or "the Court" means the  
Exchequer Court of Canada;  
(b) "Judge" means the President or the Puisne Judge  
of the Court and "Local Judge" means a Local Judge 10  
in Admiralty of the Court;  
(c) "Ship" includes any description of vessel used in  
navigation not propelled by oars.

## EXPLANATORY NOTES.

At the present time Admiralty Courts in Canada are constituted and have jurisdiction conferred on them by the Colonial Courts of Admiralty Act, 1890 (Imp.). That Act enabled the Parliament of Canada to declare any Court in Canada of unlimited civil jurisdiction to be an Admiralty Court, but the jurisdiction of the Court so declared is limited by the Colonial Courts of Admiralty Act to the same as the Admiralty jurisdiction of the High Court of Admiralty in England whether existing by virtue of any statute or otherwise. In 1891 by chapter 29 of the statutes for that year (now R.S., 1927, chapter 33), the Exchequer Court of Canada was designated as the Admiralty Court in Canada under the provisions of the Colonial Courts of Admiralty Act.

The Report of the Conference on the operation of Dominion Legislation and Merchant Shipping Legislation, 1929, showed that the existing situation of control in the United Kingdom of Admiralty Courts in Canada and in other Dominions was not in accord with the present constitutional status of the Dominions and should be remedied. The Conference accordingly recommended that each Dominion should have power to repeal the Colonial Courts of Admiralty Act, 1890, and establish Admiralty Courts under its own laws. The Report was approved by the Imperial Conference of 1930 and was carried into effect by the Statute of Westminster, 1931.

The Report of the 1929 Conference also emphasized that so far as it is possible there should be uniform jurisdiction and procedure in all Admiralty Courts of the British Commonwealth, subject, however to such variations as may be required in matters of purely local or domestic interest.

Since the year 1890 important additions have been made to the admiralty jurisdiction of the High Court in England which were not applied to the jurisdiction of Admiralty Courts in Canada. The principal Imperial Acts conferring statutory jurisdiction on the High Court in England previous to the year 1890 were the Admiralty Court Acts of 1840 and 1861. Under the Colonial Courts of Admiralty Act the provisions of these two Acts were applicable to Canada with the substitution of "Canada" for "England and Wales". All statutory enactments in England dealing with admiralty jurisdiction including these two Acts were consolidated in England by the Supreme Court of Judicature (Consolidation) Act, 1925, chapter 49 of the Acts of 1925 (Imp.).

The present bill continues the Exchequer Court of Canada as an Admiralty Court in Canada and confers jurisdiction upon it which is uniform with the at present existing admiralty jurisdiction of the High Court in England with some variations in matters of local and domestic interest.

2. The definition of "ship" is from the Admiralty Court Act, 1861. The same definition is in section 22 (3) of the Supreme Court of Judicature (Consolidation) Act, 1925 (Imp.)

## CONSTITUTION OF COURT.

Admiralty jurisdiction.

**3.** (1) The Exchequer Court of Canada is and shall be a Court of Admiralty and shall have and exercise admiralty jurisdiction.

Exercisable in all waters.

(2) Admiralty jurisdiction may be exercised by the Court in respect of all waters, whether tidal or non-tidal, 5 or naturally navigable or artificially so made.

Throughout Canada.

(3) The President and Puisne Judge of the Exchequer Court shall have and exercise throughout Canada the admiralty jurisdiction of the Court.

## LOCAL JUDGES IN ADMIRALTY.

Local judges in Admiralty.

**4.** (1) The Governor in Council may, from time to time, 10 appoint any judge of a superior or county court, or any barrister of not less than ten years' standing to be a local judge in Admiralty of the Exchequer Court in and for any Admiralty district.

Tenure of office.

(2) Every such local judge shall hold office during good 15 behaviour, but shall be removable by the Governor in Council, on address of the Senate and House of Commons: Provided that every local judge and deputy local judge whether heretofore appointed or hereafter to be appointed, shall cease to hold office upon attaining the age of seventy- 20 five years.

Age limit.

How designated.

(3) Such judge shall be designated a Local Judge in Admiralty of the Exchequer Court.

Oath of office.

**5.** Every such local judge in Admiralty shall, previously to his entering on the duties of his office, take, before a 25 judge of the Exchequer Court or a judge of any superior court, an oath in the form following, that is to say:

"I, \_\_\_\_\_, do solemnly and sincerely swear that I will duly and faithfully, and to the best of my skill and knowledge, execute the powers and trusts 30 reposed in me as Local Judge in Admiralty in and for the Admiralty District of (as the case may be). So help me God."

Powers of local judges.

**6.** Every local judge in Admiralty shall, within the Admiralty district for which he is appointed, have and ex- 35 ercise the jurisdiction, and the powers and authority relating thereto, of a judge of the Exchequer Court in respect of the Admiralty jurisdiction of such Court.

Appointment of deputy judges.

**7.** (1) A local judge in Admiralty may, from time to time, with the approval of the Governor in Council, appoint 40 a deputy judge; and such deputy judge shall have and exercise all such jurisdiction, powers and authority as are possessed by the local judge.

**3.** (2) This section is taken from section 4 of the existing Admiralty Act of Canada, R.S. 1927, chapter 33, section 4. It makes it clear that Admiralty jurisdiction may be exercised in respect of all waters. It also avoids the necessity of using the term "body of the county" which is used in the English Act.

**4.** This is the same as section 8 of the existing Admiralty Act, with the addition of the provision for termination of office of the local Judge upon his attaining the age of seventy-five years.

**5.** This is the same as section 9 of the existing Admiralty Act.

**6.** This is the same as section 10 of the existing Admiralty Act.

**7.** This is the same as section 11 of the existing Admiralty Act.

Tenure.	(2) The appointment of a deputy judge shall not be determined by the occurrence of a vacancy in the office of the Judge.	
Revocation of appointment.	(3) A local judge in Admiralty may, with the approval of the Governor in Council, at any time revoke the appointment of a deputy judge.	5
Surrogate judges.	<b>8.</b> (1) The Governor in Council may from time to time appoint for any district, or portion of an admiralty district, a Surrogate Judge or judges.	
Qualifications.	(2) Any person having the qualifications of a local judge in Admiralty may be appointed a surrogate judge.	10
Powers.	(3) Any such surrogate judge shall have such admiralty jurisdiction, powers and authority as may be prescribed by general rules and orders of the Court.	
Fees.	(4) Any such surrogate judge shall be entitled to be paid such fees as shall be prescribed by general rules and orders.	15
Tenure of office.	(5) A surrogate judge shall hold office during pleasure; and his appointment shall not be determined by the occurrence of a vacancy in the office of the local judge of his district.	20
Oath of office.	<b>9.</b> Every deputy and surrogate judge shall, previously to entering on the duties of office, take, before the judge of the Exchequer Court, or the judge of any superior court; an oath similar in form to that to be taken by a local judge.	25
Continuance in office of present local, deputy and surrogate judges.	<b>10.</b> Every person who, at the coming into force of this Act, holds the office of a local judge, deputy judge or surrogate judge, under the <i>Admiralty Act</i> , R.S. 1927, chapter thirty-three, shall, until his death, resignation or removal from such office, have and exercise within the Admiralty district corresponding to the limits of his former jurisdiction as such judge all the jurisdiction, powers and authority respectively of a local judge, deputy judge or surrogate judge.	30

#### ADMIRALTY DISTRICTS AND REGISTRIES.

Governor in Council may constitute Admiralty districts.	<b>11.</b> The Governor in Council may, from time to time,	35
Name.	(a) constitute any part of Canada an Admiralty District for the purposes of this Act;	
Limits.	(b) assign a name to any such district and change such name as he may think proper;	
Registries.	(c) fix and change the limits of any such district;	40
Registry divisions.	(d) establish at some place within any Admiralty district a registry of the Exchequer Court on its Admiralty side; and	
	(e) divide the territory comprised in any Admiralty district into two or more registry divisions, and establish a registry of the Exchequer Court on its Admiralty side at some place in each of such divisions.	45

**8.** This section is taken from section 12 of the existing Admiralty Act.

**9.** This is the same as section 13 of the existing Admiralty Act.

**10.** This is adapted from the provisions of section 15 of the existing Admiralty Act,

**11.** This is the same as section 6 of the existing Admiralty Act.

Provisional  
districts and  
registries.

**12.** Until otherwise provided by the Governor in Council, the following provinces shall each constitute an Admiralty district for the purposes of this Act, and a registry of the Exchequer Court on its Admiralty side shall be established and maintained within such districts at the places following, that is to say:—

- (a) The province of Ontario, under the name of "The Ontario Admiralty District," with a registry at the city of Toronto;
- (b) The province of Quebec, with a registry at the city of Quebec;
- (c) The province of Nova Scotia, with a registry at the city of Halifax;
- (d) The province of New Brunswick, with a registry at the city of Saint John;
- (e) The province of British Columbia, with a registry at the city of Victoria;
- (f) The province of Prince Edward Island, with a registry at the city of Charlottetown.

#### ADMIRALTY REGISTRARS AND MARSHALS.

Registrars.

**13.** (1) The Governor in Council may, from time to time, appoint for any Admiralty District or for any registry division of any district a registrar who shall hold office during pleasure.

Sheriffs  
to be  
marshals  
of the court.

(2) All Sheriffs in any of the provinces of Canada shall be Marshals of the Court within their respective counties or districts, and, until otherwise provided by general rules and orders, shall have all the powers and authority, and shall be subject to the performance of all the duties, appertaining to the office of Marshal before the coming into force of this Act.

Present  
registrars  
continued  
in office.

**14.** Every person who at the coming into force of this Act was a Registrar for any Admiralty district, or for any registry division of any district, shall, during the pleasure of the Governor in Council, and within the Admiralty district or registry division for which he was appointed, have and exercise the like office and shall, subject to general rules and orders, have the like power and authority and perform the like duties as he did before the coming into force of this Act.

#### BARRISTERS AND ATTORNEYS.

Barristers  
and  
advocates.

**15.** All persons who are barristers or advocates in any of the provinces, may practice as barristers, advocates and counsel in the Court.

**12.** This is the same as section 7 of the existing Admiralty Act, except that the name "Ontario Admiralty District" is used instead of the name "Toronto Admiralty District".

**13.** This is taken in part from section 14 of the existing Admiralty Act. The provision of subsection 2 adopts the practice which has been followed of appointing all sheriffs as marshals of the Court.

**14.** This is adapted from section 16 of the existing Admiralty Act.

**15.** This is the same as the provision of the Exchequer Court Act, R.S., 1927, chapter 34, section 15.

Attorneys  
and  
solicitors.

**16.** All persons who are attorneys or solicitors of the Superior Courts in any of the provinces, may practice as attorneys, solicitors and proctors in the Court.

Officers  
of court.

**17.** All persons who practise as barristers, advocates, attorneys, solicitors or proctors in the Court, shall be officers of the Court. 5

#### JURISDICTION.

Admiralty  
jurisdiction.

**18.** (1) The Exchequer Court shall on its Admiralty side have the following jurisdiction (in this Act referred to as "admiralty jurisdiction") that is to say:—

Questions  
or claims.

(a) Jurisdiction to hear and determine any of the 10 following questions or claims:—

Title or  
ownership  
of ship or  
proceeds  
of sale.

(i) Any question as to the title to or ownership of a ship, or the proceeds of sale of a ship remaining in an admiralty registry, arising in an action of possession, salvage, damage, necessities, wages or bottomry; 15

Disputes  
between  
co-owners  
of ship.

(ii) Any question arising between the co-owners of a ship registered at any port in Canada as to the ownership, possession, employment or earnings of that ship, or any share thereof, with power to settle any account outstanding and unsettled between the parties in relation thereto, and to direct the ship, or any share thereof, to be sold, or to make such order as the Court thinks fit; 20

Damage  
to ship.  
Damage  
by ship.  
Salvage.

(iii) Any claim for damage received by a ship; 25

(iv) Any claim for damage done by a ship; 25

(v) Any claim in the nature of salvage for services rendered to a ship (including services rendered in saving life from a ship and including services rendered by aircraft), whether the wreck in respect of which the salvage is claimed is found in water or on land, or partly in water and partly on land; 30

Towage.

(vi) Any claim in the nature of towage;

Necessaries.

(vii) Any claim for necessities supplied to a ship;

Wages.

(viii) Any claim by a seaman of a ship for wages earned by him on board the ship, whether due under a special contract or otherwise, and any claim by the master of a ship for wages earned by him on board the ship and for disbursements made by him on account of the ship; 35

Mortgages.

(ix) Any claim in respect of a mortgage of any ship, being a mortgage duly registered in accordance with the provisions of the Merchant Shipping Acts, 1894 to 1928, or duly registered in accordance with the provisions of any law of Canada now or hereafter in force, or in respect of any mortgage of a ship which is, or the proceeds thereof are, under the arrest of the Court; 45

Building,  
etc., ships.

(x) Any claim for building, equipping or repairing a ship;

**16.** This is the same as the provision of the Exchequer Court Act, section 16.

**17.** This is the same as the provision of the Exchequer Court Act, section 17.

**18. 1 (a)** This section is adapted from section 22 of the Supreme Court of Judicature (Consolidation) Act, 1925 (Imp.). Some changes are made to suit local conditions in Canada. In England a claim for necessities or relating to the use of hire of a ship or carriage of goods by a ship can only be commenced in Admiralty if there is no owner or part owner of the ship domiciled in England or Wales at the time of the institution of the action. These provisions were originally contained in the Admiralty Court Acts of 1860 and 1861, and as applied to Canada meant that no action could be commenced in the Admiralty Court against a ship in respect of these matters if there was an owner or part owner domiciled anywhere in Canada. An action, for instance, could not be commenced in Quebec against a ship in one of its ports if the owners of even one share was domiciled in Vancouver. The plaintiff in such case is left to his recourse in the Courts of common law, and could not recover by writ of Execution in British Columbia except by commencing an action in that province. These restrictions were originally intended for England, which is a small country, but are considered unsatisfactory for a large country like Canada, where each Province has its own separate and independent Courts.

- Prize. (xi) Cases of prize;
- Booty of war. (xii) Any matter concerning booty of war, or the distribution thereof, which may be referred to the Court by His Majesty, or the Governor in Council;
- (xiii) Any claim— 5
- Agreement for use or hire. (1) arising out of an agreement relating to the use or hire of a ship; or
- Carriage of goods. (2) relating to the carriage of goods in a ship; or
- Tort. (3) in tort in respect of goods carried in a ship.
- Conferred by Act of Parliament. (b) Any jurisdiction which may be conferred upon the 10 court on its Admiralty side or a judge thereof by any Act of the Parliament of Canada.
- Loss of life or personal injuries. (2) The provisions of paragraph (a) of subsection one of this section which confer on the Court admiralty jurisdiction in respect of claims for damage shall be construed 15 as extending to claims for loss of life or personal injuries.
- Admiralty jurisdiction to include jurisdiction formerly exercised under other laws. (3) The admiralty jurisdiction vested in the Court shall, except as otherwise provided in this Act, include the jurisdiction which was formerly vested in or capable of being exercised by the Court or by any one of the judges 20 or local judges thereof sitting in court or chambers, or elsewhere, when acting as a judge or local judge in pursuance of the *Colonial Courts of Admiralty Act, 1890*, the *Admiralty Act*, or any other statute, or of any law or custom and shall also include all powers given to the Court or to 25 any judge or local judge thereof by any statute, and also all ministerial powers, duties and authorities incident to any and every part of the jurisdiction so vested.
- Jurisdiction as to procedure and practice. (4) The jurisdiction vested in the Court shall, so far as regards procedure and practice, be exercised in the manner 30 provided by this Act or by general rules and orders, and where no special provision is contained in this Act or in general rules and orders with reference thereto, any such jurisdiction shall be exercised as nearly as may be in the same manner as that in which it might have been exercised 35 by the Court immediately before the coming into force of this Act.
- Counter claim or set off in actions *in rem*. (5) In an action *in rem* any claim or matter relating to the ship or property against which such action is commenced may be asserted by way of counter-claim or set off, and the 40 Court shall have jurisdiction to hear and determine the same although such claim or matter may not, except as herein provided, be cognizable by the Court in the exercise of its admiralty jurisdiction.
- Jurisdiction of other courts not precluded. **19.** Nothing herein contained shall be deemed to pro- 45 clude any court in Canada now having jurisdiction over the several subject matters and causes of action mentioned in this Act, from continuing to exercise such jurisdiction as fully as if this Act had not been passed.

**18.** (1) (*b*) Jurisdiction has been conferred upon the Court on its Admiralty side by the Canada Shipping Act and by the Merchant Shipping Act, and it may in future be conferred upon the Court by the new Canada Shipping Act, or by any other Act of Parliament.

**18.** (2) This is taken from section 6 of the Maritime Conventions Act, chapter 126, R.S. 1927, which is the same as section 22 (2) of the Supreme Court of Judicature (Consolidation) Act, 1925 (Imp.).

**18.** (3). This is an adaptation of section 22, 1 (*b*) and (*c*), of the Supreme Court of Judicature (Consolidation) Act, 1925 (Imp.). Its effect is to continue certain matters of jurisdiction inherent in the Admiralty Court in special cases such as flotsan and jetsam, piracy, etc.

**18.** (4) This is the same section as section 32 of the Supreme Court of Judicature (Consolidation) Act, 1925 (Imp.).

**18.** (5) This is new jurisdiction. Its effect is to authorize the Exchequer Court on its Admiralty side to try a counterclaim or set-off in respect of a matter arising out of a ship or its property against which an action has been commenced although the counterclaim or set-off may not be a claim or matter ordinarily within the Admiralty jurisdiction of the Court. It is considered desirable to give the Exchequer Court complete jurisdiction to determine all cases which arise in connection with the ship or property in such case.

**19.** This is necessary to preserve the inherent jurisdiction which is now vested in the Supreme Courts of the Provinces in Admiralty actions. A similar section is contained in the Admiralty Act of 1840, section 23.

## PRACTICE AND PROCEDURE.

Practice and procedure.

Costs if amount recovered not more than \$100 for salvage services.

Costs if amount recovered on agreements for hire or use is not more than \$100.

Booty of war.

Disputes relating to salvage.

Jurisdiction *in rem* or *in personam*.

Where actions may be instituted.

Suit pending previous to further suit.

When more registries than one in a district.

**20.** (1) The following provisions shall have effect in relation to the exercise by the Exchequer Court of the Admiralty jurisdiction of the Court:—

(a) If in any claim for salvage services the plaintiff does not recover more than one hundred dollars, he shall not be entitled to recover any costs of the proceedings unless it is certified by a court or a judge that the case was a fit one to be tried otherwise than summarily in manner provided by the *Canada Shipping Act*. 5

(b) If in any claim arising out of an agreement relating to the use or hire of a ship, or any claim relating to the carriage of goods in a ship, or any claim in tort in respect of goods carried in a ship, the plaintiff recovers a less amount than one hundred dollars, he shall not be entitled to any costs of the proceedings unless it is certified by the Court or a judge that there was sufficient reason for bringing the proceedings in the Exchequer Court. 15

(c) In any matter concerning booty of war the procedure of the Court shall be the same as in cases of prize. 20

(d) Disputes relating to salvage may be determined on the application either of the salvor or of the owner of the property saved, or of their respective agents.

(2) The admiralty jurisdiction of the Exchequer Court may be exercised either in proceedings *in rem* or in proceedings *in personam*. 25

**21.** (1) An action may be instituted in any registry when,

(a) the ship or property, the subject of the action, is at the time of the institution of the action within the district or division of such registry; 30

(b) the owner or owners of the ship or property, or the owner or owners of the larger number of shares in the ship, or the managing owner, or the ship's husband, reside at the time of the institution of the action within the district or division of such registry; 35

(c) the port of registry of the ship is within the district or division of such registry; or

(d) the parties so agree by a memorandum signed by them or their attorneys or agents. 40

(2) When an action has been instituted in any registry, no further action shall be instituted in respect of the same matter in any other registry of the Court without the leave of the judge of the Court, which leave may be granted subject to such terms as to costs and otherwise as he directs. 45

**22.** (1) When in any district there are more registries than one, all proceedings in any action shall be carried on in the registry in which the action is instituted, unless the judge shall otherwise order.

**20.** This is the same as section 33 of the Supreme Court of Judicature (Consolidation) Act, 1925. (Imp.)

**21.** This is the same as section 18 of the existing Admiralty Act.

**22.** This is the same as section 19 of the existing Admiralty Act.

Removal  
of suit.

(2) Any party to an action may, at any stage of such action by leave of the Court, and subject to such terms as to costs or otherwise as the Court directs, remove such action pending in any registry to any other registry.

Principal  
action and  
cross action  
or counter-  
claim  
may be  
heard at  
same time.

**23.** The Court may, on the application of the defendant 5  
in any action or damage and on his instituting a cross action  
or counter claim for the damage sustained by him in respect  
of the same collision, direct that the principal action and  
the cross action or counter claim be heard at the same 10  
time and upon the same evidence; and if in the principal  
action the ship of the defendant has been arrested or  
security given by him to answer judgment, and in the  
cross action or counter claim the ship of the plaintiff cannot  
be arrested and security has not been given to answer 15  
judgment therein, the Court may, if it think fit, suspend  
the proceedings in the principal action until security has  
been given to answer judgment in the cross action or  
counter claim.

Security  
to answer  
judgment.

Evidence  
taken in  
shorthand  
by  
stenographer.

**24.** By direction of the Court the testimony of any 20  
witness may be taken down in shorthand by a stenographer  
who shall be previously sworn faithfully to take down and  
transcribe the testimony; and the Court may make such  
order for the payment of the costs thereby incurred as is  
just.

Effect of  
decrees and  
orders of  
court.

**25.** All decrees and orders of the Court, whereby any 25  
sums of money or any costs charges or expenses shall be  
payable to any person, shall have the same effect as judg-  
ments in the superior court of the province in which any  
decree or order is to be executed, and the persons to whom  
any such moneys or costs charges or expenses shall be 30  
payable, shall be deemed judgment debtors; and all powers  
of enforcing judgments by such superior court or any  
judge thereof, as well against the ships and goods arrested  
as against the person of the judgment debtor, shall be  
possessed by the Exchequer Court with respect to matters 35  
therein depending; and all remedies at law possessed by  
judgment creditors shall be in like manner possessed by  
persons to whom any moneys, costs, charges or expenses  
are by such order or decree of the Exchequer Court directed  
to be paid. 40

Power to  
enforce  
judgments.

Claims  
to goods  
or chattels  
taken under  
execution.

**26.** If any claim shall be made to any goods or chattels 45  
taken in execution under any process of the Court, or in  
respect of the seizure thereof, or any act or matter con-  
nected therewith, or in respect of the proceeds or value  
of any such goods or chattels, by any landlord for rent,  
or by any person not being the party against whom the  
process has issued, the registrar of the Court may, upon

**23.** This section is the same as section 34 of the English Admiralty Act, 1861, which has been in force in Canada since 1890, under the provisions of the Colonial Courts of Admiralty Act.

**24.** This is the same as section 42 of the Exchequer Court Act, R.S. 1927, chapter 34.

**25.** This is the same as section 15 of the Admiralty Court Act of 1861 (Imp.), which under the Colonial Courts of Admiralty Act, 1890, has been in force in Canada.

**26.** This is the same as section 16 of the Admiralty Court Act of 1861 (Imp.).

Summons to parties to appear before court.

application of the officer charged with the execution of the process, whether before or after any action brought against such officer, issue a summons calling before the said Court, both the party issuing such process and the party making the claim, and thereupon any action which shall have been brought in any superior court or in any county or inferior court, in respect of such claim, seizure, act or matter as aforesaid, shall be stayed, and the Court in which such action shall have been brought, or any judge thereof, on proof of the issue of such summons, and that the goods and chattels were so taken in execution, may order the party bringing the action to pay the costs of all proceedings had upon the action after issue of the summons out of the Court, and the judge or local judge shall abjudicate upon the claim, and make such order between the parties in respect thereof and of the costs of the proceedings, as to him shall seem fit, and such order shall be enforced in like manner as any order made in any suit brought in the said Court. Where any such claim shall be made as aforesaid, the claimant may deposit with the officer charged with the execution of the process either the amount or value of the goods claimed, the value to be fixed by appraisement in the case of dispute, to be by the officer paid into Court to abide the decision of the judge or local judge upon the claim, or the sum which the officer shall be allowed to charge as costs for keeping possession of the goods until such decision can be obtained, and in default of the claimant so doing, the officer may sell the goods as if no such claim has been made, and shall pay into the Court the proceeds of the sale, to abide the decision of the judge or local judge.

Actions stayed.

Costs.

Order of court.

Deposit of value of goods paid into court.

Sale on default.

Issue of writ or process.

Bail to answer judgment.

Issue of writs of execution in another province.

**27.** Any new writ or other process necessary or expedient for giving effect to any of the provisions of this Act may be issued from the Court in such form as the judge or local judge of the said Court shall from time to time direct.

**28.** In any action in the Court bail may be taken to answer the judgment as well of the Court as of any court of appeal and the Court may withhold the release of any property under its arrest until such bail is given; and in any appeal from any decree or order of the Court the appeal court may make and enforce its order against the surety who may have signed any such bail bond in the same manner as if the bail had been given in the court of appeal.

**29.** Where it is desired to issue a writ of execution in any province other than the province constituting the Admiralty district in which the action is tried, or the

**27.** This is the same as section 22 of the Admiralty Court Act, 1861 (Imp.).

**28.** This is the same as section 33 of the Admiralty Court Act, 1861 (Imp.).

**29.** This is new although probably the same procedure can be followed under the present Act.

decree or judgment entered, a certified copy of such decree or judgment may be filed in the central registry of the Exchequer Court at Ottawa and a writ of execution may be issued by the registrar at Ottawa in accordance with the provisions with respect to executions of the *Exchequer Court Act*, chapter thirty-four of the Revised Statutes of Canada, 1927. 5

**Affidavits.** **30.** All persons authorized to administer affidavits to be used in any of the superior courts of any province may administer oaths, affidavits and affirmations in such province to be used in the Court. 10

Provisions of Exchequer Court Act to apply as regards oaths, etc.

**31.** (1) All persons authorized to administer oaths, affidavits or affirmations by the *Exchequer Court Act* may administer the same in the Court on its Admiralty side, and all the provisions of the said Act with respect to oaths, affidavits, affirmations or declarations shall be applicable. 15

Registrar may take oaths.

(2) A registrar for any Admiralty district or for any registry division of any district shall have power to administer oaths in relation to any action, cause or matter depending in the Court. 20

Scale of costs.

**32.** A scale of costs, charges and fees in Admiralty causes shall be prescribed by general rules and orders.

Rules of court.

**33.** (1) The President and Puisne Judge of the Exchequer Court may from time to time make general rules and orders, 25

(a) for regulating the practice and procedure in causes or matters falling within the admiralty jurisdiction of the Court, or a judge thereof, either at first instance or on appeal, including, without restricting the generality of the foregoing, the service of a writ of summons or other process out of the jurisdiction of the Court or out of the territorial jurisdiction of any local judge; 30

(b) for regulating the practice and procedure in any proceedings or in any cause or matter falling within the jurisdiction of the Court on its admiralty side under any Act of the Parliament of Canada, either at first instance or on appeal. 35

(c) for fixing the scale of costs, charges and fees in admiralty causes and regulating the taxation thereof where costs are awarded for or against a party in any of such causes or matters; 40

(d) for the appointment of deputy registrars and deputy marshals, and such other officers and clerks as may be necessary;

(e) for fixing the fees payable to the Court or its officers in respect of anything done or any proceedings taken in such causes or matters; 45

**30.** This is the same as section 59 of the Exchequer Court Act, chapter 34, R.S., 1927.

**31.** Subsection 1 adopts the Exchequer Court Act with respect to the administration of oaths, etc. Subsection 2 is the same as section 26 of the Admiralty Court Act, 1861.

**32.** This is the same as section 21 of the existing Admiralty Act.

**33.** This is adapted from chapter 24 of the Statutes of Canada, 1932. Some changes have been made in order to clarify the authority of the Judges of the Court to make general rules and orders.

(f) for prescribing the powers and duties of registrars and marshals and their deputies, and the powers and duties of other officers of the Court;

(g) for regulating any matters that are by the provisions of this Act required to be prescribed by general rules and orders. 5

Extent and effect thereof.

(2) (a) Such rules and orders may extend to any matter of procedure or practice not provided for by any Act, but for which it is found necessary to provide in order to ensure their proper working and the better attainment of the objects thereof; 10

Approval.

(b) Rules and orders so made as aforesaid shall not become effective until approved by the Governor in Council, nor until such rules and orders and the Order in Council approving of the same are published in the *Canada Gazette*; 15

Publication.

Laid before Parliament.

(c) Copies of all such rules and orders shall be laid before both Houses of Parliament within ten days after the opening of the session next after the making thereof; 20

Continue in operation unless repealed by Senate or House.

(d) All such rules and orders and every portion of the same not inconsistent with the express provisions of any Act shall have and continue to have force and effect as if herein enacted, unless during such session an address of either the Senate or House of Commons shall be passed for the repeal of the same or of any portion thereof, in which case the same or such portion shall be and become repealed: Provided that either House of Parliament may, by any resolution passed at any time within thirty days after such rules and orders have been laid before Parliament, suspend any rule or order made under this Act; and such rule or order shall, thereupon, cease to have force and effect until the end of the then next session of Parliament. 25 30 35

Suspension by Parliament.

Rules in force until general rules and orders are made.

(3) Until general rules and orders are made in conformity with the provisions of this Act, the rules and orders in force in the *Exchequer Court*, made under the provisions of the *Colonial Courts of Admiralty Act, 1890*, and the *Admiralty Act*, shall remain in force in the Court in so far as they are applicable. 40

Maritime Conventions Act.

**34.** The provisions of the *Maritime Conventions Act*, chapter one hundred and twenty-six of the Revised Statutes of Canada, 1927, shall be valid and operative in Canada, with the exception of section ten thereof hereinafter repealed. 45

**34.** This section confirms the Maritime Conventions Act as being in force in the Exchequer Court.

## APPEALS.

Appeals  
from local  
judge.

**35.** (1) An appeal from any final judgment, decree or order of any local judge in Admiralty, may be made  
(a) to the Exchequer Court; or  
(b) subject to the provisions of the *Exchequer Court Act* regarding appeals, directly to the Supreme Court 5  
of Canada; or  
(c) to His Majesty the King in Council.

Interlocutory  
appeal.

(2) On security for costs being first given, and subject to such provisions as are prescribed by general rules and orders, an appeal, with the leave of a judge of the Exchequer 10  
Court or of any local judge, may be made to the Exchequer Court from any interlocutory decree or order of such local judge.

Appeals from  
Exchequer  
Court.

**36.** An appeal from the decision of a judge of the Exchequer Court may be made to the Supreme Court of 15  
Canada in accordance with the provisions of the *Exchequer Court Act* regarding appeals, or to His Majesty the King in Council.

## REPEAL.

Colonial  
Courts of  
Admiralty  
Act, 1890.

**37.** The *Colonial Courts of Admiralty Act, 1890*, is repealed in so far as the said Act is part of the law of 20  
Canada.

Admiralty  
Act.

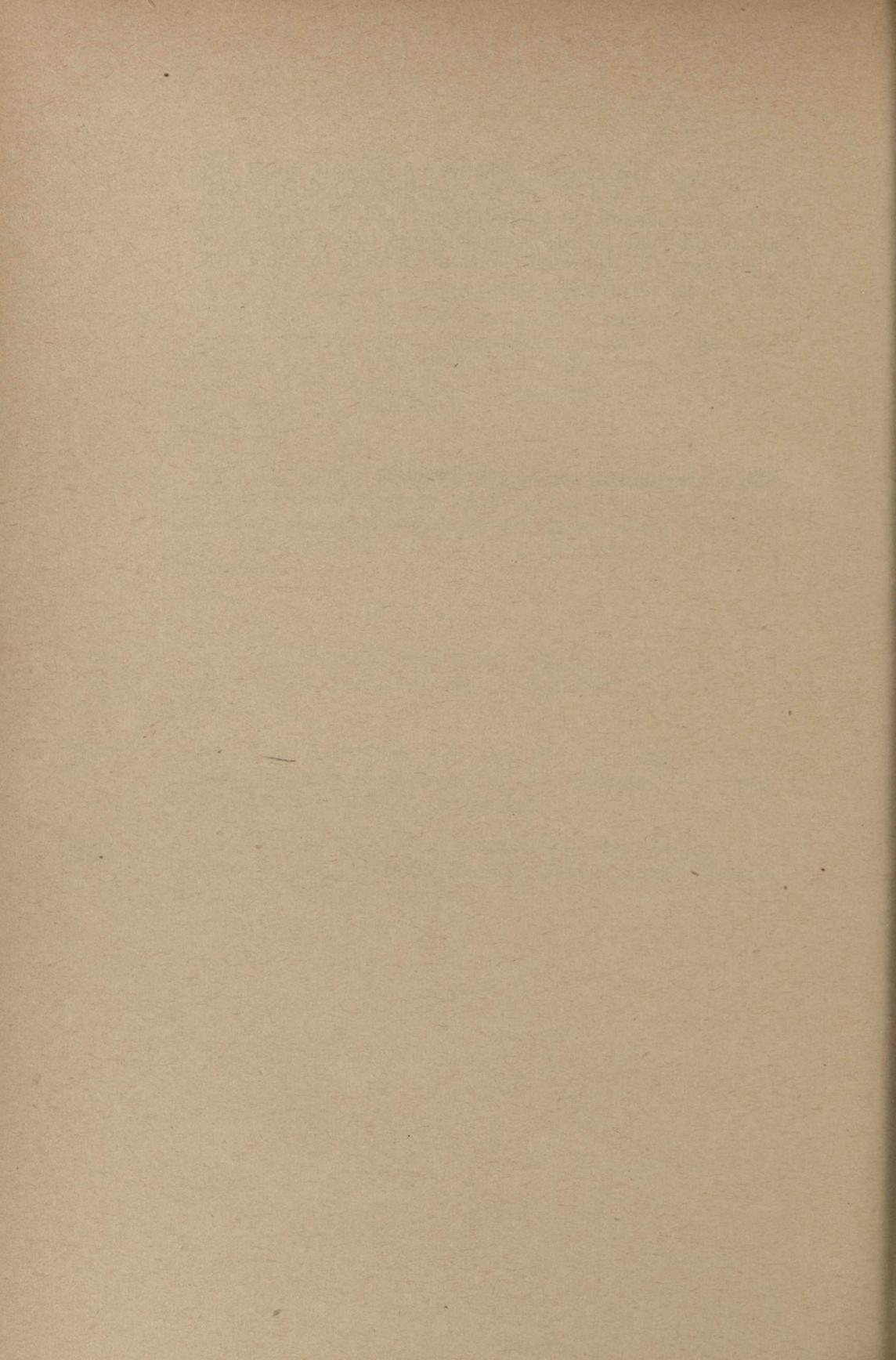
**38.** The *Admiralty Act*, chapter thirty-three of the Revised Statutes of Canada, 1927, as amended by chapter four of the Acts of 1932, is repealed.

Maritime  
Conventions  
Act,  
section 10.

**39.** Section ten of the *Maritime Conventions Act, 25*  
chapter one hundred and twenty-six of the Revised Statutes of Canada, 1927, is repealed.

**35.** This is the present practice on appeals under the provisions of section 20 of the existing Admiralty Act, and the provisions of the Colonial Courts of Admiralty Act, 1890, except that no provision is made for an appeal as of right from the Supreme Court of Canada to the Privy Council which at present exists.

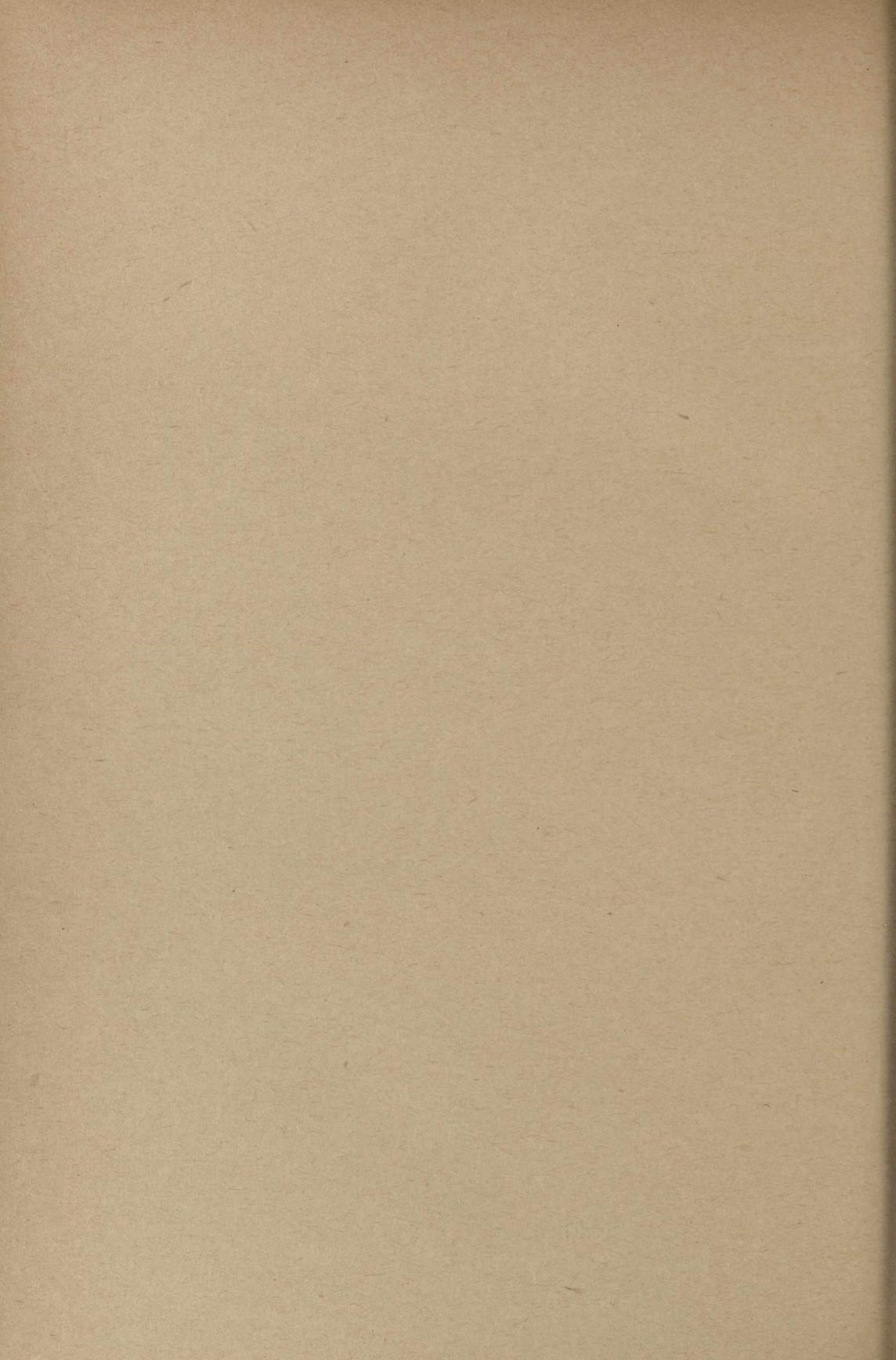
**36.** This confirms the present practice.















Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA

**BILL 70.**

An Act respecting the Income War Tax Act. (Declarations  
on returns).

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First reading, April 7, 1933.

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The MINISTER OF FINANCE.

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OTTAWA  
J. O. PATENAUDE, ACTING KING'S PRINTER

THE HOUSE OF COMMONS OF CANADA.

BILL 70.

An Act respecting the Income War Tax Act. (Declarations on returns).

R.S., c. 97;  
1928, cc. 12, 30;  
1930, c. 24;  
1931, c. 35;  
1932, cc. 43, 44.

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

Statutory  
declaration.

1. Every person who is required by the *Income War Tax Act* or regulations made thereunder to make a return of income for any taxable period, shall make and attach to such return a statutory declaration in the form set out in the schedule to this Act:—

SCHEDULE.

IN THE MATTER of the return of income of ..... 10  
.....  
for the year ended.....,  
I.....  
of the.....  
of..... 15

do solemnly declare:—

1. That I am the person whose signature appears upon the attached return of income, and have knowledge of the matters mentioned herein.

2. That the said return of income contains a full and complete statement of all income directly or indirectly received by me personally or by my agent or through the intervention of a trustee or otherwise howsoever during the taxation period mentioned therein by way of dividends and interest including all income from coupons, share warrants or other instruments payable to bearer. 25

And I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Declared before me at....., 30  
this.....day of.....,  
A.D. 19.....

EXPLANATORY NOTE.

The attached Bill will require taxpayers to swear as to the income disclosed in their income tax returns derived by way of dividends and interest including all income from coupons, share warrants or other instruments payable to bearer.



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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 71.**

An Act to amend the Criminal Code.

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First reading, April 7, 1933.

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The MINISTER OF JUSTICE.

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OTTAWA  
J. O. PATENAUDE, ACTING KING'S PRINTER

THE HOUSE OF COMMONS OF CANADA

BILL 71.

An Act to amend the Criminal Code.

R.S., c. 36;  
1930, c. 11;  
1931, c. 28;  
1932, cc. 7,  
8, 9, 28.

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

Interpreta-  
tion.

1. Subsection thirty of section two of the *Criminal Code*, chapter thirty-six of the Revised Statutes of Canada, 1927, 5 is repealed, and the following is substituted therefor:—

‘Prize  
fight.’

“(30) ‘Prize fight’ means an encounter or fight with fists or hands between two persons who have met for such purpose by previous arrangement made by or for them, provided, however, that any boxing contest, where both the 10 contestants wear boxing gloves of not less than five ounces each in weight, between amateur sportsmen, or held with the permission or under the authority of any athletic board or commission or like body set up by the legislature of any province, for the control of sport within such province shall 15 not be deemed to be a prize fight.’”

Misleading  
justice.

2. Subsection two of section one hundred and seventy-nine of the said Act is repealed and the following is substituted therefor:—

Penalty.

“(2) Every one is guilty of an indictable offence and 20 liable to a penalty not exceeding five hundred dollars, or to imprisonment for any term not exceeding six months, or to both fine and imprisonment who:

Signing  
pretended  
affidavit or  
declaration.

(a) signs any document purporting to be an affidavit or statutory declaration as having been sworn or declared 25 before him when such document was not so sworn or declared, or when he knows that he had no authority to administer such oath or declaration; or

Signing,  
using or  
offering for  
use pretended  
affidavit or  
declaration.

(b) signs, uses or offers for use any document purporting to be an affidavit or statutory declaration which he 30 knows is not or was not sworn or declared to; or was

## EXPLANATORY NOTES.

**1.** Subsection thirty at present reads as follows:—

“(30) ‘prize fight’ means an encounter or fight with fists or hands, between two persons who have met for such purpose by previous arrangement made by or for them;”

The only change is the addition of the underlined words.

**2.** Subsection 2 of section 179 at present reads as follows:—

“2. Every one shall be guilty of an offence and liable, upon summary conviction, to a penalty not exceeding five hundred dollars, or to imprisonment for any term not exceeding six months, or to both fine and imprisonment who

(a) signs any document purporting to be an affidavit or statutory declaration as having been sworn or declared before him when such document was not so sworn or declared, or when he knows that he had no authority to administer such oath or declaration; or

(b) signs, uses or offers for use any document purporting to be an affidavit or statutory declaration which he knows is not or was not sworn or declared to; or was not sworn or declared to before a proper officer in that behalf.”

The effect of the amendment is to make the offence punishable upon indictment rather than upon summary conviction. The main purpose in view is to render section 1142 of the Code inapplicable to this offence. The amendment also has the effect of bringing the procedure under subsection 2 into conformity with the procedure under subsection 1.

Section 1142 reads as follows:—

“**1142.** In the case of any offence punishable on summary conviction, if no time is specially limited for making any complaint, or laying any information, in the Act or law relating to the particular case, the complaint shall be made, or the information laid, within six months from the time when the matter of the complaint or information arose, except in the Northwest Territories and the Yukon Territory, in all which Territories the time within which such complaint may be made or such information laid shall be twelve months from the time when the matter of the complaint or information arose.”

not sworn or declared to before a proper officer in that behalf."

Offence against morality.

3. Subsections two, three, four and five of section two hundred and fifteen of the said Act are repealed and the following are substituted therefor:—

5

Corrupting children.

"(2) Every person who, in the home of a child, participates in adultery, or in sexual immorality, or indulges in habitual drunkenness or any other form of vice, thereby endangering the morals of such child or rendering the home of such child an unfit place for such child to be in shall be guilty of an offence and liable, upon summary conviction, to a fine not exceeding five hundred dollars, or to imprisonment for a period not exceeding one year, or to both fine and imprisonment.

10

Irrebuttable presumption.

"(3) It shall be an irrebuttable presumption, in any prosecution under subsection two of this section, that the child was in danger of being or becoming immoral, its morals injuriously affected and its home rendered an unfit place for it to be in, upon proof that the person accused did in fact, in the home of such child, participate in adultery, in sexual immorality, in habitual drunkenness, or in any other form of vice.

15

20

Not a valid defence that child too young to understand.

"(4) It shall not be a valid defence to a prosecution under subsection two of this section that the child is of too tender years to understand or appreciate the nature of the conditions prevailing in the home or the nature of the act complained of or to be immediately affected thereby.

25

Definition of "child."

"(5) For the purposes of this section "child" shall mean a boy or girl apparently or actually under the age of sixteen years.

30

At whose instance prosecution to be instituted.

"(6) No prosecution shall be instituted under subsections two, three, four or five of this section unless it be at the instance of some recognized society for the protection of children or an officer of a juvenile court, without the authorization of the Attorney General of the province in which the offence is alleged to have been committed, nor shall any such prosecution be commenced after the expiration of six months from the time of the commission of the alleged offence."

35

Limitation.

3. Section 215 at present reads as follows:—

“**215.** Every one who, being the parent or guardian of any girl or woman,

(a) procures such girl or woman to have carnal connection with any man other than the procurer; or

(b) orders, is party to, permits or knowingly receives the avails of, the defilement, seduction or prostitution of such girl or woman;

is guilty of an indictable offence, and liable to fourteen years' imprisonment, if such girl or woman is under the age of fourteen years, and if such girl or woman is of or above the age of fourteen years, to five years' imprisonment.

2. Any person who, in the home of a child, by indulgence in sexual immorality, in habitual drunkenness or in any other form of vice, causes such child to be in danger of being or becoming immoral, dissolute or criminal, or the morals of such child to be injuriously affected, or renders the home of such child an unfit place for such child to be in, shall be liable, on summary conviction, to a fine not exceeding five hundred dollars or to imprisonment for a period not exceeding one year or to both fine and imprisonment.

3. For the purposes of this section, “child” means a boy or girl apparently or actually under the age of sixteen years.

4. It shall not be a valid defence to a prosecution under this section that the child is of too tender years to understand or appreciate the nature of the act complained of or to be immediately affected thereby.

5. No prosecution shall be instituted under subsections two, three or four of this section unless it be at the instance of some recognized society for the protection of children or an officer of a juvenile court, without the authorization of the Attorney General of the province in which the offence is alleged to have been committed, nor shall any such prosecution be commenced after the expiration of six months from the time of the commission of the alleged offence.”

Offence resembling theft.

4. Subparagraph (i) of paragraph (a) of section three hundred and ninety-four of the said Act is repealed and the following is substituted therefor:—

Taking possession, etc., of drift timber.

“(i) fraudulently takes, holds, keeps in his possession, collects, conceals, receives, appropriates, purchases, sells or causes or procures or assists to be taken possession of, collected, concealed, received, appropriated, purchased or sold, any timber, mast, spar, saw-log, shingle bolt or other description of lumber, boom chains, chains, lines or shackles, which is found adrift in, or cast ashore, or lying upon or imbedded in the bed, bottom, or on the bank or beach of any river, stream, or lake, in Canada, or in the harbours or any of the coast waters, including the whole of Queen Charlotte Sound, the whole of the Strait of Georgia or the Canadian waters of the Strait of Juan de Fuca, of British Columbia, or”

Mischief.

5. The said Act is further amended by inserting immediately after section five hundred and ten thereof the following section:—

Having, etc., offensive volatile substance.

“510A. Every one is guilty of the indictable offence of mischief and liable to a term of imprisonment of not less than two years and not more than five years who shall have in his possession or deposit, throw or inject or cause to be deposited, thrown or injected in, near or into any theatre, church, public hall or other place of usual resort any offensive volatile substance likely to inconvenience, discommode or cause discomfort to any person or damage to any property, or any stink or stench bomb or device from which any such substance may or can be liberated.”  
(New.)

Appeal.

6. Section seven hundred and forty-nine of the said Act is amended by striking out paragraph (a) in subsection one thereof and substituting therefor the following:—

In Ontario.

“(a) in the province of Ontario, to the county court of the district or county or group of counties where the cause of the information or complaint arose.”

4. The first three lines of section 394 read as follows:—

“**394.** Every one is guilty of an indictable offence and liable to three years’ imprisonment who,

(a) without the consent of the owner thereof,”

The amendment to subparagraph (i) consists merely of the addition of the underlined words.

In prosecutions under this section the Crown has been frequently met with the defence that the logs bearing timber marks in the possession of the accused have been taken from the bottom of the river or lake, etc., and that such was not an offence under this section. This defence has been upheld by certain magistrates, with the result that the enforcement of the law has been rendered more difficult. It is represented that in several wood using industries certain woods will not float, or, if they do, are purposely permitted to sink or are stacked under water for the purpose of preserving them from damage from sun, wind, rot, worms, etc.

The match plants store their wood in this way. Square and waney timber, whether Oak, Elm, Ash, Birch, Cherry, Pine, etc., are stored that way, or allowed to sink. Veneer plants store their supplies that way. Hardwood saw-logs are stored in that way, and in some places pulpwood.

In some places both saw-logs and pulpwood are allowed to sink or go ashore on lakes and rivers to let the water leach the gums, oils and turpentine out of them, as well as loosen up the inner and outer bark.

5. This section is new.

6. Subsection one of section 749 (down to the end of paragraph (a)) at present reads as follows:—

“**749.** Unless it is otherwise provided in any Act under which a conviction takes place or an order is made by a justice for the payment of money or dismissing an information or complaint, any person who thinks himself aggrieved by any such conviction or order or dismissal, the prosecutor or complainant, as well as the defendant, may appeal,

(a) in the province of Ontario, when the conviction adjudges imprisonment only, to the Court of General Sessions of the Peace; and in all other cases to the Division Court of the division of the county in which the cause of the information or complaint arose;”

French  
version  
amended.

7. The French version of paragraph (b) of section seven hundred and fifty of the said Act is amended by striking out the words "et cette signification doit" in the seventh and eighth lines of said paragraph, and substituting therefor the following words "et ces signification et production 5 doivent."

Procedure  
on appeals.

Trial with  
consent.

8. (1) Paragraph (a) of section seven hundred and seventy-three of the said Act is repealed and the following is substituted therefor:—

"(a) with theft, or obtaining money or property by false 10 pretenses, or unlawfully receiving stolen property, where the value of the property does not, in the judgment of the magistrate, exceed twenty-five dollars."

Offences.

(2) Section seven hundred and seventy-three is further 15 amended by inserting after paragraph (c) thereof the following paragraph:—

"(cc) with committing an assault which occasions actual 20 bodily harm." (New.)

Assault  
occasioning  
bodily  
harm.

Jurisdiction.  
Trial with  
consent.

9. Subsection one of section seven hundred and seventy-four of the said Act, as enacted by section one of chapter 20 25 nine of the statutes of 1932, is repealed and the following is substituted therefor:—

"774. (1) When any person is charged,

(a) in the province of Ontario before a police magistrate 25 or before a stipendiary magistrate in any county, district or provisional county in such province;

(b) in the provinces of Alberta, Manitoba and Saskatche- 30 wan before a police magistrate;

(c) in any city or incorporated town, having a population 35 of not less than 2,500, according to the last decennial or other census taken under the authority of an Act of Parliament of Canada, before any police or stipendiary magistrate or before any recorder of any such city or town, if he exercises judicial functions;

(d) in the Yukon Territory before any judge of the 40 Territorial Court or a police magistrate; or

(e) in the Province of Quebec before any district magis- 45 trate or judge of the sessions;

with having committed any offence (except culpable homicide or any of the offences mentioned in section five hundred 40 and eighty-three) or has been committed to a gaol in any county, district or provisional county under the warrant of any justice for trial on a charge of being guilty of any such offence, such person may, with his own consent be 45 tried before such recorder, judge or magistrate, as the case may be, and may, if found guilty, be sentenced to the punishment for such offence."

Summary  
trial in  
certain  
cases.

7. The purpose of this amendment is to correct a clerical error by which the words "et production" were omitted from the French version.

8. (1) Paragraph (a) of section 773 at present reads as follows:—

"(a) with theft, or obtaining money or property by false pretenses, or unlawfully receiving stolen property, where the value of the property does not, in the judgment of the magistrate, exceed *ten* dollars."

The only change is the substitution of twenty-five dollars for ten dollars.

(2) This provision is new and is inserted upon the recommendation of the provinces of Alberta, Nova Scotia and Saskatchewan.

9. Subsection one of section 774 at present reads as follows:—

"774. (1) When any person is charged,  
(a) in the province of Ontario before a police magistrate, or before a stipendiary magistrate in any county, district or provisional county in such province;  
(b) in the province of Manitoba before a police magistrate;  
(c) in the province of Saskatchewan before a police magistrate;  
(d) in any city or incorporated town, having a population of not less than 2,500, according to the last decennial or other census taken under the authority of an Act of Parliament of Canada, before any police or stipendiary magistrate or before any recorder of any such city or town, if he exercises judicial functions;  
(e) in the Yukon Territory before any judge of the Territorial Court or a police magistrate; or  
(f) in the province of Quebec before any district magistrate or judge of the sessions,

with having committed any offence (except culpable homicide or any of the offences mentioned in section five hundred and eighty-three), or has been committed to a gaol in any county, district or provisional county under the warrant of any justice for trial on a charge of being guilty of any such offence, such person may, with his own consent, be tried before such recorder, judge or magistrate, as the case may be, and may, if found guilty, be sentenced to the punishment provided for such offence."

The only change is the inclusion of Alberta in the new paragraph (b) and the consolidation in said paragraph of present paragraphs (b) and (c) and the consequent relettering of the other paragraphs.

Bail.

**10.** Subsection two of section one thousand and nineteen of the said Act is repealed and the following is substituted therefor:—

Effect as to  
term of  
imprison-  
ment.

“(2) The time during which a person convicted is ad- 5  
mitted to bail pending the determination of any appeal  
and, subject to any directions which the court of appeal  
may give to the contrary on any appeal, the time during  
which such person is detained in gaol or other place of  
confinement pending the determination of an appeal by  
him shall not count as part of any term of imprisonment 10  
under his sentence; and, in the case of an appeal under  
this Part any imprisonment under the sentence of the  
appellant, whether it is the sentence passed by the trial  
court or the sentence passed by the court of appeal, shall, 15  
subject to any directions which may be given by the court  
of appeal as aforesaid, be deemed to be resumed or to begin  
to run, as the case requires, if the appellant is in custody,  
as from the day on which the appeal is determined, and, if  
he is not in custody, as from the day on which he is received  
into prison under the sentence.” 20

10. Subsection two of section one thousand and nineteen, at present reads as follows:—

“1019. (2) The time during which *an appellant*, pending the determination of his appeal, is admitted to bail, and, subject to any directions which the court of appeal may give to the contrary on any appeal, the time during which *the appellant, if in custody, is specially treated as an appellant under the rules of any prison in which he is confined*, shall not count as part of any term of imprisonment under his sentence; and, in the case of an appeal under this Part any imprisonment under the sentence of the appellant, whether it is the sentence passed by the trial court or the sentence passed by the court of appeal, shall, subject to any directions which may be given by the court of appeal as aforesaid, be deemed to be resumed or to begin to run, as the case requires, if the appellant is in custody, as from the day on which the appeal is determined, and, if he is not in custody, as from the day on which he is received into prison under the sentence.”

The only change is in the addition of the underlined words.

The purpose of the amendment is to give to a convicted person the benefit of time served in gaol or other place of confinement pending the disposition of an appeal by the Crown.











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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 72.**

An Act for granting to His Majesty certain sums of money  
for the public service of the financial year ending the  
31st March, 1934.

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AS PASSED BY THE HOUSE OF COMMONS,  
10th APRIL, 1933.

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OTTAWA

J. O. PATENAUDE, ACTING KING'S PRINTER

THE HOUSE OF COMMONS OF CANADA.

**BILL 72.**

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1934.

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS it appears by messages from His Excellency the Right Honourable the Earl of Bessborough, 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-four, 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, 1932-33.*

\$16,220,422.36  
granted for  
1933-34.

2. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole sixteen million, two hundred and twenty thousand, four hundred and twenty-two dollars and thirty-six cents towards defraying the several charges and expenses of public service, from the first day of April, one thousand nine hundred and thirty-three, to the thirty-first day of March, one thousand nine hundred and thirty-four, not otherwise provided for, and being one-twelfth of the amount of each of the several items to be voted, set forth in the Estimates for the fiscal year ending the thirty-first day of March, one thousand nine hundred and thirty-four, as laid before the House of Commons at the present session of Parliament.



Account to  
be rendered  
in detail.

**3.** A detailed account of the sums expended under the authority of this Act shall be laid before the House of Commons of Canada during the first fifteen days of the then next session of Parliament.

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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 73.**

An Act respecting the Canadian National Railways and to authorize the provision of moneys to meet expenditures made and indebtedness incurred during the calendar year 1933 and to authorize His Majesty to make loans and advances to the Canadian National Railway Company.

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First reading, April 10, 1933.

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The MINISTER OF RAILWAYS AND CANALS.

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OTTAWA

J. O. PATENAUDE, ACTING KING'S PRINTER

THE HOUSE OF COMMONS OF CANADA.

**BILL 73.**

An Act respecting the Canadian National Railways and to authorize the provision of moneys to meet expenditures made and indebtedness incurred during the calendar year 1933 and to authorize His Majesty to make loans and advances to the Canadian National Railway Company.

**H**IS Majesty, by and with the advice and consent of the Senate and House of Commons, enacts as follows:—

Short title.

**1.** This Act may be cited as *Canadian National Railways Financing Act, 1933*.

Power to issue notes for refunding and capital expenditures.

**2.** Subject to the provisions of this Act and the approval 5  
of the Governor in Council, the Canadian National Railway  
Company (hereinafter called "the Company") may issue  
notes (hereinafter called "notes"), payable on such terms  
and at such rates of interest as the Governor in Council  
may approve, to provide the amounts necessary to meet 10  
expenditures made or indebtedness incurred during the  
calendar year 1933 (where amounts available from net  
operating income or investments may be insufficient) by or  
on behalf of the Company or any Company comprised in  
the Canadian National Railways (as defined in chapter ten 15  
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 Company  
in respect of any of the Canadian Government Railways  
entrusted to the Company, or any one or more of such 20  
companies, on any or all of the following accounts, such  
expenditures or indebtedness being herein called "auth-  
orized expenditures,"—

(a) Equipment principal payments, sinking funds, mis-  
cellaneous maturing or matured notes and other 25  
obligations secured or unsecured, not exceeding  
\$12,265,583.63;

#### EXPLANATORY NOTE.

The object of this Bill is to authorize the Canadian National Railway Company to borrow on its notes a sum not exceeding \$13,058,604.63 for refunding requirements and capital expenditures for the calendar year 1933; to authorize the Minister of Finance to make loans on the security of such notes to the extent of the said sum; and to authorize the Minister of Finance to make temporary advances not exceeding in the aggregate \$47,941,395.37 to meet the net income deficits occurring during the calendar year 1933, the total of such deficits to be submitted in the Estimates to Parliament next year.

(b) Construction and betterments, including co-ordinations; acquisition of real or personal property, and working capital, not exceeding \$5,993,121.00.

Provided, however, that for such purposes the aggregate principal amount at any one time outstanding of the notes which the Company is hereby authorized to issue from time to time shall not exceed the sum of \$13,058,604.63, being the total of the items hereinabove set out, less \$5,200,100.00 to be provided out of the working funds of the Company towards the expenditures specified in paragraph (b) hereinabove 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 Company out of the Consolidated Revenue Fund of Canada, repayable on such terms and at such rates of interest as the Governor in Council may determine and secured by notes which the 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 Railways and Canals, made from time to time by the 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 Company shall not exceed the sum of \$13,058,604.63.

Minister of Finance may make advances on account of net income deficits.

**4.** The Minister of Finance with the approval of the Governor in Council may make from time to time during the fiscal year 1933-34, accountable advances not exceeding in the aggregate \$47,941,395.37, to the Company out of any unappropriated moneys in the Consolidated Revenue Fund of Canada to be applied by the Company on account of the net income deficits, including profit and loss but not including non-cash items and interest on Dominion Government advances, of the Company or of any other or others of the said companies, which expression as used here and hereinafter shall include the Canadian Government Railways entrusted as aforesaid, from time to time arising within the calendar year 1933, upon applications, approved by the Minister of Railways and Canals, made by the Company to the Minister of Finance for such advances and the total amount of the net income deficits as aforesaid for the calendar year 1933, as certified by auditors appointed to audit the accounts of the Company and of any other or others of the said companies, shall be included in the Estimates submitted to Parliament at its first session following the close of the said calendar year.



Power to  
aid other  
companies.

5. The 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:—

5

- (a) Apply the proceeds of any issue of notes 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 com- 10  
panies, upon or without any security, at discretion;
- (c) Apply any and all accountable advances made by the Minister of Finance to the Company under the provisions of section four of this Act on account of the net income deficits, in the said section described, of 15  
the Company, or of any other or others of the said companies.





Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 74.**

An Act respecting Extra-territorial Operation of Acts of  
the Parliament of Canada.

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First reading, April 11, 1933.

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The MINISTER OF JUSTICE.

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OTTAWA  
J. O. PATENAUDE, ACTING KING'S PRINTER

THE HOUSE OF COMMONS OF CANADA.

**BILL 74.**

An Act respecting Extra-territorial Operation of Acts of the Parliament of Canada.

**H**IS 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 *Extra-territorial Act, 1933.*

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Acts of the Parliament of Canada to have extra-territorial operation.

**2.** Every Act of the Parliament of Canada now in force enacted prior to the eleventh day of December, 1931, which in terms or by necessary or reasonable implication was intended, as to the whole or any part thereof, to have extra-territorial operation, shall be construed as if at the date of its enactment the Parliament of Canada then had full power to make laws having extra-territorial operation as provided by the Statute of Westminster, 1931. 10

EXPLANATORY NOTE.

Section 3 of the Statute of Westminster reads as follows:

“**3.** It is hereby declared and enacted that the Parliament of a Dominion has full power to make laws having extra-territorial operation.”



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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 77.**

An Act to facilitate Compromises and Arrangements between Companies and their Creditors.

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First reading, April 20, 1933.

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THE SECRETARY OF STATE.

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OTTAWA  
J. O. PATENAUDE, ACTING KING'S PRINTER

THE HOUSE OF COMMONS OF CANADA.

**BILL 77.**

An Act to facilitate Compromises and Arrangements between Companies and their Creditors.

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

5

Short title.

**1.** This Act may be cited as the *Companies' Creditors Arrangement Act, 1933*.

Definitions.

**2.** In this Act, including this section,—

"Court".

(a) "Court" means in Ontario, the Supreme Court; in Quebec, the Superior Court; in Nova Scotia, New Brunswick, British Columbia, Prince Edward Island and Alberta, the Supreme Court for each of those provinces; in Manitoba, the Court of King's Bench; in Saskatchewan, the Court of King's Bench; and in the Yukon Territory, the Territorial Court; 10 15

"Company".

(b) "Company" means any company or corporation incorporated by or under the authority of an act of the Parliament of Canada or by or under the authority of an act of any province of Canada and any incorporated company having assets or doing business in Canada, wheresoever incorporated, except banks, railway or telegraph companies, insurance companies and trust companies organized under or governed by the Trust Companies Act and loan companies organized under or governed by the Loan Companies Act; 20 25

"Debtor company".

(c) "Debtor company" means any company which is bankrupt or insolvent or which has committed an act of bankruptcy within the meaning of the Bankruptcy Act or which is deemed insolvent within the meaning of the Winding-up Act, whether or not proceedings in respect of such company have been taken under either the Winding-up Act or the Bankruptcy Act, or which has made an authorized assignment or against which a Receiving Order has been made under the 30

## EXPLANATORY NOTES.

1. The purpose of this Bill is to make provision for compromise and arrangement between bankrupt or insolvent companies and their creditors or any class of them, with certain exceptions. It is based on section 153 of the new English Companies Act, enacted in 1929. In order to meet different jurisdictional conditions, some changes in form have been necessary. The Act does not deal with compromises or arrangements between a company and its shareholders, which are left to be dealt with under the various general or special Acts regulating the internal affairs of any company which may be concerned; but a clause is inserted providing that the provisions of this Act be applied conjointly with the provisions of other Acts which provide for the sanction of compromises between companies and their shareholders.

2. (a) "Court" for the purposes of this Act will mean the same court that would have jurisdiction under the Bankruptcy Act.

(b) The definition of a company states the classes of companies to which the Act applies. Banks, railway or telegraph companies, insurance companies, and trust and loan companies, incorporated under Dominion legislation, are excluded from the application of the Act, as it is deemed advisable that they should be dealt with under the provisions of the general Acts which relate particularly to them.

(c) This definition of a debtor company further restricts the application of the Act, which will apply only to companies as defined in Paragraph (b), if and to the extent that they are bankrupt or insolvent and thereby come within the jurisdiction of Parliament.

Bankruptcy Act, or which is in course of being wound up under the Winding-up Act because the company is insolvent;

"Shareholder".

(d) "Shareholder" means a shareholder or member of any company to which this Act applies; 5

"Province".

(e) "Province" means a province or territory of the Dominion of Canada;

"Secured creditor".

(f) "Secured creditor" means a holder of a mortgage, hypothec, pledge, charge, lien or privilege on or against or any assignment, cession or transfer of, all or any property of a debtor company as security for indebtedness of the debtor company, or a holder of any bond, debenture, debenture stock or other evidence of indebtedness of a debtor company secured by a mortgage, hypothec, pledge, charge, lien or privilege on or against, or an assignment, cession or transfer of, or a trust in respect of, all or any property of the debtor company, whether any such holder or beneficiary be resident or domiciled within or without Canada; and a trustee under any trust deed or other instrument securing any such bonds, debentures, debenture stock or other evidences of indebtedness shall be deemed to be a secured creditor for all purposes of this Act except voting at a creditors' meeting in respect of any such bonds, debentures, debenture stock or other evidences of indebtedness; 10 15 20 25

"Unsecured creditor".

(g) "Unsecured creditor" means any creditor of a company who is not a secured creditor, whether resident or domiciled within or without Canada.

## PART I.

Compromise with unsecured creditors.

**3.** Where a compromise or arrangement is proposed between a debtor company and its unsecured creditors or any class of them, the court may, on the application in a summary way of the company or of any such creditor or of the trustee in bankruptcy or liquidator of the Company, order a meeting of such creditors or class of creditors, and, if the court so determines, of the shareholders of such company, to be summoned in such manner as the court directs. 30 35

Compromise with secured creditors.

**4.** Where a compromise or arrangement is proposed between a debtor company and its secured creditors or any class of them, the court may, on the application in a summary way of the company or of any such creditor or of the trustee in bankruptcy or liquidator of the company, order a meeting of such creditors or class of creditors, and, if the court so determines, of the shareholders of such company, to be summoned in such manner as the court directs. 40 45

(f) The definition of "secured creditor" has been adapted from the definition of a secured creditor as contained in the Bankruptcy Act, but care has been taken to make it clear that the individual holders of secured obligations of a company are entitled to vote as secured creditors.

**3** and **4**. Section 65 of the Dominion Winding-up Act now authorizes compromises between a company and its creditors or any class or classes of such creditors. It has been deemed desirable to deal in separate sections with unsecured and secured creditors. Section 3, with respect to unsecured creditors, covers the same ground as section 65 of the Winding-up Act. Section 4 clearly establishes the same principle in respect to secured creditors.

Compromises to be sanctioned by Court.

**5.** If a majority in number representing three-fourths in value of the creditors, or class of creditors, as the case may be, present and voting either in person or by proxy at the meeting or meetings thereof respectively held pursuant to sections 3 and 4 of this Act, or either of such sections, agree to any compromise or arrangement either as proposed or as altered or modified at such meeting or meetings, the compromise or arrangement may be sanctioned by the court, and if so sanctioned shall be binding on all the creditors, or class of creditors, including any trustee for any such class of creditors, whether secured or unsecured, as the case may be, and shall also be binding on the company, and in the case of a company which has made an authorized assignment under the Bankruptcy Act or which is in course of being wound up under the Winding-up Act, shall also be binding on the trustee in bankruptcy or liquidator and contributors of the company.

Court may give directions.

**6.** If an alteration or modification of any compromise or arrangement is proposed at any time after the court has directed a meeting or meetings to be summoned such meeting or meetings may be adjourned on such term as to notice and otherwise as the court may direct, and such directions may be given as well after as before adjournment of any meeting or meetings, and the court may in its discretion direct that it shall not be necessary to adjourn any meeting or to convene any further meeting of any class of creditors or shareholders which in the opinion of the court is not adversely affected by the alteration or modification proposed, and a compromise or arrangement so altered or modified may be sanctioned by the court and have effect under section 5 of this Act.

Scope of Act.

**7.** The provisions of this Act shall be in extension and not in limitation of the provisions of any instrument now or hereafter existing governing the rights of creditors or any class of them and shall have force notwithstanding anything to the contrary contained in any such instrument.

## PART II.

Jurisdiction of Court to receive applications.

**8.** (1) Any application under this Act may be made to the court having jurisdiction in the province within which the head office or chief place of business of the company in Canada is situate, or, if the company has no place of business in Canada, in the province within which any assets of the company may be situate.

**5.** The provisions of this section follow closely the corresponding provisions of section 153 of the Companies Act, 1929 (English), with necessary changes to adapt it to the form of this Act.

**6.** This provision permits the court to deal with adjournments and amendments.

**7.** The effect of this section is to permit all contractual provisions to continue to operate, except as otherwise expressly modified by arrangement as in this Act provided.

## PART II.

This Part deals with matters of procedure in the courts. It is general in terms, leaving details to be worked out under the procedure of the different courts concerned. Provisions that courts of one jurisdiction shall be auxiliary to those of another are based on similar provisions of the Bankruptcy Act, and provision is also made enabling the Governor in Council to establish general rules under the Act.

**8.** This section has been adapted from section 12 of the Winding-up Act.

Single judge  
may exercise  
powers,  
subject to  
appeal.

(2) The powers conferred by this Act upon the court may, subject to appeal as in this Act provided for, be exercised by a single judge thereof; and such powers may be exercised in chambers and either during term or in vacation.

Form of  
applications.

9. Applications shall be made by petition or by way of 5  
originating summons or notice of motion in accordance with  
the practice of the court in which the application is made.

Court may  
restrain  
proceedings  
under Bank-  
ruptcy Act,  
or Winding-  
up Act.

10. Notwithstanding anything in the Bankruptcy Act  
or in the Winding-up Act contained, whenever an applica-  
tion shall have been made under this Act in respect of any 10  
company, the court, on the application of any person  
interested in the matter, may, on such notice to any other  
person, or without notice as it may see fit, make an order  
staying until such time as the court may prescribe or until  
further order all proceedings taken or which might be 15  
taken in respect of such company under the Bankruptcy  
Act and the Winding-up Act or either of them, and the  
court may restrain further proceedings in any action, suit  
or proceeding against the company upon such terms as  
the court sees fit, and the court may also make an order 20  
that no suit, action or other proceeding shall be proceeded  
with or commenced against the company except with the  
leave of the court and subject to such terms as the court  
shall impose.

Determina-  
tion of  
amount of  
claim.

11. (1) For all purposes of this Act the amount repre- 25  
sented by a claim of any secured or unsecured creditor shall  
be determined as follows:

(a) "Claim" shall mean any indebtedness, liability or  
obligation of any kind which if unsecured would be  
a debt provable in bankruptcy within the meaning of 30  
the Bankruptcy Act.

(b) The amount of an unsecured claim shall be the  
amount

Amount of  
unsecured  
claim.

(i) in the case of a company in course of being  
wound up under the Winding-up Act proof of which 35  
has been made in accordance with the Winding-up  
Act, or

(ii) in the case of a company which has made an  
authorized assignment or against which a receiving  
order has been made under the Bankruptcy Act, 40  
proof of which has been made in accordance with the  
Bankruptcy Act, or

(iii) in the case of any other company, proof of  
which might be made under the provisions of the  
Bankruptcy Act, provided that in such case if the 45  
amount so provable is not admitted by the company,  
such amount shall be determined by the court on

**10.** This section gives to the court authority to stay actions by individual creditors while proceedings are pending under this Act. Similar authority is given to courts to stay suits by individual creditors when bankruptcy or winding-up proceedings are pending.

**11.** As the provisions of the Winding-up Act and Bankruptcy Act defining what types of claim are dealt with by the Act, and providing for the determination of the amount of such claims, are not appropriate to the proceedings under this Act, this section is inserted in order to provide a simple method of determining what claims may be admitted and how their amount may be established for the purposes of this Act.

summary application by the company or by the creditor.

Amount of secured claim.

(c) The amount of a secured claim shall be the amount proof of which might be made in respect thereof under the provisions of the Bankruptcy Act if such claim were unsecured, provided that such amount if not admitted by the company shall in the case of a company subject to pending proceedings under the Winding-up Act, or the Bankruptcy Act, be established by proof in the same manner as an unsecured claim under the Winding-up Act or the Bankruptcy Act, as the case may be, and in the case of any other company such amount shall be determined by the court on summary application by the company or by the creditor. 5 10

Admission of claims.

(2) Notwithstanding anything contained in subsection (1) the company may admit the amount of a claim for voting purposes under reserve of the right to contest liability on the claim for other purposes, and nothing contained in this Act or the Winding-up Act or the Bankruptcy Act shall prevent a secured creditor from voting at a meeting of secured creditors or any class of them in respect of the total amount of a claim as admitted. 15 20

Leave to appeal.

**12.** Except in the Yukon Territory, any person dissatisfied with an order or decision made under this Act may appeal therefrom upon obtaining leave of the judge appealed from or upon obtaining leave of the court or a judge of the court to which the appeal lies and upon such terms as to security and in other respects as such judge or court shall direct. 25

Court of appeal.

**13.** Such appeal shall lie to the highest court of final resort in or for the province in which the proceeding originated. All appeals shall be regulated as far as possible according to the practice in other cases of the court appealed to, but no appeal herein authorized shall be entertained unless, within twenty-one days from the rendering of the order or decision, or within such further time as the court appealed from, or, in the Yukon Territory, a judge of the Supreme Court of Canada, allows, the appellant has taken proceedings therein to perfect his appeal, nor unless within such time he has made a deposit or given sufficient security according to the practice of the court appealed to that he will duly prosecute the said appeal and pay such costs as may be awarded to the respondent and comply with any terms as to security or otherwise imposed by the judge giving leave to appeal. 30 35 40 45

In Yukon Territory.

**14.** In the Yukon Territory any person dissatisfied with an order or decision made under this Act may by leave of a judge of the Supreme Court of Canada, appeal therefrom to the Supreme Court of Canada.

**12, 13 and 14.** These sections deal with appeals and are adapted from sections 103-106 of the Winding-up Act.

Order of court of one province to be enforced by courts of other provinces.

**15.** Every order made by the court in any province in the exercise of jurisdiction conferred by this Act in respect of any compromise or arrangement shall also have full force and effect in all the other provinces and shall be enforced in the court of each of the other provinces in the same manner in all respects as if the order had been made by the court so enforcing it. 5

Courts having jurisdiction under Act shall aid each other on request.

**16.** All courts having jurisdiction under this Act and the officers of such courts respectively shall severally act in aid of and be auxiliary to each other in all matters in this Act provided for, and an order of the court seeking aid with a request to another of the said courts shall be deemed sufficient to enable the latter court to exercise in regard to the matters directed by the order such jurisdiction as either the court which made the request or the court to which the request is made could exercise in regard to similar matters within their respective jurisdictions. 10 15

Governor-in-Council may make General Rules.

**17.** (1) The Governor-in-Council may make, alter or revoke and may delegate to the judges of the several courts exercising jurisdiction under this Act the power to make, alter or revoke General Rules not inconsistent with the terms of this Act for carrying into effect the objects thereof. 20

(2) Such rules shall not extend the jurisdiction of the court. 25

General Rules to be laid before parliament.

(3) All General Rules, as from time to time made, by the Governor-in-Council, shall be laid before Parliament within three weeks after made, or if Parliament is not then sitting within three weeks after the beginning of the next Session.

(4) All such rules shall be judicially noticed and shall have effect as if enacted by this Act. 30

### PART III.

Certain sections of Winding-up Act shall not apply.

**18.** Sections 65 and 66 of the Winding-up Act, chapter two hundred and thirteen of the Revised Statutes of Canada, 1927, shall not apply to any compromise or arrangement to which this Act applies. 35

Act to be applied conjointly with other Acts.

**19.** The provisions of this Act may be applied conjointly with the provisions of any Act of the Dominion of Canada or of any Province, authorizing or making provision for the sanction of compromises or arrangements between a company and its shareholders or any class of them. 40

**17.** This section is adapted from section 161 of the Bankruptcy Act.

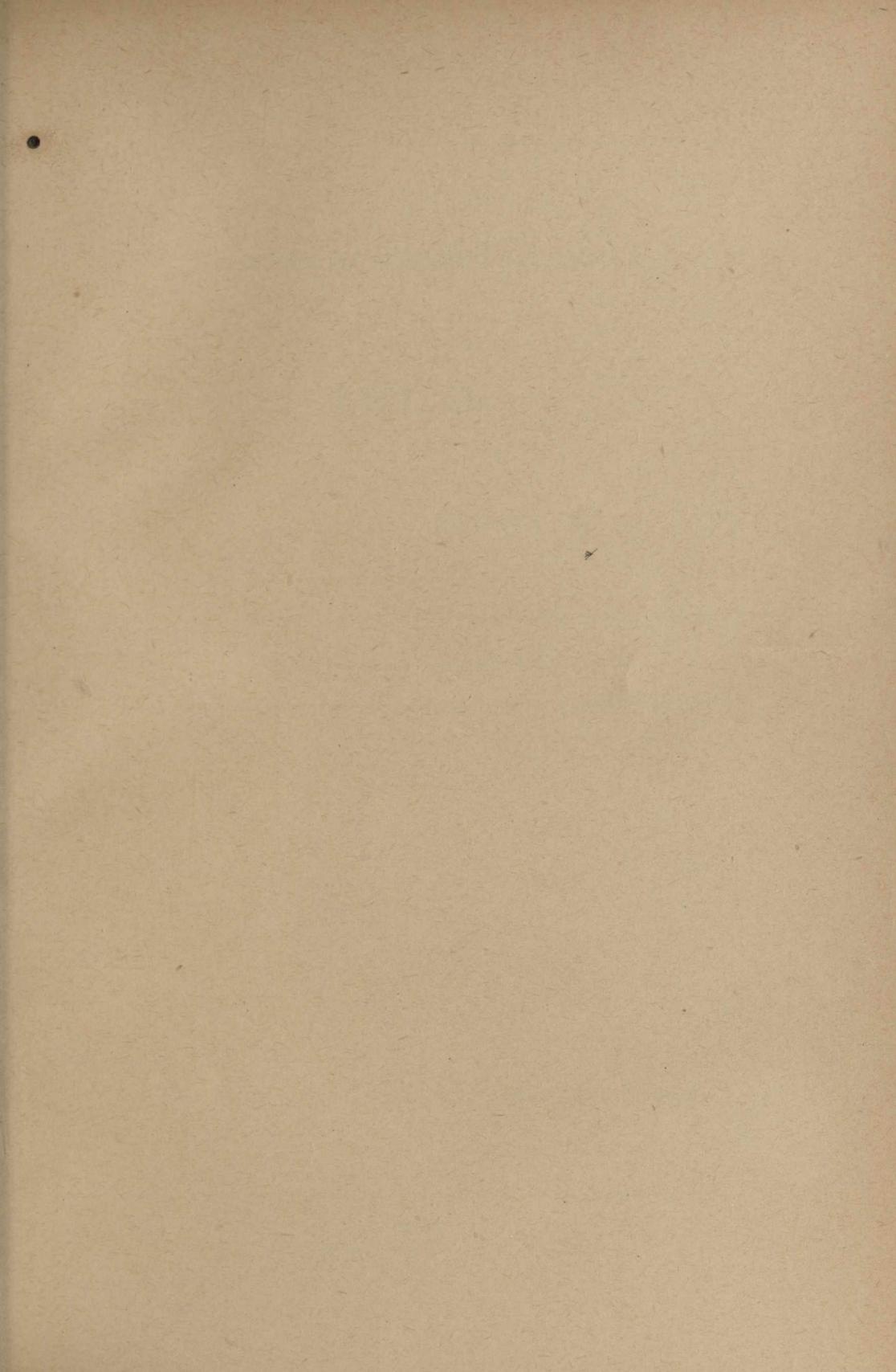
### PART III.

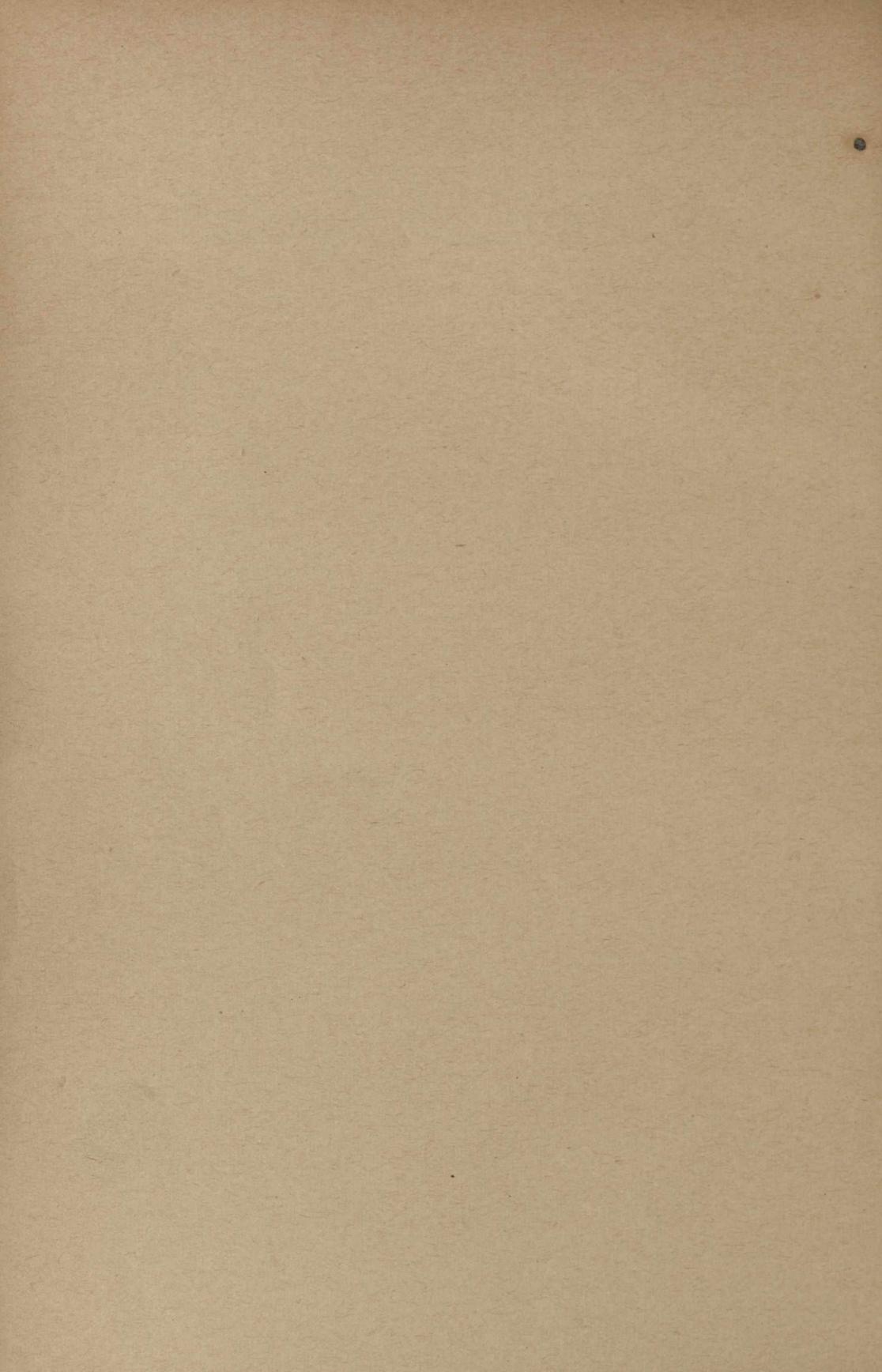
This Part provides for co-ordination between the provisions of this Act and of the Winding-up Act and the Companies Act dealing with similar subject matter, and also provides for the application of this Act in conjunction with other statutes dealing with compromises or arrangements.

**18** and **19.** These sections deal with the relations of the court in one Province to those of another Province in connection with proceedings conducted under the Act. They are adapted from similar provisions in section 170 of the Bankruptcy Act.

Application  
of section 145  
of Companies  
Act.

**20.** For the purpose of applying the provisions of this Act conjointly with the first and second subsections of section 145 of the Companies Act the words "The Winding-up Act", where the same appear in the first and second subsections of section 145 of the Companies Act, shall be deemed to mean and include "The Winding-up Act" or the "Companies' Creditors Arrangement Act, 1933". 5





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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 78.**

An Act to amend the Pension Act.

---

First reading, April 20, 1933.

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The MINISTER OF PENSIONS AND NATIONAL HEALTH.

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OTTAWA  
J. O. PATENAUDE, ACTING KING'S PRINTER

THE HOUSE OF COMMONS OF CANADA.

BILL 78.

An Act to amend the Pension Act.

R.S., c. 157;  
1928, c. 38;  
1930 (1st s.)  
c. 35;  
1931, c. 44.

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

1. Section two of the *Pension Act*, chapter one hundred and fifty-seven of the Revised Statutes of Canada, 1927, as amended by chapter thirty-eight of the statutes of 1928; by chapter thirty-five of the statutes of 1930 (first session) and by chapter forty-four of the statutes of 1931, is amended as follows:—

Definitions. (1) By striking out paragraph (*bb*) thereof. 10

(2) By inserting after paragraph (*g*) thereof the following paragraphs:—

“Federal Appeal Board.”

“(*gg*) ‘Federal Appeal Board’ means the Board heretofore existing under that name;”

“Hospital allowances.”

“(*ggg*) ‘hospital allowance,’ or ‘pay and allowances’ or ‘compensation,’ means the payment made to a pensioner in lieu of pension while undergoing hospital treatment, under the control of the Department, for a pensionable disability.” 15

(3) By inserting after paragraph (*n*) the following paragraph:— 20

“Pension Tribunal.”

“(*nn*) ‘Pension Tribunal’ means the Tribunal heretofore existing under that name.”

2. Section three of the said Act, as amended by chapter thirty-eight of the statutes of 1928, and as further amended by chapter thirty-five of the statutes of 1930, is repealed and the following is substituted therefor:— 25

### EXPLANATORY NOTES.

Existing sections of the Pension Act which are repealed and re-enacted or amended by this Bill are printed in an appendix at the end of the explanatory notes to the Bill.

1. (1) See definition (*gg*). The paragraph to be repealed reads as follows:—

“(*bb*) ‘Board’ means the Federal Appeal Board.”

(2) (*gg*) This definition is necessary in view of the references in the Act.

(*ggg*) This definition is necessary in view of the references in the Act.

(3) (*nn*) This definition is necessary in view of the references in the Act.

Board of  
Pension  
Commissioners  
continued.  
Number of  
members.

**“3. (1) Subject to the provisions of this Act the Board of Pension Commissioners for Canada, as heretofore constituted, shall continue to exist under such name.**

(2) The Commission shall consist of not more than eight members, seven of whom to be appointed by the Governor in Council, and one, the Chief Medical Adviser of the Commission, to be, ex-officio, a Commissioner during his term of office. 5

Chairman.

(3) One of the Commissioners shall be appointed by the Governor in Council to be Chairman of the Commission. 10

Terms of  
appointment.

(4) Of the Commissioners other than the Chief Medical Adviser, the term of office of three shall be for a period of ten years from the date of appointment or reappointment, and the term of office of four shall be for a period of three years only from the date of appointment. 15

Present  
Commissioners  
continued  
in office.

(5) The persons now holding the office of Commissioner shall continue to hold office for the unexpired portion of their respective terms of office.

Tenure of  
office.

(6) Each Commissioner shall hold office during good behaviour during the term of his appointment but shall be removable at any time for cause by the Governor in Council. 20

Age limit.

(7) A Commissioner shall cease to hold office upon reaching the age of seventy years.

Eligibility  
for reappoint-  
ment.

(8) A Commissioner, on the expiry of his term of office, shall, if not disqualified by age, be eligible for re-appointment but the office of each Commissioner who is appointed for a term of three years only shall, upon the expiry of such term, cease to exist. 25

Salaries.

(9) The Chairman shall be paid a salary of seven thousand dollars per annum, and each of the other Commissioners shall be paid a salary of six thousand dollars per annum; such salaries shall be paid monthly out of any unappropriated moneys forming part of the Consolidated Revenue Fund of Canada.

No other  
occupation.

(10) Each Commissioner shall devote the whole of his time to the performance of his duties under this Act, and shall not accept or hold any office or employment inconsistent with the performance of his duties under this Act. 35

Meetings.

“(11) The Chairman of the Commission shall have power to decide when and where each of the meetings of the Commission shall be held and to determine which, if any, members of the Commission may be permitted to absent themselves from any meeting.” 40

**3.**

Subsection three of section four of the said Act, as enacted by section five of chapter thirty-eight of the statutes of 1928, is repealed and the following is substituted therefor— 45

**3.** (1) In view of the re-enactment of certain sections, this subsection is necessary.

(2) Increase in the number of Commissioners (from "three Commissioners" to "not more than eight") is necessary in view of the increased responsibilities of the Commission.

(3) No change. This was formerly subsection 5.

(4) This provides for the term of appointment and the retirement of the Commissioners.

(5) This is necessary in view of the re-enactment of certain sections of the Act.

(6) No change except that the term of appointment has been made a separate subsection. This was formerly subsection 2.

(7) No change. Formerly subsection 3.

(8) The words after "re-appointment" are added in view of the recommendation contained in subsection 4 above. This was formerly subsection 4.

(9) No change. Formerly subsection 6.

(10) No change except that the words "this section" in the present Act have been changed to "the performance of his duties under this Act." Former subsection 7.

(11) No change. Formerly subsection 8 as enacted by chapter 35, 1930.

**3.** In view of the enlargement of the Commission, the Chairman only should be a deputy head; therefore, the words underlined have been added.

Powers and  
duties of  
Chairman.  
R.S., c. 22.

"(3) The Chairman of the Commission shall have the powers and duties of a deputy head of a department for the purpose of the *Civil Service Act*.

4. Section five of the said Act, as enacted by section four of chapter thirty-five of the statutes of 1930, is repealed and the following is substituted therefor:— 5

Jurisdiction  
of Commis-  
sion.

"5. Subject to the provisions of this Act and of any regulations made thereunder, the Commission shall be charged with the duty of considering and adjudicating upon all questions relating to the award, increase, decrease, suspension or cancellation of any pension under this Act and to the recovering of any overpayment which may have been made; and effect shall be given by the Department and the Comptroller of the Treasury to the adjudication of the Commission; provided that the power vested in the Commission to cancel any award of entitlement shall not extend to an award of entitlement granted by the Federal Appeal Board, the Pension Tribunal or the Pension Appeal Court." 10 15

Proviso.

5. The said Act is further amended by inserting after section six thereof the following sections:— 20

Powers  
under  
Inquiries Act.  
R.S., c. 99.

"7. (1) The Commission, or any quorum thereof, shall have all the powers and authority of a Commissioner appointed under Part I of the *Inquiries Act*, and, subject to the direction of the Chairman may exercise any discretion conferred by this Act upon the Commission. 25

Power to  
take evidence  
on oath.

(2) The Commission shall have power to appoint a person or persons to hear and receive evidence with respect to any matter pertaining to pensions, and such person or persons shall have authority to administer oaths and to hear and receive evidence under oath and to take affidavits in any part of Canada. 30

Where sit-  
tings may  
be held.

(3) The Commission, represented by one or more Commissioners, may in its discretion hold sittings in any part of Canada for the purpose of hearing evidence, or complaints in respect of pensions. 35

Regulation s.

"8. With the approval of the Governor in Council, the Commission shall have power to make regulations not inconsistent with this Act in respect of the procedure to be followed in matters coming before it for adjudication." 40

**4.** This authority, which has been slightly amended from time to time, has been in the Act since 1919. In the 1930 Statute it was differently phrased and included as section 74. It is necessary that it be restored as section 5, as section 6 of the Act, which is not being amended, refers back to it. The repealed section 5 has been amended as to phraseology and has been inserted as subsection (2) of section 7.

Proviso: This power is later vested in the Pension Appeal Court. See new section 65, subsection (2) as enacted by this Act.

**5.** This restores to the Commission the powers and authority of a Commissioner under Part I of the Inquiries Act, which by the amendment of 1930 were vested in the Pension Tribunal.

(2) This takes the place of the repealed section 5.

(3) This is a recommendation of the Committee on the administration of the Pension Act.

**5. "8."** This restores the provision which was in the Act from 1919 to 1930.

6. The said Act is further amended by repealing sections nine and ten and ten A to ten L, inclusive, as enacted by section five of chapter thirty-five of the statutes of 1930, and as amended by section two of chapter forty-four of the statutes of 1931, and substituting therefor the following:— 5

Pension Appeal Court continued. "9. (1) The Court now existing under the name of the Pension Appeal Court is hereby continued under such name and shall continue to be a Court of Appeal and shall also be a Court of Review for the purposes of this Act. 10

Three members. (2) Subject as hereinafter provided the Court shall consist of three persons who shall be appointed by the Governor in Council.

Who may be appointed members. (3) Any person may be appointed a member of the Court who is, or has been, a judge of a Superior Court of any of the provinces of Canada, or a barrister, or advocate of at least ten years' standing at the bar of any of the said provinces. 15

President. (4) One of such members shall be appointed President of the Court. 20

Tenure of Office. (5) Each member of the Court shall hold office during good behaviour for a period of ten years from the date of his appointment, but shall be removable at any time for cause by the Governor in Council.

Continued in office. (6) The persons now holding the office of President and member of the Court shall continue to hold office for the unexpired portion of their respective terms of office. 25

Salaries. (7) The salary of the President of the Pension Appeal Court shall be eight thousand dollars a year and the salary of each of the other members thereof shall be seven thousand dollars a year. 30

Appointment of *ad hoc* judge. "10. (1) At the request of the President of the Pension Appeal Court, the Governor in Council may require a judge of a provincial superior court to attend as an *ad hoc* member of the Pension Appeal Court for such period as may be necessary, and such judge shall, while acting as such *ad hoc* member, possess the powers and privileges and shall discharge the duties of a member of the Court. 35

Compensation. (2) An *ad hoc* member who attends the sittings of the Pension Appeal Court, or any conference of the members thereof called for the consideration of decisions in cases in which he sat, shall be paid the cost of his transportation and shall receive a per diem allowance for living and other incidental expenses of twenty-five dollars during the period that he is necessarily in attendance as aforesaid. 40 45

**6. "9."** (1) In view of the re-enactment of certain sections these subsections are necessary. The Court is also made a Court of Review in accordance with the views of the Committee.

(2) This provision is at present in the Act, as subsection 1 of section 10 as enacted by 1930, c. 35, section 5.

(3) This is in accordance with the report of the Committee on the administration of the Pension Act as submitted by the Honourable Mr. Justice Audette.

(4) No change except to make the provision a separate subsection; this was in subsection 1 of section 10 as enacted by 1930, c. 35, section 5.

(5) No change in effect except to make the provision a separate subsection; see note to subsection (4).

(6) In view of the re-enactment of certain sections, this subsection is necessary.

(7) No change. This was subsection 2 of section 10.

**6. "10."** Section 10, subsections (1) and (2) are new. They are inserted in order that the Pension Appeal Court may overtake its arrears of work.

No other  
occupation.

"10A. (1) Each member of the Pension Appeal Court shall devote his whole time to the performance of the duties of his office and shall not accept or hold any office or employment inconsistent with the performance of his duties under this Act.

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Residence.

(2) All the members of the Pension Appeal Court other than an *ad hoc* member shall reside at Ottawa or within ten miles thereof.

Retirement  
at the age  
of seventy.

(3) Notwithstanding anything in this Act contained, no member of the Pension Appeal Court shall continue in office after he has attained the age of seventy years, unless it is declared by the Governor in Council, either before or within one month after the termination of such member's tenure of office, that it is in the public interest that he should remain in office for an additional period of twelve months, but no such declaration shall authorize the continuance in office of any such member after he has attained the age of seventy-five years.

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When pen-  
sion may be  
granted.

"10B. (1) The Governor in Council upon the retirement of any member of the Commission, or the Pension Appeal Court, who has served upon one or other of such bodies during at least twenty years, or who has so served during at least ten years and has reached the age of seventy years, or is physically or mentally incapacitated, and is not entitled to superannuation under the *Civil Service Superannuation Act*, may grant to him a pension for his life not exceeding one-third of the salary to which he was entitled as such member.

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R.S., c. 24.

(2) For the purpose of this section, service as a judge appointed by the Governor in Council prior to appointment as a member of the Pension Appeal Court shall count as service as a member of such court, provided that if any such member would have become entitled to a greater pension or retiring allowance under any other statute if he had continued as such judge during his service on the court, he may be granted such greater pension or retiring allowance in lieu of the pension by this section provided.

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Appointment  
of Civil  
Servants.

"10C. A civil servant who at the time of his appointment as a member of the Commission or the Pension Appeal Court was or is a contributor under the provisions of the *Civil Service Superannuation Act* may elect, within three months of his appointment or three months from the date of the coming into force of this section, whichever shall be the later date, and shall be eligible, notwithstanding the provisions of the *Civil Service Superannuation Act*, to continue to be a contributor under the said Act; in which event his tenure of office as a member of the Commission or of the

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R.S., c. 24.

**6. "10A."** (1) No change except that the phraseology is made the same as that applying to the Commission, see section 2 of this Bill, inserting subsection 10 of new section 3.

(2) No change except deletion of a reference to the Pension Tribunal, and the addition of the words underlined. Formerly section 10B. (1930, c. 35, s. 5).

(3) No change except deletion of a reference to the Pension Tribunal. Formerly section 10c. (1930, c. 35, s. 5).

**6. "10B."** No change except deletion of a reference to the Pension Tribunal and the insertion of the underlined words. Formerly subsection one of section 10D. (1930, c. 35, s. 5).

(2) No change except deletion of a reference to the Pension Tribunal. Formerly subsection 2 of section 10D. (1930, c. 35, s. 5).

**6. "10C."** This section is inserted to permit the appointment of a Civil Servant without causing him to lose the benefits to which he is entitled under the Superannuation Act. It follows the phraseology of a similar provision in the Civil Service Act.

Pension Appeal Court shall be counted as service in the Civil Service for the purposes of the said Act and he, his widow and children, or other dependents, if any, shall be eligible to receive the respective allowances or gratuities provided by the said Act, instead of the grant referred to in the preceding section; and, in the event of his being retired from the said office as a member of the Commission or member of the Pension Appeal Court for any reason other than that of misconduct, he shall be eligible to receive the same benefits under the said Act as if his office as a member of the Commission or a member of the Pension Appeal Court had been abolished.

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Registrar of Pension Appeal Court.

R.S., c. 22.

Salary.

Present Registrar continued in office.

Medical and clerical assistance.

Control and direction.

Payments by Comptroller of Treasury.

Veterans' Bureau continued.

Qualifications of pensions advocates.

Appointments and salaries. R.S., c 22

Advocates continued in office.

“**10D.** (1) Notwithstanding anything in the *Civil Service Act* or any other statute, the Governor in Council may appoint a registrar of the Pension Appeal Court who shall have his office at Ottawa.

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(2) Such registrar shall be entitled to receive such salary as may be fixed by the Governor in Council.

(3) The person now holding the office of Registrar of the Court shall continue to hold office during pleasure.

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“**10E.** (1) The Department shall provide, in the manner authorized by law, such medical and clerical assistants as may be necessary for the conduct of the business of the Court.

(2) The clerical staff of the Court shall be under the control of the registrar thereof, subject to the direction of the president.

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“**10F.** All sums payable pursuant to this Act to any member of or of the staff of the Court shall be payable by the Comptroller of the Treasury.

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“**10G.** (1) There shall continue to be a branch of the Department known as the “Veterans’ Bureau”, which, subject to the direction of the Minister, shall be administered by an officer called the Chief Pensions Advocate who shall be assisted by such other pensions advocates and such additional staff as may be required for the proper performance of the duties of the branch.

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(2) Pensions advocates hereafter appointed shall if possible be barristers or advocates of good standing at the bar of any of the provinces of Canada.

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(3) Notwithstanding anything in the *Civil Service Act* or any other statute, the Governor in Council may appoint, and fix the salaries of, the chief pensions advocate and the pensions advocates.

(4) The persons now holding the offices of chief pensions advocate and pensions advocates shall continue, during pleasure, to hold such offices.

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**6. "10D."** (1) No change except deletion of a reference to a registrar of the Pension Tribunal. Formerly section 10E. (1930, c. 35, s. 5.).

(3) In view of the re-enactment of certain sections, this subsection is necessary.

**6. "10E."** (1) No change except slight rephrasing in order to omit reference to the Pension Tribunal. Formerly section 10F. (1930, c. 35, s. 5.).

(2) No change except deletion of a reference to the Pension Tribunal. Formerly section 10G. (1930, c. 35, s. 5.).

**6. "10F."** Deletes a reference to the Pension Tribunal and substitutes the "Comptroller of the Treasury" for the "Department." Formerly 10J. (1930, c. 35, s. 5.).

**6. "10G."** (1) No change except provision for continuance. Formerly subsection 1 of section 10K. (1930, c. 35, s. 5.).

(2) This is in accordance with the reports of the Committee on the Administration of the Pension Act as submitted by the Honourable Mr. Justice Audette and Brigadier General Ross.

(3) No change. Formerly subsection 2 of section 10K. (1930, c. 35, s. 5.).

(4) In view of the re-enactment of certain sections, this subsection is necessary.

Travelling  
Inspector of  
Veterans'  
Bureau.

(5) One of the Pensions Advocates may be designated by the Minister to act as a travelling inspector of the Veterans' Bureau and to exercise constant supervision over the work and preparation of cases in the District Offices of the Bureau.

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Pension  
Counsel.  
R.S., c. 22.

"10H. (1) Notwithstanding anything in the *Civil Service Act*, the Governor in Council may appoint such number of persons as may be considered necessary, who shall be barristers or advocates of good standing at the bar of any of the provinces of Canada, to be officers of the Department and to be called Pension Counsel, and may fix the salaries which shall be paid to them respectively.

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(2) The person now holding the office of Chief Commission Counsel shall be and become, during pleasure, one of the pension counsel aforementioned.

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Staff.

(3) The Department shall furnish the Pension Counsel with such staff as may be necessary for the proper performance of their duties.

Reviewing  
Officer.

"10I. (1) Notwithstanding anything in the *Civil Service Act*, or any other statute, the Governor in Council may appoint an officer, who shall be subject to the jurisdiction and control of the President of the Pension Appeal Court, called a reviewing officer, and may fix the salary that shall be paid to him.

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Qualification.

(2) Such reviewing officer shall be a graduate of a recognized medical college and shall hold a Dominion or Provincial licence to practice medicine.

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Duty of.

(3) Such reviewing officer, shall be charged with the duty of reviewing decisions pronounced on applications by the Pension Tribunal or by the Commission for the purpose only of determining whether or not, in any case in which the Crown has any right of appeal from any such decision upon a question of entitlement in respect of injury or disease or aggravation thereof resulting in disability or death, the Crown should institute an appeal.

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If appeal to  
be taken.

(4) When such reviewing officer has determined that an appeal should be taken he shall direct the Pension Counsel to present and conduct the appeal before the Pension Appeal Court.

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Staff.

(5) The Department shall furnish the reviewing officer with such staff as may be necessary for the proper performance of his duties."

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7.

Section sixteen of the said Act as enacted by section eight of chapter thirty-eight of the statutes of 1928, is repealed and the following is substituted therefor:—

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(5) This subsection is new and is inserted in view of a recommendation made by Brigadier-General Ross.

**6. "10H."** (1) This provides for a change in the name of the Commission Counsel to Pension Counsel, and provides that they shall be barristers or advocates as in the case of Pensions Advocates. The Commission Counsel were previously under the control of the Commission. 1930, c. 35, s. 10L.

(2) In view of the re-enactment of certain sections, this subsection is necessary.

**6. "10I."** All the reports of the Committee recommend that the Crown should have a right of appeal from decisions of the Commission awarding entitlement. This entails the appointment of a reviewing officer. General Ross' report definitely proposes such appointment, and places him under the jurisdiction of the President of the Pension Appeal Court.

(4) See new section 63 as enacted by this Act.

Adminis-  
tration of  
pension by  
Commission.

"16. When a pensioner appears to be incapable of expending or is not expending the pension in a proper manner or is not maintaining the members of his family to whom he owes the duty of maintenance, or, in the discretion of the Commission, when a retroactive pension is awarded or a pensioner is admitted under the regulations of the Department to an institution for Veterans care, the Commission may direct that the pension be administered for the benefit of the pensioner and/or the members of his family by the Commission or the Department or 10 by some person selected by the Commission".

8. Section nineteen of the said Act, as enacted by section seven of chapter thirty-five of the statutes of 1930, is repealed and the following is substituted therefor:—

Fees and  
charges to  
be approved.

"19. No person shall make any claim against any person 15 for any services performed in connection with the preparation or prosecution of any application to the Commission, the Pension Tribunal or the Pension Appeal Court unless the Commission or the Court has certified that the amount claimed is a fair and reasonable charge for the services rendered and properly payable by the person against whom the claim is made." 20

9. Subsections four, five and six of section twenty of the said Act, as enacted by section ten of chapter thirty-eight of the statutes of 1928, are repealed and the following are 25 substituted therefor:—

Disposal of  
unpaid  
pension.

"(4) Any pension, or balance of pension, due to a deceased pensioner at the time of his death, whether death occurred before or after the coming into force of this sub-section, and whether unpaid or held in trust by the Commission or 30 the Department, shall not form part of the estate of such deceased pensioner.

Discretion  
to pay  
pensioner's  
last sickness  
and burial  
expenses.

(5) The Commission may, in its discretion, direct the payment of such pension, or balance of pension, either to the pensioner's widow and/or his child or children, or may 35 direct that it be paid in whole or in part to any person who has maintained him or been maintained by him or towards the payment of the pensioner's just debts or the expenses of the pensioner's last sickness and burial.

Non-  
payment of  
pension, etc.

(6) If no order for the payment of such pension, or balance 40 of pension, is made by the Commission, such pension, or balance of pension, shall not be paid.

Overpay-  
ment of  
pension.

(7) If, through any cause, an overpayment of pension has been or be made the Commission may reduce, suspend or withdraw future payments of pension until the amount of 45 such reduction, suspension or withdrawal equals the amount of the overpayment.

7. "**16.** The object of this amendment, which is indicated by the words underlined, is to provide that the Commission may in such cases as the payment of retroactive pension or the admission of pensioners to veterans' care treatment by the Department, authorize the administration of pension when deemed advisable.

8. No change except deletion of a reference to the Pension Tribunal.

9. (4) Trust funds are at present held by the Commission. The words underlined are to make statutory this practice and to cover the re-enactment of this subsection.

(5) The words underlined have been added to cover the circumstances when there are other debts owing.

(6) and (7) The word "not" is added in subsection (6) as the Act at present reads "shall be paid into the Consolidated Revenue Fund of Canada." By making any such balance not payable and by giving the Commission the statutory right to recover overpayments in the manner indicated it will be unnecessary to ask Parliament for an appropriation of money which would merely be transferred to the Consolidated Revenue Fund.

Hospital allowance, etc.

(8) For the purposes of this section pension shall include hospital allowance, pay and allowances or compensation, credited or payable to a pensioner while receiving treatment by the Department for a pensionable disability."

10. Subsection one of section twenty-one of the said Act, 5 as enacted by section eight of chapter thirty-five of the statutes of 1930, is repealed and the following is substituted therefor:—

Compassionate pension or allowance in specially meritorious cases.

"21. (1) The Commission may, on special application in that behalf, grant a compassionate pension or allowance in 10 any case which it considers to be specially meritorious, but in which the Commission, or, on an appeal, the Pension Appeal Court, has decided that the applicant is not entitled to an award under this Act."

11. Subsection five of section twenty-two of the said Act, 15 as enacted by section thirteen of chapter thirty-eight of the statutes of 1928, is repealed and the following is substituted therefor:—

Child's pension paid to parents, etc.

"(5) The Commission may direct that the pension for a child may be paid to its mother or father, or to its guardian, 20 or to any person approved by the Commission, or direct that such pension be administered by the Commission or by the Department."

12. Section twenty-nine of the said Act, as enacted by section twenty of chapter thirty-eight of the statutes of 25 1928, is repealed and the following is substituted therefor:—

Payment of pension suspended during treatment.

"29. (1) During such time as, under the departmental regulations in that behalf, a pensioner is entitled to hospital allowance from the Department, payment of the pension then in force shall be suspended, and the hospital allowance, 30 shall stand in lieu thereof; pending a fresh award, payment of the pension shall recommence forthwith after the termination of such suspension.

Pension in excess of hospital allowance to be reduced.

(2) During such time as, under the departmental regulations in that behalf, a pensioner is an in-patient under 35 treatment in respect of a disability other than his pensionable disability, his pension, if in excess of the amount he would have been entitled to receive by way of hospital allowance, if the disability for which he is under treatment had been pensionable, shall be reduced to such amount; 40 pending a fresh award, the payment of pension in full shall recommence forthwith upon the pensioner's ceasing to be an in-patient as aforesaid.

Payment of hospital allowance.

(3) Hospital allowance shall be paid from any appropriation granted by Parliament for this purpose or from moneys 45 provided by Parliament for the payment of pensions under this Act."

(8) This amendment is inserted as hospital allowance is issued to a pensioner while receiving treatment in lieu of pension, which is suspended.

**10.** The word "Commission" is substituted for "Pension Tribunal". The words "on an appeal" are substituted for "an appeal lies" and the words "to an award" are substituted for the words "as of right".

**11.** (5) The words underlined have been added to conform with present practice.

**12.** (1) The term "hospital allowance" has been substituted for "pay and allowances" to conform with the practice of the Department.

(2) No change except the substitution of the term "hospital allowance" for "pay and allowances".

(3) This subsection is included to enable Parliament, should it decide to do so, to combine the pension and hospital allowance appropriation as the latter is merely a continuance of the former.

- 13.** Subsection two of section thirty-two of the said Act, as enacted by section eleven of chapter thirty-five of the statutes of 1930, is repealed and the following is substituted therefor:—

Widow of pensioner.

“(2) Subject as in this Act otherwise provided, the widow 5  
of a member of the forces who had at the time of his death been, for not more than ten years, in receipt of a pension for a disability of or exceeding eighty per cent or would have been in receipt of such pension if he had not been in receipt of hospital allowance from the Department while 10  
under treatment shall, irrespective of the cause of the death of her husband, be entitled to a pension as if his death had resulted from an injury or disease or aggravation thereof attributable to or incurred during military service, provided that she was married to him prior to the first 15  
day of January, 1930.”

Proviso.

- 14.**

Section forty-one, subsection one of section forty-two and sections forty-three (as enacted by section thirteen of chapter thirty-five of the statutes of 1930) and forty-four of the said Act, are repealed and the following are 20  
substituted therefor:—

False representation or fraud.

“**41.** Any person who by any false representation, personation or fraud obtains, or attempts to obtain, a pension for himself or for any other person shall be guilty of an indictable offence, and shall be liable to imprisonment 25  
for a period not exceeding two years, or to a fine not exceeding one thousand dollars, or to both imprisonment and fine.

Inducements to assign, charge or attach pensions.

“**42.** (1) Any person who lends or gives or attempts to lend or give money or credit or any other consideration for the assignment, charging, attachment, anticipation, com- 30  
mutation or giving as security of a pension shall be guilty of an indictable offence, and shall be liable to imprisonment for a period not exceeding one year, or to a fine not exceeding five hundred dollars, or to both imprisonment and fine.

Collecting fees or charges on application for pensions.

“**43.** Any person who collects or attempts to collect any 35  
fees or charges for services rendered with respect to any application for a pension, the amount of which fees or charges has not been approved as herein before provided, shall be guilty of an indictable offence, and shall be liable to imprisonment for a period not exceeding six months, 40  
or to a fine not exceeding five hundred dollars, or to both imprisonment and fine.

False statement under oath or otherwise.

“**44.** Any person who wilfully makes any false statement under oath with reference to any pension or application for pension, shall be guilty of an indictable offence, 45  
and shall be liable to imprisonment for a period not exceeding six months, or to a fine not exceeding five hundred dollars, or to both imprisonment and fine.”

- 15.**

Sections fifty to seventy-two, inclusive, of the said Act, as enacted by section fourteen of the statutes of 1930, 50  
(fifty-one and seventy as repealed and re-enacted by chapter forty-four of the statutes of 1931), are repealed and the following are substituted therefor:—

**13.** (2) The words underlined were inadvertently omitted from the amendments made in 1930. Without them a widow of a member of the forces who has died from a non-pensionable disability may be placed in a preferred position as against a widow of a member of the forces who has died from a pensionable disability. The section covering the latter reads as follows:—

“**32A.** The widow of a member of the forces whose death results from an injury or disease or aggravation thereof which was attributable to or was incurred during his military service shall be entitled to pension if she was married to such member of the forces either before he was granted a pension in respect of such injury or disease or before the first day of January, 1930.”

**14.** The penalty sections 41 to 44 inclusive each provide that the person charged “shall be guilty of an offence and shall be liable on summary conviction to imprisonment.” The reference to “summary conviction” makes it necessary for proceedings to be taken within six months of the date on which the offence was committed. It was recommended by the Committee that this limitation be removed. It has, therefore, been provided in each section that such person “shall be guilty of an indictable offence and shall be liable to imprisonment.”

This phraseology extends the period during which proceedings may be taken to two years.

**15.** Disappearance of the Pension Tribunal makes it necessary that the sections dealing with procedure should be repealed and re-enacted. To meet the recommendations of the Committee certain provisions have been made more definite.

## PROCEDURE

- Applications to Commission. "50. The procedure governing applications for entitlement to pension under section eleven of this Act shall be as prescribed by sections fifty-one to sixty-three hereof.
- Duties of Commission on receipt of application. "51. (1) The Commission shall expeditiously consider each application submitted to it and shall collect such relevant information, if any, as may be available in the records of any department of the Government of Canada and make, through its medical and other officers, such inquiry as appears advisable into the facts upon which the application is based; if satisfied, on the material available, that the applicant is entitled to a pension, the Commission shall then award such pension, and, when no appeal from its decision awarding such pension is open to, or has been taken by, the Crown, shall take the necessary steps to cause payment of such pension to be made.
- Forms of application and questionnaire to be furnished. (2) When it is necessary to obtain further information, the Commission shall furnish to each person who makes application for pension, or makes known to it his intention to submit an application for pension, a suitable form of application to which there shall be attached a questionnaire, such forms of application and questionnaire to be prescribed by the Commission.
- Applicant to complete forms. (3) The applicant shall fill out the forms of application and questionnaire and transmit them to the Commission at Ottawa, together with such other documents, records or statements of fact as he may desire to submit in support of his application.
- If assistance of Veterans' Bureau desired. (4) Should the applicant indicate, in the questionnaire or otherwise, that he desires the assistance of the Veterans' Bureau or other representative in the preparation and presentation of his application to the Commission, the Commission shall refer such application to the Chief Pensions Advocate for the necessary action.
- Notification of refusal of pension. "52. (1) Whenever any application for pension is not granted, the Commission shall promptly notify the applicant, in writing, of its decision, stating the grounds therefor; and shall inform such applicant that he may within the period of ninety days after the date of such notification, inform the Commission of his intention to submit additional evidence with a view to the reconsideration of his application by the Commission or to renew his application with or without additional, evidence, in person or by or with a representative, before a quorum of the Commission sitting

**“51.** (1) No change, except the words underlined, necessitated by the re-arrangement of the sections. This is based upon paragraphs (a), (b) and (c) of subsection 1 of section 51. (1931, c. 44, s. 3.)

(2) (3) and (4) This conforms to new procedure recommended by the Committee.

**“52.** (1) This procedure is based upon the views of the Committee.

at Ottawa or elsewhere in Canada, and further, that he will be entitled in either case, to the assistance of the Veterans' Bureau in preparing his claim.

Applicant may have assistance of Chief Pensions Advocate.

(2) If the applicant signifies his intention within the period aforesaid of submitting additional evidence with a view to the reconsideration of his application by the Commission, or of renewing his application with or without additional evidence before a quorum of the Commission, the Chief Pensions Advocate shall assist him in preparing such additional evidence or arrange for the presentation of the application before such quorum sitting in Ottawa or elsewhere in Canada, either by himself or by a pensions advocate, unless the applicant elects to have the same presented by some other person at his own expense.

When application will stand "not granted".

(3) If within the period of ninety days aforementioned the applicant does not signify his intention of submitting to the Commission additional evidence or of renewing his application before a quorum of the Commission, his application shall stand "not granted", and may thereafter be renewed only upon special application to the Commission and the submission of new and relevant evidence in support thereof.

Notification of awards.

"53. The Commission, when its decision awarding a pension to any applicant has become effective, shall forthwith notify the Department and the Comptroller of the Treasury of its award and the Comptroller of the Treasury shall thereupon take the necessary steps to give effect to the same.

Reconsideration of former automatic references.

"54. (1) The Commission shall, on reference by the Chief Pensions Advocate, reconsider all applications which were referred by the Commission to him and the Chief Commission Counsel between the first day of October 1930, and the third day of August, 1931, which the Chief Pensions Advocate has not notified the Pension Tribunal to be ready for hearing.

Time limit for submission of additional evidence.

(2) With respect to all such applications, now in the hands of the Chief Pensions Advocate, as are not sufficiently prepared to be remitted to the Commission for reconsideration, the Chief Pensions Advocate shall, by notice in writing to the applicant, require him within a period of ninety days after the date of the mailing of such notice to give notice of his intention to submit additional evidence in support of his application or of his desire that his application be reconsidered by the Commission upon the evidence

(2) This procedure is based upon the views of the Committee.

(3) This procedure is based upon the views of the Committee.

“**53.** This is necessary procedure.

“**54.** (1) No change in substance, except that the cases indicated will be referred to the Commission instead of the Pension Tribunal. Formerly subsection (3) of section 51 (1931, c. 44, s. 3).

(2) It was the opinion of the Committee that steps should be taken to remove from the active list applications which have little prospect of success. Subsections (2) and (5) have been inserted to meet the situation.

already submitted; and if the applicant fails, within the period so limited, to give such notice, or, having given notice within the period aforesaid of his intention to submit additional evidence, fails within the period of one year thereafter to submit such evidence he shall be deemed to have decided not to proceed with the application and it shall automatically be removed from the lists of the Veterans' Bureau. 5

Disposition  
of  
applications  
before  
Pension  
Tribunal.

(3) Any application for pension heretofore reported by the Chief Pensions Advocate as ready for hearing by the Pension Tribunal, which remains undisposed of shall, at the option of the applicant, be heard and disposed of by a quorum of the Commission composed of members who did not originally pass upon the application or shall be presented for hearing and disposition to the Pension Appeal Court. 10 15

Renewal of  
applications.

(4) An application heretofore disposed of by the Federal Appeal Board may, notwithstanding such disposition, be renewed at any time under this Act.

Undisposed  
of appeals to  
Federal  
Appeal  
Board.

(5) With respect to any appeal heretofore taken to the Federal Appeal Board which remains undisposed of the Chief Pensions Advocate shall, by notice in writing, require the applicant within a period of ninety days after the date of such notice, to give notice of his intention to submit additional evidence in support of his application or of his desire that his application be reconsidered by the Commission upon the evidence already submitted; and if the applicant fails, within the period aforesaid to give such notice, or, having given notice within the period aforesaid of his intention to submit additional evidence, fails within the period of one year thereafter to submit such evidence, he shall be deemed to have decided not to proceed with the application and it shall automatically be removed from the lists of the Veterans' Bureau. 20 25 30

Hearings by  
quorums of  
Commission.

“55. (1) For the purpose of hearing applications, quorums of the Commission, each consisting of two members thereof (one of whom shall, as far as may be practicable, be a barrister or advocate of good standing at the bar of any of the provinces of Canada, and the other a graduate of a recognized medical college holding a Dominion or Provincial licence to practice medicine) shall hold public sittings at convenient places throughout Canada. 35 40

(3) This amendment is necessary to deal with cases which will be unheard when the Pension Tribunal ceases to function.

(4) No change. This is subsection (4) of section 51. (1931, c. 44, s. 3).

(5) It was the opinion of the Committee that steps should be taken to remove from the active list applications which have little prospect of success. Subsections (2) and (5) have been inserted to meet the situation. This subsection deals with cases covered by section 15 of the Act of 1930.

**“55.** This section provides for the constitution of quorums of the Commission and for its public sittings throughout Canada.

- Arrangement of sittings. (2) Such quorums shall sit at such places and on such days and shall consist of such members of the Commission as may be determined by the Chairman of the Commission, and shall be subject to his direction and control.
- Procedure at hearings. (3) Public hearings of applications by any quorum of the Commission shall be conducted in accordance with the rules of procedure made under this Act. 5
- Hearings in private. (4) At the request of the applicant, a quorum of the Commission may direct any application to be heard in private if it considers that a public hearing might be disadvantageous and that a hearing in private would not be contrary to the public interest. 10
- Hearing by one member by consent. (5) With the consent of all parties entitled to be heard upon any application, any application may be heard by one member of the Commission who shall constitute a quorum of the Commission for the purpose of such hearing. 15
- Witnesses. "56. Subject to the rules of procedure made under this Act, witnesses may be called on behalf of the applicant or the Crown to give evidence before a quorum of the Commission and paid fees and allowances as therein fixed. 20
- Medical examination. "57. (1) The Commission, or a quorum thereof, shall have power at any time to direct a medical examination of any applicant, whose application is before it, by a specialist, or by a duly licensed physician or surgeon, selected by such applicant or by the Commission; and the account of such specialist, physician or surgeon, for any such examination, and for his attendance before the Commission to give evidence as to his findings thereon shall be paid by the Comptroller of the Treasury upon the certificate of the Commission that the examination was authorized, and that the sums charged therefor and for attending to give evidence are proper and reasonable. 25 30
- Admission to hospital. (2) For the purpose of any such examination, the Commission or a quorum thereof shall have power to direct the admission of an applicant into a hospital administered by the Department, or with which the Department has a contract. 35
- "Specialist." (3) For the purpose of this section "Specialist" shall mean a duly qualified and experienced medical practitioner whose principal practice is restricted to one branch of medicine or surgery. 40

(4) No change except the substitution of the "a quorum of the Commission" for "Tribunal." This was subsection 2 of section 62. (1930, c. 35, s. 14).

(5) Provision for one member to hear an application by consent. This was subsection 2 of section 58. (1930, c. 35, s. 14).

**"56.** This is the present procedure. Formerly section 60. (1930, c. 35, s. 14.)

**"57.** (1) (2) and (3) No material change except the substitution of the Commission for the Pension Tribunal "applicant" for "claimant," "Comptroller of the Treasury" for "Department," also a definition of "specialist." This was section 61. (1930, c. 35, s. 14).

Pronounce-  
ment of  
decision by  
a quorum  
of the  
Commission.

“58. (1) The decision upon an application shall be pronounced by the quorum of the Commission which heard the application but only after the records relating to the member of the forces by or in respect of whom such application was made together with the report of the evidence submitted at the hearing have been examined and considered; and when no appeal from the decision has been taken by the Crown, the applicant shall forthwith be notified in writing of such decision, stating the grounds therefor. 5

If members  
not in  
agreement.

(2) If, after the records together with the report of the evidence submitted at the hearing have been examined and considered, the members of the Commission constituting the quorum which heard an application are not in agreement as to the decision which should be pronounced, the Chairman shall delegate a member of the Commission to confer with them and the decision shall be that of a majority of the members of the quorum and such member of the Commission. 10 15

Reference  
of decision  
to reviewing  
officer.

“59. (1) If a decision of the Commission or of a quorum thereof upon any application is favorable to the applicant and involves the determination of any question in respect of which the Crown has any right of appeal under this Act, the applicant shall not be notified of such decision but the Commission shall submit such decision to the reviewing officer for his consideration. 20 25

Action on  
finding of  
reviewing  
officer.

(2) If the reviewing officer concurs in the decision upon any such application, entitlement shall be conceded by the Commission forthwith; but if the reviewing officer does not concur in such decision, he shall direct that an appeal be taken to the Pension Appeal Court and the Commission shall notify the applicant of such appeal and that pending the hearing of the same the decision is ineffective: Provided that if the applicant has not theretofore been afforded an opportunity of personally appearing before a quorum of the Commission sitting at Ottawa or elsewhere in Canada, his application shall not be so appealed to the Pension Appeal Court but shall be remitted to a quorum of the Commission for such further hearing; and for the purpose of procedure under this Act the application shall be dealt with as an application not granted by the Commission. 30 35 40

Proviso.

**“58 and 59.** This will prevent disappointment to an applicant as he will not receive a favourable decision which may subsequently be reversed.

Information  
to be placed  
on file.

**“60.** On the approval of the Commission or of a quorum thereof of the award of any pension or of the refusal of any pension, a form shall be placed on the file of the member of the forces by or in respect of whom application for pension has been made bearing the personal signature of at least one of the Commissioners and containing the following information: 5

- (a) The names of the Commissioners dealing with the case.
- (b) The grounds on which pension is awarded or refused specifying:— 10
- (i) the medical classification of the injury or disease causing the disability or death in respect of which the application has been made;
- (ii) the medical classification of such injuries or diseases as have been dealt with by the Commission in connection with the application; 15
- (iii) whether the injury or disease resulting in disability or death was or was not attributable to or incurred during military service or whether it pre-existed enlistment and was or was not aggravated during military service. 20
- (c) In the event of disagreement the grounds on which a Commissioner disagrees with the decision reached.

Appeals.

**“61.** (1) From any decision of the Pension Tribunal or of the Commission or of a quorum thereof granting or refusing an application for entitlement, an appeal shall lie to the Pension Appeal Court at the instance of the Crown or an applicant: Provided that the notice of intention to appeal be filed with the Registrar by the Crown within days and by the applicant within ninety days of the date of such decision. 25 30

Leave to  
appeal.

(2) A member of the Pension Appeal Court shall have power, in his discretion, to grant leave to appeal notwithstanding the expiry of the time limit. 35

Notices to  
be given by  
Registrar.

(3) The Registrar of the Pension Appeal Court shall notify the Department, the Chief Pensions Advocate, the Pension Counsel and the Comptroller of the Treasury of the receipt of every notice of appeal and of the time the appeal will come on to be heard. 40

"**60.** This restores the provision which was in the Act before 1930 which conforms with the present practice.

"**61.** The only change in present practice is that a time limit of            days in the case of the Crown and ninety days in the case of an applicant has been inserted during which an appeal can be entered, subject to the power of the Pension Appeal Court to allow further time. This was section 65. (1930, c. 35, s. 14).

Chief Pensions Advocate to assist applicant on appeal.

“62. If an applicant has filed notice of any appeal from a decision of the Commission or of a quorum thereof, the Chief Pensions Advocate shall assist him in the preparation of his appeal or arrange for its presentation before the Pension Appeal Court, either by himself or a Pensions Advocate, unless the applicant elects to have the same presented by some other person at his own expense. 5

Pension counsel to represent Crown on appeals.

“63. Upon receipt of notification of an appeal by any applicant, as aforesaid, or upon any reference to the Pension Appeal Court, the Pension Counsel shall arrange for the presentation and conduct of the case on behalf of the Crown before the Pension Appeal Court. 10

Disposal of appeals.

“64. The Pension Appeal Court shall hear and dispose of all appeals from decisions of the Pension Tribunal and of the Commission or of a quorum thereof and other matters which may properly be brought before it. 15

Appealable Questions

“65. (1) The Pension Appeal Court shall have jurisdiction in respect to the following matters:—

(a) Any appeal by the Crown or by an applicant from any decision of the Pension Tribunal or of the Commission or of a quorum thereof on an application respecting entitlement under section eleven of this Act; 20

(b) Any question of interpretation of this Act which may be referred by the Crown or, by leave of the Court, submitted by any applicant; and the procedure on such reference or submission shall be as prescribed by the Court. 25

Cancellation of pension.

(2) Should the Commission consider that an award of entitlement granted by the Federal Appeal Board, the Pension Tribunal or the Pension Appeal Court should on the ground of fraud or misrepresentation or the concealment of relevant facts or error be cancelled it shall refer the case, with all relevant information to the Pension Appeal Court and the Court may thereupon direct an investigation by a quorum of the Commission after notification to the pensioner, and if the Court is satisfied that the award should be cancelled, it may order cancellation and the recovery of any overpayment which may have been made 30 35

Public and private sittings.

“66. The sittings of the Pension Appeal Court shall be public except in cases in which the Court considers that a public hearing might be disadvantageous to the applicant and that a hearing in private would not be contrary to the public interest. 40

“**62.** This section is based on the views of the Committee.

“**63.** This is necessary procedure. See subsection (4) of section 101 as enacted by this Act.

“**64.** No change except the addition of the words underlined. This was section 68. (1930, c. 35, s. 14).

“**65.** (1) This subsection is substituted for section 66 (1930, c. 35, s. 14). It makes clear the grounds of appeal.

(2) This subsection vests the power of cancellation of awards of entitlement in certain cases in the Pension Appeal Court instead of the Commission. See new section 5 as enacted by section 4 of this Act.

“**66.** This is the present procedure and the only change made has been deletion of reference to hearings before the Pension Tribunal. This was section 69. (1930, c. 35, s. 14).

Quorum of Court.

**67.** (1) Any two members of the Pension Appeal Court shall constitute a quorum and may lawfully hear and dispose of any appeal brought before the Court.

Procedure on disagreement.

(2) If upon any appeal, the members of any such quorum are divided in their opinion as to the decision that ought to be rendered thereon, the appeal shall be re-heard and determined by three members of the Court. 5

Review of decision on question of law.

(3) If a decision of a quorum of the Pension Appeal Court upon any appeal determines any point of law inconsistently with any previous decision of the Court, or a quorum thereof, such appeal may, at the instance of the applicant or the Crown, be re-heard and determined before the full Court. 10

Further examination may be ordered.

**68.** (1) The Pension Appeal Court, or a member thereof, may, if it is considered for the ends of justice expedient to do so, order any further examination before either the Court, or a member thereof, or other person, of any witness; and if the party on whose behalf the evidence is tendered neglects or refuses to obtain such further examination or evidence, the Court, or a member thereof, in its or his discretion, may decline to act on the evidence. 15 20

Notice to adverse party.

(2) Such notice of the time and place of examination as is prescribed in the order shall be given to the adverse party.

Remission of case for amendment or re-hearing.

**69.** The Pension Appeal Court, or a quorum thereof, if it considers the evidence or record in any appeal to be incomplete or unsatisfactory, may remit the case to the Commission for amendment or for re-hearing by a quorum of the Commission sitting at Ottawa or elsewhere in Canada. 25 30

Decision to be final.

**70.** (1) Except as hereinafter otherwise provided, every decision of the Pension Appeal Court in favour of an applicant or dismissing an application shall be final.

Leave to renew application.

(2) No application based upon any error in such decision, by reason of evidence not having been presented or otherwise, shall be entertained by the Commission except with the leave of the Pension Appeal Court and subject to the rules of procedure prescribed by the Court, and the Court shall have jurisdiction to grant such leave in any case in which it appears proper to grant it. 35 40

Notification of decision.

(3) Any decision of the Court in favour of an applicant shall be forthwith notified by the Registrar of the Court to the Department, and the Comptroller of the Treasury who shall thereupon take the necessary steps to give effect to the same. 45

**“67.** (1) and (2) This is the present procedure by agreement of all parties. It is desirable that it be made statutory. This is section 70 amended. (1931, c. 44, s. 5).

(3) This section will ensure that decisions of different quorums of the court are not in conflict.

**“68.** This provision is intended to vest in the Pension Appeal Court the same power as is vested in the Supreme Court of Canada with respect to the right to receive further evidence.

**“69.** This continues the present procedure, with substitution of the Commission for the Pension Tribunal. This was subsection (2) of section 71. (1930, c. 35, s. 14).

**“70.** (1) (2) and (3) No change except the deletion of references to the Pension Tribunal and a necessary reference to the Comptroller of the Treasury. This was section 72. (1930, c. 35, s. 14).

Decision of Pension Appeal Court. (4) In every case the Registrar shall notify each party to an appeal of the decision of the Court.

Judgment of Pension Appeal Court. (5) A copy of the formal judgment of the Court on any appeal and a copy of the reasons therefor, if any, shall be furnished to the Commission.

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Conferences. "71. Conferences, as required, may be held between the Commission and the Pension Appeal Court for the discussion of any matters which concern both the Commission and the Court; such conferences may be convened by the President of the Court, after consultation with the Chairman of the Commission.

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Access to records. "72. (1) The Chief Pensions Advocate, pensions advocates and Pension Counsel shall have free access to all records of the Department and to all material considered by the Commission in disposing of any application.

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Records confidential. (2) No such records or material relating to any member of the forces, pensioner or applicant for pension, shall be inspected by, nor shall their contents be communicated by anyone in the public service to, any person other than

(a) the member of the forces, pensioner or applicant for pension concerned;

(b) such public servants as may require to inspect them or have their contents communicated to them in order that they may properly discharge their duties;

(c) such medical advisers and other persons, including representatives of soldiers' service organizations, as may be consulted by or on behalf of a Pension counsel or by or on behalf of the person whom the records or material directly concerns, and

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(d) such person as may be employed by such last mentioned person to present a claim on his behalf before the Commission or the Pension Appeal Court."

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## 16.

Section seventy-four of the said Act, as enacted by section fourteen of chapter thirty-five of the statutes of 1930, is repealed and the following is substituted therefor:—

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Provincial Governments to be recouped mothers' allowance out of retroactive pension.

"74. When an award of pension is made with retroactive effect to a widow who is, or has been, in receipt of mothers' allowance payable by a Government of any province of Canada, the Commission may, if the pension be awarded in respect of any period during which such mother's allowance has been paid to such widow, recoup the Provincial Government concerned the amount of the allowance so paid during such period out of the retroactive pension payable to such widow."

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(4) This is necessary procedure.

(5) This subsection is inserted so that the decisions of the Court and reasons therefor may be available as required.

**“71.** This provides for conferences between the Pension Appeal Court and the Commission.

**“72.** No change except as indicated in the words underlined and deletion of reference to the Pension Tribunal. Formerly section 55. (1930, c. 35, s. 14).

**16.** The inclusion of this section was endorsed by the Committee to meet a situation to which the attention of the Committee had been called by one of the Provincial Governments.

**17.** Upon the proclamation of this amending Act all records of the Pension Tribunal shall be taken over by the Department, and any decision of the Pension Tribunal which has not been acted upon or appealed shall be dealt with as if it were a decision of the Commission under this amending Act. 5

Records and decisions of Pension Tribunal.

**18.** Sections fifteen and seventeen of chapter thirty-five of the statutes of 1930 are repealed.

Repeal.

**19.** This Act shall come into force on a day to be fixed by proclamation of the Governor in Council. 10

Coming into force.

**17.** Necessary procedure to deal with the records of the Pension Tribunal and decisions made immediately prior to the coming into force of this Act.

**18.** Section 15 has been included in subsection 5 of section 54, as enacted by section 15 of this Act. Section 17 referred to, dealt with the date of the coming into force of the amending Act of 1930.

APPENDIX CONTAINING SECTIONS OF EXISTING ACT REPEALED,  
RE-ENACTED OR AMENDED IN THIS BILL.

**“3.** There shall be a Commission to be known as The Board of Pension Commissioners for Canada which shall consist of three Commissioners who shall be appointed by the Governor in Council.

(2) Each Commissioner shall hold office during good behaviour for a period of ten years from the date of his appointment, but shall be removable at any time for cause by the Governor in Council. 5

(3) A Commissioner shall cease to hold office upon reaching the age of seventy years. 10

(4) A Commissioner, on the expiration of his term of office, shall, if not disqualified by age, be eligible for re-appointment.

(5) One of the Commissioners shall be appointed by the Governor in Council to be Chairman of the Commission. 15

(6) The Chairman shall be paid a salary of seven thousand dollars per annum, and each of the other Commissioners shall be paid a salary of six thousand dollars per annum; such salaries shall be paid monthly out of any unappropriated moneys forming part of the Consolidated Revenue Fund of Canada. 20

(7) Each Commissioner shall devote the whole of his time to the performance of his duties under this Act, and shall not accept or hold any office or employment inconsistent with this section. R.S., 1927, c. 157, s. 3. 25

(8) The Chairman of the Commission shall have power to decide when and where each of the meetings of the Commission shall be held and to determine which, if any, members of the Commission may be permitted to absent themselves from any meeting.” 1930, c. 35, s. 3. 30

**“4.** (3) The Commission shall have all the powers and duties of a deputy head of a department for the purpose of the Civil Service Act. 1928, c. 38, s. 5.

**“5.** The members of the Commission and such of the officers of the Commission as it may designate shall have power, in respect of any matter relating to any pension, to administer oaths or to receive affirmations from persons entitled to affirm.” 1930, c. 35, s. 4. 35

**“9.** The Governor in Council may appoint not less than nine and not more than twelve persons to be members of a Pension Tribunal; one of such persons shall be appointed Chairman of the Tribunal, and he and eight members thereof shall hold office for ten years and the other three members for two years, subject only to earlier removal for cause. 1931, c. 44, s. 1. 40

(2) The salary of the chairman of the Pension Tribunal shall be seven thousand dollars a year and the salary of each of the other members thereof shall be six thousand dollars a year. 1930, c. 35, s. 5. 45



**"10.** (1) The Governor in Council may appoint three persons to be members of a Pension Appeal Court; one of such persons shall be appointed president thereof and he and each of the other members thereof shall hold office for ten years, subject only to earlier removal for cause. 5

(2) The salary of the president of the Pension Appeal Court shall be eight thousand dollars a year and the salary of each of the other members thereof shall be seven thousand dollars a year. 1930, c. 35, s. 5.

(3) The Governor in Council may appoint a judge of 10 the Superior Court or of a county or district court in any of the provinces of Canada, as an acting member of the Pension Appeal Court, to serve in the absence of any member thereof, and may prescribe the allowance to be made for expenses of such judge while so acting. 1931, 15 c. 44, s. 4.

**"10A.** Each member of the Pension Tribunal and each member of the Pension Appeal Court shall devote his whole time to the performance of the duties of his office and shall not hold any other office or employment. 1930, c. 35, s. 5. 20

**"10B.** All the members of the Pension Appeal Court and the chairman of the Pension Tribunal shall reside at Ottawa or within ten miles thereof and each of the other members of the Pension Tribunal shall reside at such place as may be directed by the chairman. 1930, c. 35, s. 5. 25

**"10c.** Notwithstanding anything in this Act contained, no member of the Pension Tribunal or of the Pension Appeal Court shall continue in office after he has attained the age of seventy years, unless it is declared by the Governor in Council, either before or within one month after the 30 termination of such member's tenure of office, that it is in the public interest that he should remain in office for an additional period of twelve months, but no such declaration shall authorize the continuance in office of any such member after he has attained the age of seventy-five years. 35 1930, c. 35, s. 5.

**"10D.** (1) The Governor in Council, upon the retirement of any member of the Commission, or of the Pension Tribunal or the Pension Appeal Court, who has served upon one or other of such bodies during at least twenty years, or 40 who has so served during at least ten years and has reached the age of seventy years, or is physically or mentally incapacitated, may grant to him a pension for his life not exceeding one-third of the salary to which he was entitled as such member. 45

(2) For the purpose of this section, service as a judge appointed by the Governor in Council prior to appointment as a member of the Pension Tribunal or of the Pension Appeal Court shall count as service as a member of such tribunal or court as the case may be, provided that if any 50



such member would have become entitled to a greater pension or retiring allowance under any other statute if he had continued as such judge during his service on the tribunal or court, he may be granted such greater pension or retiring allowance in lieu of the pension by this section 5 provided. 1930, c. 35, s. 5.

“10E. (1) Notwithstanding anything in the *Civil Service Act* or any other statute, the Governor in Council may appoint a registrar of the Pension Appeal Court and a registrar of the Pension Tribunal who shall have their 10 offices at Ottawa.

(2) Such registrars shall be entitled to receive such salaries as may be fixed by the Governor in Council. 1930, c. 35, s. 5.

“10F. There may be appointed, in the manner authorized by law, such assistant registrars as may be required 15 to act at sittings of the tribunal and such medical and clerical assistants as may be necessary for the conduct of the business of the tribunal and of the court. 1930, c. 35, s. 5. 20

“10G. The assistant registrars and the clerical staff of the tribunal shall be under the control of the registrar thereof, subject to the direction of the chairman, and the clerical staff of the court shall be under the control of the registrar thereof, subject to the direction of the president. 25 1930, c. 35, s. 5.

“10H. Each of the members of the tribunal shall be entitled to receive the actual and necessary expenses incurred by him for transportation when travelling in the performance of the duties of his office, and also an allowance 30 of ten dollars for each day of not less than six hours on which he is necessarily absent from such place of residence as he may from time to time elect with the approval of the chairman. 1930, c. 35, s. 5.

“10I. Each member of the staff of the tribunal shall be 35 entitled to receive his actual and necessary travelling and living expenses when absent in the performance of his duties from the place at which he is directed to reside. 1930, c. 35, s. 5.

“10J. All sums payable pursuant to this Act to any 40 member of or of the staff of the court or tribunal, shall be payable by the Department. 1930, c. 35, s. 5.

“10K. (1) Provision shall be made for the constitution of a branch of the Department to be known as the “Veterans’ Bureau” which, subject to the direction of the 45 Minister, shall be administered by a chief pensions advocate



who shall be assisted by such other pensions advocates and such additional staff as may be required for the proper performance of the duties of the branch.

(2) Notwithstanding anything in the *Civil Service Act* or any other statute, the Governor in Council may appoint, and fix the salaries of, the chief pensions advocate and the pensions advocates. 1930, c. 35, s. 5. 5

“10L. (1) Notwithstanding anything in the *Civil Service Act*, the Governor in Council may on the recommendation of the Commission appoint a chief commission counsel, and on the like recommendation a number of commission counsel not exceeding ten. 1931, c. 44, s. 2. 10

(2) The chief commission counsel and the commission counsel shall be provided with such clerical assistance as is required for the performance of their duties, and the chief commission counsel shall, subject to the directions of the Commission, be charged with the duty of ensuring the proper performance of their duties by the commission counsel and the clerical staff. 15

(3) The salary of the chief commission counsel shall be the same as that authorized to be paid to the chief pensions advocate, and the salaries of the commission counsel shall be the same as those authorized to be paid to the pensions advocates.” 1930, c. 35, s. 5. 20

“16. When a pensioner appears to be incapable of expending or is not expending the pension in a proper manner or is not maintaining the members of his family to whom he owes the duty of maintenance, the Commission may direct that the pension be administered for the benefit of the pensioner and/or the members of his family by the Department or by some person selected by the Commission.” 1928, c. 38, s. 8. 25 30

“19. No person shall make any claim against any person for any services performed in connection with the preparation or prosecution of any application to the Commission, the Pension Tribunal or the Pension Appeal Court unless one or other of such bodies has certified that the amount claimed is a fair and reasonable charge for the services rendered and properly payable by the person against whom the claim is made.” 1930, c. 35, s. 7. 35 40

“20. (4) Any pension or balance of pension due to a deceased pensioner at the time of his death, whether unpaid or held in trust by the Department, shall not form part of the estate of such deceased pensioner.

(5) The Commission may, in its discretion direct the payment of such pension or balance of pension either to the pensioner's widow and/or his child or children or to 45



any person who has maintained him or been maintained by him or may direct that it be paid in whole or in part towards the expenses of the pensioner's last sickness and burial.

(6) If no order for the payment of such pension or balance of pension is made by the Commission such pension or balance of pension shall be paid into the Consolidated Revenue Fund of Canada." 1928, c. 38, s. 10. 5

"**21.** (1) The Commission may, on special application in that behalf, grant a compassionate pension or allowance in any case which it considers to be specially meritorious, but in which the Pension Tribunal, or, if an appeal lies, the Pension Appeal Court, has decided that the applicant is not entitled as of right under this Act." 1930, c. 35, s. 8. 10

"**22.** (5) The Commission may direct that the pension for a child may be paid to its mother or father or to its guardian or to any person approved by the Commission or may direct that such pension be administered by the Department." 1928, c. 38, s. 13. 15

"**29.** (1) During such time as, under the departmental regulations in that behalf, a pensioner is in receipt of pay and allowances from the Department while under treatment, payment of his pension shall be suspended and the pay and allowances shall stand in lieu thereof; pending a fresh award, payment of the pension shall recommence forthwith after the termination of such suspension. 25

(2) During such time as, under the departmental regulations in that behalf, a pensioner is an in-patient under treatment in respect of a disability other than his pensionable disability, his pension, if in excess of the amount he would have been entitled to receive by way of pay and allowances, if the disability for which he is under treatment had been pensionable, shall be reduced to such amount; pending a fresh award, the payment of pension in full shall recommence forthwith upon the pensioner's ceasing to be an in-patient as aforesaid." 1928, c. 38, s. 20. 30 35

"**32.** (2) Subject as in this Act otherwise provided, the widow of a member of the forces who had at the time of his death been, for not more than ten years, in receipt of a pension for a disability of or exceeding eighty per cent or would have been in receipt of such pension if he had not been in receipt of pay and allowances from the Department while under treatment shall, irrespective of the cause of the death of her husband, be entitled to a pension as if his death had resulted from an injury or disease or aggravation thereof attributable to or incurred during military service. 1935, c. 35, s. 11. 40 45



“**41.** Any person who by any false representation, personation or fraud obtains, or attempts to obtain, a pension for himself or for any other person shall be guilty of an offence, and shall be liable on summary conviction to imprisonment for a period not exceeding two years, or to a fine not exceeding one thousand dollars, or to both imprisonment and fine.” R.S., c. 157, s. 41. 5

“**42.** (1) Any person who lends or gives or attempts to lend or give money or credit or any other consideration for the assignment, charging, attachment, anticipation, commutation or giving as security of a pension shall be guilty of an offence, and shall be liable on summary conviction to imprisonment for a period not exceeding one year, or to a fine not exceeding fine hundred dollars, or to both imprisonment and fine.” R.S., c. 157, s. 42 (1). 10 15

“**43.** Any person who collects or attempts to collect any fees or charges for services rendered with respect to any application for a pension, the amount of which fees or charges has not been approved as hereinbefore provided, shall be guilty of an offence, and shall be liable on summary conviction to imprisonment for a period not exceeding six months, or to a fine not exceeding five hundred dollars, or to both imprisonment and fine.” 1930, c. 35, s. 13. 20

“**44.** Any person who wilfully makes any false statement under oath to the Commission with reference to any pension or application for pension, shall be guilty of an offence, and shall be liable on summary conviction to imprisonment for a period not exceeding six months, or to a fine not exceeding five hundred dollars, or to both imprisonment and fine.” R.S., c. 150, s. 44. 25 30

“**50.** (1) The members of the Commission, and of the Pension Tribunal and the Pension Appeal Court shall together have power to make rules not inconsistent with this Act with respect to the procedure to be followed in matters coming before them for adjudication. 35

(2) The president of the Pension Appeal Court shall convoke and preside at any meeting required to be held for the purpose of the adoption of rules under this section, but if he is absent or incapacitated the chairman of the Pension Tribunal may act in his stead. 40

(3) All such rules shall forthwith upon their adoption be published in the *Canada Gazette*.” 1930, c. 35, s. 14.

“**51.** (1) Every application for any payment under this Act shall be made in the first instance to the Commission whose duty it shall be. 45



- (a) to collect such relevant information, if any, as may be available in the records of any department of the Government of Canada;
- (b) to make, through its medical and other officers, such inquiry as appears advisable into the facts upon which the claim is based; 5
- (c) to grant the application, if it appears to be proper to grant it on the material available and, if not, to inform the applicant that the claim has not been granted, giving the grounds therefor. 10

(2) Should the application be not granted the Commission shall refer the same to the chief Pensions Advocate and the Chief Commission Counsel for presentation to the Pension Tribunal if the applicant or any person on his behalf duly authorized in writing so requests. 15

(3) The Commission shall reconsider all applications which have been referred to the Chief Pensions Advocate and Chief Commission Counsel between the first day of October, 1930, and the date of coming into force of this Act, in respect to which the Chief Pensions Advocate has not notified the Pension Tribunal that such applications are ready for hearing. 20

(4) Any application heretofore disposed of by the Federal Appeal Board may, notwithstanding such disposition, be renewed at any time under this Act." 1931, c. 44, s. 3. 25

**"52.** (1) The Commission, forthwith upon granting any application, shall notify the Department of its award and the grounds thereof; it shall, if relevant, indicate the medical classification of all injuries or diseases it has considered, specify the medical classification of the injury or diseases upon which the award is based, and state whether or not this was either attributable to or was incurred during military service or, having existed before enlistment, was aggravated during military service. 30

(2) Every such notification of any award shall be acted upon by the Department forthwith upon its receipt." 1930, c. 35, s. 14. 35

**"53.** Upon the reference of any application to the chief pensions advocate as aforesaid, it shall be his duty

- (a) to notify the claimant and any interested soldiers' service organization of the reference of the claim to him. 40
- (b) to cause the case to be prepared for presentation on behalf of the claimant to the Pension Tribunal;
- (c) when the case is so prepared, to cause application to be made to the registrar of the Pension Tribunal, at the request of the claimant, and on notice to the chief commission counsel, to have a time and place fixed for the hearing of the application, and 45



(d) to arrange for the presentation of the claim before the tribunal at such time and place either by himself or a pensions advocate, unless the claimant elects to have the same presented by some other person at his own expense." 1930, c. 35, s. 14.

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"**54.** Upon the reference of any application to the chief commission counsel as aforesaid, it shall be his duty to cause such inquiry to be made as appears advisable and to appear himself or arrange for a commission counsel to appear on the hearing of the application by the Pension Tribunal in order to assist it in disposing of the claim by conceding such points as it appears to be proper to concede and by directing attention to such matters and questions as appear to require consideration for the purpose of determining whether or not the claim should be allowed." 1930, c. 35, s. 14.

"**55.** (1) The pensions advocates and commission counsel shall have free access to all the records of the Department and to all material considered by the Commission in disposing of any application.

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(2) No such records or material relating to any member of the forces, pensioner or applicant for pension, shall be inspected by, nor shall their contents be communicated by anyone in the public service to, any person other than

(a) the member of the forces, pensioner or applicant for pension concerned,

(b) such public servants as may require to inspect them or have their contents communicated to them in order that they may properly discharge their duties,

(c) such medical advisers and other persons, including representatives of soldiers' service organizations, as may be consulted by or on behalf of a commission counsel or by or on behalf of the person whom the records or material directly concern, and

(d) such person as may be employed by such last mentioned person to present a claim on his behalf before the Pension Tribunal or the Pension Appeal Court." 1930, c. 35, s. 14.

"**56.** The Pension Tribunal shall be charged with the duty of hearing and disposing of all applications under this Act which may be brought before it as hereinbefore provided." 1930, c. 35, s. 14.

"**57.** For the purpose of hearing applications the Pension Tribunal shall sit at convenient places throughout Canada; the selection of such places, the determination of the days for the sittings at each thereof, and the assignment of members of the tribunal to attend thereon, shall be in

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the discretion of the chairman subject to such rules of procedure as may be adopted as hereinbefore provided." 1930, c. 35, s. 14.

"**58.** (1) Two members of the Pension Tribunal sitting together shall form a quorum for the purpose of hearing and disposing of any application as to the disposition of which they are in agreement; any application as to the disposition of which there has been an equal division of opinion shall be reheard before an uneven number of members exceeding by at least one the number of members who took part in the first hearing. 5 10

(2) With the consent of all parties entitled to be heard upon any application, any application may be heard and disposed of by one member of the tribunal, who shall constitute a quorum of the tribunal for the purpose of such application." 1930, c. 35, s. 14. 15

"**59.** The Pension Tribunal shall have all the powers of a Commissioner under Part I of the *Inquiries Act* and may exercise any discretion conferred by this Act upon the Commission." 1930, c. 35, s. 14. 20

"**60.** The Pension Tribunal shall have power to direct the payment to witnesses called to give evidence before it, or to persons required by it to attend for medical examination, such allowances for travelling expenses and loss of time, at rates fixed by the rules of procedure, as, having regard to all the circumstances, it considers should be paid by the public." 1930, c. 35, s. 14. 25

"**61.** (1) The Pension Tribunal shall have power to direct the medical examination of any claimant, whose application is before it, by a specialist, physician or surgeon selected by him, and the account of such physician or surgeon for any such examination, and for his attendance before the tribunal to give evidence as to his findings thereon, shall be paid by the Department upon the certificate of a registrar of the tribunal, given under its direction, that the examination was authorized by the tribunal to be made and that the sums charged therefor and for attending to give evidence are proper and reasonable in amount. 30 35

(2) For the purpose of any such examination the Tribunal shall have power to direct the admission of a claimant into a hospital administered by the Department." 1930, c. 35, s. 14. 40

"**62.** (1) No application shall be disposed of by the tribunal until after full opportunity to adduce evidence and to be heard at a public hearing has been afforded to all persons entitled to be heard, and so far as possible, the 45



decision of the tribunal shall be given at such public hearing in the presence of all such persons.

(2) At the request of the applicant, the tribunal may direct any application to be heard and its decision may be given in private if it considers that a public hearing might be disadvantageous to the applicant and that a hearing in private would not be contrary to the public interest." 1930, c. 35, s. 14. 5

"**63.** At the time its decision is given, the Pension Tribunal shall indicate fully the grounds upon which its conclusions are based and, if the decision is not unanimous, the members of the tribunal who dissent and the grounds of their dissent shall be specified." 1930, c. 35, s. 14. 10

"**64.** Notice of every decision of the tribunal shall be forthwith given by the registrar to the Department." 1930, c. 35, s. 14. 15

"**65.** (1) From the decision of the Pension Tribunal on any application falling within one of the classes hereinafter defined, the claimant or the commission counsel may appeal to the Pension Appeal Court within the time hereafter limited by filing notice of intention to appeal with the registrar of the Pension Appeal Court, who shall notify the Department, the chief pension advocate and the chief commission counsel, of the receipt of such notice and of the time at which the appeal will come on to be heard. 25

(2) Notice of an appeal may be filed by a commission counsel at any time within fifteen days from the date of the decision if the same was given at the conclusion of the hearing, or if not so given, within fifteen days after the appellant has received notice thereof, and by the applicant at any time." 1930, c. 35, s. 14. 30

"**66.** An appeal shall lie to the Pension Appeal Court from any decision of the Pension Tribunal turning upon:—

- (a) whether or not any injury or disease or aggravation thereof which resulted in the disability or death upon which the application is based, was attributable to or was incurred during military service; 35
- (b) whether or not any injury or disease or aggravation thereof which was attributable to or was incurred during military service resulted in the disability or death upon which the application is based; 40
- (c) whether or not any pre-enlistment disability was wilfully concealed, was obvious, was of a nature to cause rejection from service, or was congenital;
- (d) the degree of any pre-enlistment disability; 45
- (e) the right to receive pension in respect of any period prior to the date of the application therefor;



- (f) the jurisdiction of the Commission or the Pension Tribunal to deal with an application either generally or in any particular way;
- (g) the interpretation of any provision of this Act." 1930, c. 35, s. 14. 5

"**67.** (1) Every decision of the Pension Tribunal in favour of the applicant shall be acted upon by the Department after the expiry of sixteen days from the date upon which it receives notice of the decision unless and until it has been notified that an appeal has been taken to the Pension Appeal Court. 10

(2) Notwithstanding that it has been so notified, the Department shall act upon such decision after the expiry of sixty days from the date thereof unless and until it is notified by the registrar of the Pension Appeal Court that such Court has otherwise directed or that the appeal has been presented to the Court, which still has its decision thereon under consideration." 1930, c. 35, s. 14. 15

"**68.** The Pension Appeal Court shall hear and dispose of all appeals from the Pension Tribunal which may be properly brought before it. 1930, c. 35, s. 14. 20

"**69.** The sittings of the Pension Appeal Court shall be public except in cases in which the hearing by the Pension Tribunal has been held in private and the Pension Appeal Court considers it desirable to adopt a like course in respect of the hearing of the appeal. 1930, c. 35, s. 14. 25

"**70.** Unless the parties agree that an appeal or other matter as to which the Court has jurisdiction shall be heard before only two from among the members or acting members of the Pension Appeal Court, three of them shall sit; if an appeal is heard before two only and they cannot agree as to its disposition, it shall stand dismissed." 1930, c. 35, s. 14; 1931, c. 44, s. 5. 30

"**71.** (1) Every appeal shall be presented before the Pension Appeal Court on behalf of the claimant and by a commission counsel in the same way as it is required to be presented before the Pension Tribunal, but on the evidence and record upon which the decision of the tribunal was given, without addition. 35

(2) The Pension Appeal Court, if it considers such evidence or record to be incomplete or unsatisfactory, may remit the case to the Pension Tribunal for re-hearing." 1930, c. 35, s. 14. 40

"**72.** (1) Subject as hereinafter provided every decision of the Pension Appeal Court in favour of an applicant or dismissing an application shall be final. 45



(2) Any decision in favour of a claimant shall be forthwith notified by the registrar to and shall be forthwith acted upon by the Department.

(3) Any decision of the Pension Appeal Court against an applicant and any such decision by the Pension Tribunal which is not appealed shall be final and no application based upon any error in such decision, by reason of evidence not having been presented or otherwise, shall be entertained by the Commission or the Pension Tribunal except with the leave of the Pension Appeal Court, which shall have jurisdiction to grant such leave in any case in which it appears proper to grant it." 1930, c. 35, s. 14.

"74. Upon its appearing at any time that the circumstances by reference to which any award of pension was made no longer exist, or that any condition of such award is unfulfilled, the Department shall bring the case to the attention of the Commission, and the Commission, upon any such case being brought to its attention by the Department or otherwise, shall, after making any necessary inquiry, either give such direction as the circumstances require for the apportionment, suspension or cancellation of the pension and as to the recovery of any over payment which may have been made, or if the direction which should be given is in doubt and the public interest will not suffer by delay, shall refer the case to the chief pension advocate and the chief commission counsel in order that it may be further considered by the Pension Tribunal or the Pension Appeal Court." 1930, c. 35, s. 14.

#### SECTIONS 15 AND 17 OF CHAPTER 35, 1930.

"15. All appeals heretofore taken to the Federal Appeal Board and remaining undisposed of at the date of the coming into force of this Act shall be deemed to have been referred thereunder for hearing by the Pension Tribunal and shall be dealt with accordingly." 1930, c. 35, s. 15.

"17. This Act shall come into force on the first day of October, 1930, provided that any appointment required or authorized to be made thereunder may be made at any time after the first day of September, 1930 and any salary or other payment to which any person so appointed may be entitled shall be payable from the date of his appointment." 1930, c. 35, s. 17.

THE HOUSE OF COMMONS OF CANADA.

**BILL 78.**

An Act to amend the Pension Act.

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REPRINTED AS AMENDED AND REPORTED BY THE  
SELECT SPECIAL COMMITTEE.

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The MINISTER OF PENSIONS AND NATIONAL HEALTH.

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OTTAWA  
J. O. PATENAUDE, ACTING KING'S PRINTER

THE HOUSE OF COMMONS OF CANADA.

BILL 78.

An Act to amend the Pension Act.

R.S., c. 157;  
1928, c. 38;  
1930 (1st s.)  
c. 35;  
1931, c. 44.

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

1. Section two of the *Pension Act*, chapter one hundred and fifty-seven of the Revised Statutes of Canada, 1927, as amended by chapter thirty-eight of the statutes of 1928; by chapter thirty-five of the statutes of 1930 (first session) and by chapter forty-four of the statutes of 1931, is amended as follows:—

Definitions. (1) By striking out paragraph (*bb*) thereof, and substituting therefor the following:— 10

“(*bb*) ‘Board of Pension Commissioners for Canada’ means the Board heretofore existing under that name.”

(2) By inserting after paragraph (*c*) thereof the following:— 15

“(*cc*) ‘Commission’ means the Canadian Pension Commission, and wherever in this Act or in any Act in amendment thereof ‘the Commission’ is mentioned or referred to, the same shall hereafter mean and be construed to mean, the Canadian Pension Commission; and ‘Commissioner’ shall mean a member of the Canadian Pension Commission.” 20

(3) By striking out paragraph (*d*) thereof and substituting therefor the following:—

Court. “(*d*) ‘Court’ means the Pension Appeal Court.” 25

(4) By inserting after paragraph (*g*) thereof the following paragraphs:—

“Federal Appeal Board.” “(*gg*) ‘Federal Appeal Board’ means the Board heretofore existing under that name;

EXPLANATORY NOTES.

Existing sections of the Pension Act which are repealed and re-enacted or amended by this Bill are printed in an appendix at the end of the explanatory notes to the Bill.

1. (1) Board of Pension Commissioners for Canada.

(2) Commission.

(3) Pension Appeal Court.

(4) (*gg*) This definition is necessary in view of the references in the Act.

"Hospital allowances."

"(ggg) 'hospital allowance,' or 'pay and allowances' or 'compensation,' means the payment made to a pensioner in lieu of pension while undergoing hospital treatment, under the control of the Department, for a pensionable disability.

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(5) By inserting after paragraph (n) the following paragraph:—

"Pension Tribunal."

"(nn) 'Pension Tribunal' means the Tribunal heretofore existing under that name.'

2.

Section three of the said Act, as amended by chapter 10 thirty-eight of the statutes of 1928, and as further amended by chapter thirty-five of the statutes of 1930, is repealed and the following is substituted therefor:—

Canadian Pension Commission.

"3. (1) There shall be a Commission to be known as the Canadian Pension Commission which, subject to the provisions of the amending Act of 1933, shall have and exercise all powers, authorities and functions which immediately prior to the coming into force of the amending Act of 1933, were vested in and exercisable by the Board of Pension Commissioners for Canada.

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Number of members.

(2) The Commission shall consist of not less than eight Commissioners who shall be appointed by the Governor in Council, but in his discretion the number of Commissioners may be increased to twelve.

Chairman.

(3) One of the Commissioners shall be appointed by the Governor in Council to be Chairman of the Commission.

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Tenure of office.

(4) Each Commissioner shall hold office during good behaviour for a period of seven years from the date of his appointment and shall be removable at any time for cause by the Governor in Council.

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Age limit.

(5) A Commissioner shall cease to hold office upon reaching the age of seventy years.

Eligibility for reappointment.

(6) A Commissioner, on the expiry of his term of office, shall, if not disqualified by age, be eligible for re-appointment.

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Salaries.

(7) The Chairman shall be paid a salary of seven thousand dollars per annum, and each of the other Commissioners shall be paid a salary of six thousand dollars per annum; such salaries shall be paid monthly out of any unappropriated moneys forming part of the Consolidated Revenue Fund of Canada.

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(*ggg*) This definition is necessary in view of the references in the Act.

(5) (*nn*) This definition is necessary in view of the references in the Act.

**3.** (1) Creation of the Canadian Pension Commission.

(2) Increase in the number of Commissioners is necessary in view of the increased responsibilities of the Commission.

(3) No change. This was formerly subsection 5.

(4) This provides for the term of appointment and the retirement of the Commissioners.

(5) No change. Formerly subsection 3.

(6) This was formerly subsection 4.

(7) No change. Formerly subsection 6.

No other  
occupation.

(8) Each Commissioner shall devote the whole of his time to the performance of his duties under this Act, and shall not accept or hold any office or employment which the Governor in Council may declare to be inconsistent with the performance of his duties under this Act.

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Meetings.

(9) The Chairman of the Commission shall have power to decide when and where each of the meetings of the Commission shall be held and to determine which, if any, members of the Commission may be permitted to absent themselves from any meeting.

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Proceedings  
to continue  
in force.

(10) Subject to the provisions of the amending Act of 1933, and without prejudice to anything which may be done by the Commission in the exercise of the powers and authority conferred upon the Commission by this Act, all acts, proceedings, or decisions of the Board of Pension Commissioners for Canada shall continue to have force and effect according to their tenor.

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Application  
to be con-  
tinued.

(11) All applications for pension or additional pension and other matters pending before the Board of Pension Commissioners for Canada immediately prior to the coming into force of the amending Act of 1933, shall be taken up and continued by and before the Commission under and in conformity with the provisions of this Act.

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Funds in  
trust.

(12) Any funds held in trust or administered by the Board of Pension Commissioners for Canada shall be continued and held in trust or administered by the Commission.

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Duties to  
be vested  
in Commis-  
sion.

(13) All duties which, having been imposed upon the Board of Pension Commissioners for Canada by the Governor in Council, were vested in and exercisable by the said Board immediately prior to the coming into force of the amending Act of 1933 shall be vested in and exercisable by the Commission.

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Offices and  
employees.

(14) All officers, clerks and employees on the staff of the Board of Pension Commissioners for Canada and of the Pension Tribunal, immediately prior to the coming into force of the amending Act of 1933 other than the Commission Counsel, shall be and become during pleasure, officers, clerks and employees on the staff of the Commission, and the Commission Counsel shall become during pleasure officers or employees on the staff of the Department."

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(8) No change except that the words "this section" in the present Act have been changed to "the performance of his duties under this Act and a reference to the Governor in Council." Formerly subsection 7.

(9) No change. Formerly subsection 8 as enacted by chapter 35, 1930.

Subsections (10) to (14) are necessary in view of the creation of the Canadian Pension Commission.

3. Subsection three of section four of the said Act, as enacted by section five of chapter thirty-eight of the statutes of 1928, is repealed and the following is substituted therefor—

Powers and duties of Chairman. R.S., c. 22.

“(3) The Chairman of the Commission shall have the powers and duties of a deputy head of a department for the purpose of the *Civil Service Act*. 5

4. Section five of the said Act, as enacted by section four of chapter thirty-five of the statutes of 1930, is repealed and the following is substituted therefor:— 10

Jurisdiction of Commission.

“5. Subject to the provisions of this Act and of any regulations made thereunder, the Commission shall be charged with the duty of considering and adjudicating upon all questions relating to the award, increase, decrease, suspension or cancellation of any pension under this Act and to the recovering of any overpayment which may have been made; and effect shall be given by the Department and the Comptroller of the Treasury to the adjudication of the Commission: Provided that the power vested in the Commission to cancel any award of entitlement shall not extend to an award of entitlement granted by the Federal Appeal Board, the Pension Tribunal or the Court: Provided also that before any pension is cancelled or reduced, due to a change in the basis of entitlement, the pensioner shall be afforded an opportunity of appearing before a quorum of the Commission.” 15 20 25

Provisos.

5. The said Act is further amended by inserting after section six thereof the following sections:—

Powers under Inquiries Act. R.S., c. 99.

“7. (1) The Commission, or subject to the direction of the Commission, any quorum thereof, shall have all the powers and authority of a Commissioner appointed under Part I of the *Inquiries Act*, and may exercise any discretion conferred by this Act upon the Commission.” 30

Power to take evidence on oath.

(2) The Commission shall have power to appoint a person or persons to hear and receive evidence with respect to any matter pertaining to pensions, and such person or persons shall have authority to administer oaths and to hear and receive evidence under oath and to take affidavits in any part of Canada. 35

Where sittings may be held.

(3) The Commission, represented by one or more Commissioners, may in its discretion hold sittings in any part of Canada for the purpose of hearing evidence, or complaints in respect of pensions or any question of assessment. 40

**3.** In view of the enlargement of the Commission, the Chairman only should be a deputy head; therefore, the words underlined have been added.

**4.** This authority, which has been slightly amended from time to time, has been in the Act since 1919. In the 1930 Statute it was differently phrased and included as section 74. It is necessary that it be restored as section 5, as section 6 of the Act, which is not being amended, refers back to it. The repealed section 5 has been amended as to phraseology and has been inserted as subsection (2) of section 7.

First Proviso: This power is later vested in the Pension Appeal Court. See new section 65, subsection (2) as enacted by this Act.

**5.** This restores to the Commission the powers and authority of a Commissioner under Part I of the Inquiries Act, which by the amendment of 1930 were vested in the Pension Tribunal.

(2) This takes the place of the repealed section 5.

(3) This is a recommendation of the Committee on the administration of the Pension Act.

Regulations.

“8. With the approval of the Governor in Council, the Commission shall have power to make regulations not inconsistent with this Act in respect of the procedure to be followed in matters coming before the Commission or any quorum thereof for adjudication.”

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6.

The said Act is further amended by repealing sections nine and ten and ten A to ten L, inclusive, as enacted by section five of chapter thirty-five of the statutes of 1930, and as amended by section two of chapter forty-four of the statutes of 1931, and substituting therefor the following:—

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Pension  
Appeal Court  
continued.

“9. (1) The Court now existing under the name of the Pension Appeal Court is hereby continued under such name and shall continue to be a Court of Appeal and shall have all the powers and jurisdiction conferred on it by this Act.

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Three  
members.

(2) Subject as hereinafter provided the Court shall consist of three persons who shall be appointed by the Governor in Council.

Who may  
be appointed  
members.

(3) A person appointed a member of the Court shall be a person who is or has been a judge of a Superior Court or of a County or District Court of any of the provinces of Canada, or a barrister or advocate of at least ten years standing at the bar of any of the said provinces.

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President.

(4) One of such members shall be appointed President of the Court.

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Tenure of  
Office.

(5) Each member of the Court shall hold office during good behaviour for a period of ten years from the date of his appointment, but shall be removable at any time for cause by the Governor in Council.

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Continued  
in office.

(6) The persons now holding the office of President and member of the Court shall continue to hold office for the unexpired portion of their respective terms of office.

Salaries.

(7) The salary of the President of the Court shall be eight thousand dollars a year and the salary of each of the other members thereof shall be seven thousand dollars a year.

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Appointment  
of *ad hoc*  
judge.

“10. (1) At the request of the President of the Court, the Governor in Council may require a judge of a provincial superior court to attend as an *ad hoc* member of the Court for such period as may be necessary, and such judge shall, while acting as such *ad hoc* member, possess the powers and privileges and shall discharge the duties of a member of the Court.

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Compensa-  
tion.

(2) An *ad hoc* member who attends the sittings of the Court, or any conference of the members thereof called

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**5. "8."** This restores the provision which was in the Act from 1919 to 1930.

**6. "9."** (1) In view of the re-enactment of certain sections these subsections are necessary.

(2) This provision is at present in the Act, as subsection 1 of section 10 as enacted by 1930, c. 35, section 5.

(3) This is substantially in accordance with the report of the Committee on the administration of the Pension Act as submitted by the Honourable Mr. Justice Audette.

(4) No change except to make the provision a separate subsection; this was in subsection 1 of section 10 as enacted by 1930, c. 35, section 5.

(5) No change in effect except to make the provision a separate subsection; see note to subsection (4).

(6) In view of the re-enactment of certain sections, this subsection is necessary.

(7) No change. This was subsection 2 of section 10.

**6. "10."** Section 10, subsections (1) and (2) are new. They are inserted in order that the Pension Appeal Court may overtake its arrears of work.

for the consideration of decisions in cases in which he sat, shall be paid the cost of his transportation and shall receive a per diem allowance for living and other incidental expenses of twenty-five dollars during the period that he is necessarily in attendance as aforesaid.

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No other occupation.

"10A. (1) Each member of the Court shall devote his whole time to the performance of the duties of his office and shall not accept or hold any office or employment which the Governor in Council may declare to be inconsistent with the performance of his duties under this Act.

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Residence.

(2) All the members of the Court other than an *ad hoc* member shall reside at Ottawa or within ten miles thereof.

Retirement at the age of seventy.

(3) Notwithstanding anything in this Act contained, no member of the Court shall continue in office after he has attained the age of seventy years, unless it is declared by the Governor in Council, either before or within one month after attaining such age that it is in the public interest that he should remain in office for an additional period of twelve months only.

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When pension may be granted.

"10B. (1) The Governor in Council upon the retirement of any member of the Commission, or the Court, who has served upon one or other of such bodies during at least twenty years, or who has so served during at least ten years and has reached the age of seventy years, or is physically or mentally incapacitated, and is not entitled to superannuation under the *Civil Service Superannuation Act*, may grant to him a pension for his life not exceeding one-third of the salary to which he was entitled as such member.

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R.S., c. 24.

Service of a judge to be counted.

(2) For the purpose of this section, service as a judge appointed by the Governor in Council prior to appointment as a member of the Court shall count as service as a member of such court, provided that if any such member would have become entitled to a greater pension or retiring allowance under any other statute if he had continued as such judge during his service on the court, he may be granted such greater pension or retiring allowance in lieu of the pension by this section provided.

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Appointment of Civil Servants.

"10C. A civil servant who prior to or at the time of his appointment as a member of the Commission or the Court was or is a contributor under the provisions of the *Civil*

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R.S., c. 24.

*Service Superannuation Act* may elect, within three months of his appointment or three months from the date of the coming into force of this section, whichever shall be the later date, and shall be eligible, notwithstanding the provisions of the *Civil Service Superannuation Act*, to continue to be a contributor under the said Act; in which event his tenure of office as a member of the Commission or of the

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**6. "10A."** (1) No change except that the phraseology is made the same as that applying to the Commission, see section 2 of this Bill, inserting subsection (8) of new section 3.

(2) No change except deletion of a reference to the Pension Tribunal, and the addition of the words underlined. Formerly section 10B. (1930, c. 35, s. 5).

(3) No change except deletion of a reference to the Pension Tribunal, and the substitution of the words underlined for the words "the termination of such member's tenure of office." Formerly section 10c. (1930, c. 35, s. 5).

**6. "10B."** No change except deletion of a reference to the Pension Tribunal and the insertion of the underlined words. Formerly subsection one of section 10D. (1930, c. 35, s. 5).

(2) No change except deletion of a reference to the Pension Tribunal. Formerly subsection 2 of section 10D. (1930, c. 35, s. 5).

**6. "10c."** This section is inserted to permit the appointment of a Civil Servant without causing him to lose the benefits to which he is entitled under the Superannuation Act. It follows the phraseology of a similar provision in the Civil Service Act.

Court shall be counted as service in the Civil Service for the purposes of the said Act and he, his widow and children, or other dependents, if any, shall be eligible to receive the respective allowances or gratuities provided by the said Act, instead of the grant referred to in the preceding section; and, in the event of his being retired from the said office as a member of the Commission or member of the Court for any reason other than that of misconduct, he shall be eligible to receive the same benefits under the said Act as if his office as a member of the Commission or a member of the Court had been abolished.

Registrar of Pension Appeal Court.  
R.S., c. 22.  
Salary.

**"10D.** (1) Notwithstanding anything in the *Civil Service Act* or any other statute, the Governor in Council may appoint a registrar of the Court who shall have his office at Ottawa and shall hold office during pleasure.

(2) Such registrar shall be entitled to receive such salary as may be fixed by the Governor in Council.

Present Registrar continued in office.  
Medical and clerical assistance.

(3) The person now holding the office of Registrar of the Court shall continue to hold office during pleasure.

Control and direction.

**"10E.** (1) The Department shall provide, in the manner authorized by law, such medical and clerical assistants as may be necessary for the conduct of the business of the Court.

(2) The clerical staff of the Court shall be under the control of the registrar thereof, subject to the direction of the president.

Payments by Comptroller of Treasury.

**"10F.** All sums payable pursuant to this Act to any member of or of the staff of the Court shall be payable by the Comptroller of the Treasury.

Veterans' Bureau continued.

**"10G.** (1) There shall continue to be a branch of the Department known as the "Veterans' Bureau", which, subject to the direction of the Minister, shall be administered by an officer called the Chief Pensions Advocate who shall be assisted by such other pensions advocates and such additional staff as may be required for the proper performance of the duties of the branch.

Qualifications of pensions advocates.

(2) Pensions advocates hereafter appointed shall, as far as may be practicable, be barristers or advocates of good standing at the bar of any of the provinces of Canada.

Appointments and salaries.  
R.S., c. 22

(3) The pensions advocates shall be appointed under and pursuant to the provisions of the *Civil Service Act* at such salaries as the Governor in Council may prescribe.

Advocates continued in office.

(4) The persons now holding the offices of chief pensions advocate and pensions advocates shall continue, during pleasure, to hold such offices.

**6. "10D."** (1) No change except deletion of a reference to a registrar of the Pension Tribunal. Formerly section 10E. (1930, c. 35, s. 5.).

(3) In view of the re-enactment of certain sections, this subsection is necessary.

**6. "10E."** (1) No change except slight rephrasing in order to omit reference to the Pension Tribunal. Formerly section 10F. (1930, c. 35, s. 5.).

(2) No change except deletion of a reference to the Pension Tribunal. Formerly section 10G. (1930, c. 35, s. 5.).

**6. "10F."** Deletes a reference to the Pension Tribunal and substitutes the "Comptroller of the Treasury" for the "Department." Formerly 10J. (1930, c. 35, s. 5.).

**6. "10G."** (1) No change except provision for continuance. Formerly subsection 1 of section 10K. (1930, c. 35, s. 5.).

(2) This is in accordance with the reports of the Committee on the Administration of the Pension Act as submitted by the Honourable Mr. Justice Audette and Brigadier General Ross.

(3) Pensions advocates are placed under the Civil Service Commission. Formerly subsection 2 of section 10K. (1930, c. 35, s. 5.).

(4) In view of the re-enactment of certain sections, this subsection is necessary.

Travelling  
Inspector of  
Veterans'  
Bureau.

(5) One of the pensions advocates may be designated by the Minister to act as a travelling inspector of the Veterans' Bureau and to exercise constant supervision over the work and preparation of cases in the district offices of the Bureau.

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Pension  
Counsel.  
R.S., c. 22.

"**10H.** (1) There may be appointed such number of persons as may be considered necessary, who shall be barristers or advocates of good standing at the bar of any of the provinces of Canada, to be officers of the Department and to be called 'Pension Counsel.'"

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Appoint-  
ment.

(2) The pension counsel shall be appointed under and pursuant to the provisions of the *Civil Service Act* at such salaries as the Governor in Council may prescribe.

Persons now  
holding  
office.

(3) The person now holding the office of Chief Commission Counsel and such of the persons now holding the office of commission counsel as the Minister may decide to be necessary shall be and become during pleasure, the pension counsel aforementioned.

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Staff.

(4) The Department shall from its staff furnish the pension counsel with such staff as may be necessary for the proper performance of their duties.

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Reviewing  
Officer.

"**10I.** (1) Notwithstanding anything in the *Civil Service Act*, or any other statute, the Governor in Council may appoint an officer, called a "Reviewing Officer," and may fix the salary that shall be paid to him.

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Salary.

(2) The salary of the reviewing officer shall be paid by the Comptroller of the Treasury from the salary appropriation granted to the Department.

Duty of.

(3) Such reviewing officer, shall be charged with the duty of reviewing decisions pronounced on applications by the Pension Tribunal or by a quorum of the Commission for the purpose only of determining whether or not, in any case in which the Crown has any right of appeal from any such decision upon a question of entitlement in respect of injury or disease or aggravation thereof resulting in disability or death, the Crown should institute an appeal.

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If appeal to  
be taken.

(4) When such reviewing officer has determined that an appeal should be taken he shall direct the pension counsel to present and conduct the appeal before the Court.

Staff.

(5) The Department shall furnish the reviewing officer at his request with such staff as may be necessary for the proper performance of his duties."

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7.

Section sixteen of the said Act as enacted by section eight of chapter thirty-eight of the statutes of 1928, is repealed and the following is substituted therefor:—

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(5) This subsection is new and is inserted in view of a recommendation made by Brigadier-General Ross.

**6. "10H."** (1) This provides for a change in the name of the Commission Counsel to Pension Counsel, and provides that they shall be barristers or advocates as in the case of Pensions Advocates. The Commission Counsel were previously under the control of the Commission. 1930, c. 35, s. 10L.

(2) Pension Counsel are placed under the Civil Service Commission.

(3) In view of the re-enactment of certain sections, this subsection is necessary.

**6. "10I."** All the reports of the Committee recommend that the Crown should have a right of appeal from decisions of the Commission awarding entitlement. This entails the appointment of a reviewing officer. General Ross' report definitely proposes such appointment.

(3) See new section 59 as enacted by this Act.

(4) See new section 63 as enacted by this Act.

Adminis-  
tration of  
pension by  
Commission.

"16. When a pensioner appears to be incapable of expending or is not expending the pension in a proper manner or is not maintaining the members of his family to whom he owes the duty of maintenance, or, in the discretion of the Commission, when a retroactive pension is awarded or a pensioner is admitted under the regulations of the Department to an institution for Veterans care, the Commission may direct that the pension be administered for the benefit of the pensioner and/or the members of his family by the Commission or the Department or by some person selected by the Commission".

8.

Section nineteen of the said Act, as enacted by section seven of chapter thirty-five of the statutes of 1930, is repealed and the following is substituted therefor:—

Fees and  
charges to  
be approved.

"19. No person shall make any claim against any person for any services performed in connection with the preparation or prosecution of any application to the Commission, the Board of Pension Commissioners for Canada, the Pension Tribunal or the Court unless the Commission or the Court has certified that the amount claimed is a fair and reasonable charge for the services rendered and properly payable by the person against whom the claim is made."

9.

Subsections four, five and six of section twenty of the said Act, as enacted by section ten of chapter thirty-eight of the statutes of 1928, are repealed and the following are substituted therefor:—

Disposal of  
unpaid  
pension.

"(4) Any pension, or balance of pension, due to a deceased pensioner at the time of his death, whether death occurred before or after the coming into force of this subsection and whether unpaid or held in trust by the Commission or the Department, shall not form part of the estate of such deceased pensioner.

Discretion  
to pay  
pensioner's  
last sickness  
and burial  
expenses.

(5) The Commission may, in its discretion, direct the payment of such pension, or balance of pension, either to the pensioner's widow and/or his child or children, or may direct that it be paid in whole or in part to any person who has maintained him or been maintained by him or towards the expenses of the pensioner's last sickness and burial.

Non-  
payment of  
pension, etc.

(6) If no order for the payment of such pension, or balance of pension, is made by the Commission, such pension, or balance of pension, shall not be paid.

Overpay-  
ment of  
pension.

(7) If, through any cause, an overpayment of pension has been or be made the Commission may reduce, suspend or withdraw future payments of pension until the amount of such reduction, suspension or withdrawal equals the amount of the overpayment.

7. "**16.** The object of this amendment, which is indicated by the words underlined, is to provide that the Commission may in such cases as the payment of retroactive pension or the admission of pensioners to veterans' care treatment by the Department, authorize the administration of pension when deemed advisable.

8. No change except deletion of a reference to the Pension Tribunal.

9. (4) Trust funds are at present held by the Commission. The words underlined are to make statutory this practice and to cover the re-enactment of this subsection.

(5) No change.

(6) and (7) The word "not" is added in subsection (6) as the Act at present reads "shall be paid into the Consolidated Revenue Fund of Canada." By making any such balance not payable and by giving the Commission the statutory right to recover overpayments in the manner indicated it will be unnecessary to ask Parliament for an appropriation of money which would merely be transferred to the Consolidated Revenue Fund.

Hospital allowance, etc.

(8) For the purposes of this section pension shall include hospital allowance, pay and allowances or compensation, credited or payable to a pensioner while receiving treatment by the Department for a pensionable disability."

10. Subsection one of section twenty-one of the said Act, 5 as enacted by section eight of chapter thirty-five of the statutes of 1930, is repealed and the following is substituted therefor:—

Compassionate pension or allowance in specially meritorious cases.

"21. (1) The Commission may, on special application in that behalf, grant a compassionate pension or allowance in 10 any case which it considers to be specially meritorious, but in which the Commission, or, on an appeal, the Court, has decided that the applicant is not entitled to an award under this Act."

11. Subsection five of section twenty-two of the said Act, 15 as enacted by section thirteen of chapter thirty-eight of the statutes of 1928, is repealed and the following is substituted therefor:—

Child's pension paid to parents, etc.

"(5) The Commission may direct that the pension for a 20 child may be paid to its mother or father, or to its guardian, or to any person approved by the Commission, or direct that such pension be administered by the Commission or by the Department."

12. Section twenty-nine of the said Act, as enacted by 25 section twenty of chapter thirty-eight of the statutes of 1928, is repealed and the following is substituted therefor:—

Payment of pension suspended during treatment.

"29. (1) During such time as, under the departmental 30 regulations in that behalf, a pensioner is entitled to hospital allowance from the Department, payment of the pension then in force shall be suspended, and the hospital allowance, shall stand in lieu thereof; pending a fresh award, payment of the pension shall recommence forthwith after the termination of such suspension.

Pension in excess of hospital allowance to be reduced.

(2) During such time as, under the departmental regu- 35 lations in that behalf, a pensioner is an in-patient under treatment in respect of a disability other than his pensionable disability, his pension, if in excess of the amount he would have been entitled to receive by way of hospital allowance, if the disability for which he is under treatment had been pensionable, shall be reduced to such amount; 40 pending a fresh award, the payment of pension in full shall recommence forthwith upon the pensioner's ceasing to be an in-patient as aforesaid.

Payment of hospital allowance.

(3) Hospital allowance shall be paid from any appropriation granted by Parliament for this purpose or from moneys 45 provided by Parliament for the payment of pensions under this Act."

(8) This amendment is inserted as hospital allowance is issued to a pensioner while receiving treatment in lieu of pension, which is suspended.

**10.** The word "Commission" is substituted for "Pension Tribunal". The words "on an appeal" are substituted for "an appeal lies" and the words "to an award" are substituted for the words "as of right".

**11.** (5) The words underlined have been added to conform with present practice.

**12.** (1) The term "hospital allowance" has been substituted for "pay and allowances" to conform with the practice of the Department.

(2) No change except the substitution of the term "hospital allowance" for "pay and allowances".

(3) This subsection is included to enable Parliament, should it decide to do so, to combine the pension and hospital allowance appropriation as the latter is merely a continuance of the former.

- 13.** Subsection two of section thirty-two of the said Act, as enacted by section eleven of chapter thirty-five of the statutes of 1930, is repealed and the following is substituted therefor:—
- Widow of pensioner. “(2) Subject as in this Act otherwise provided, the widow of a member of the forces who had at the time of his death been, for not more than ten years, in receipt of a pension for a disability of or exceeding eighty per cent or would have been in receipt of such pension if he had not been in receipt of hospital allowance from the Department while under treatment shall, irrespective of the cause of the death of her husband, be entitled to a pension as if his death had resulted from an injury or disease or aggravation thereof attributable to or incurred during military service, provided that she was married to him prior to the first day of January, 1930.”
- Proviso.
- 14.** Section forty-one, subsection one of section forty-two and sections forty-three (as enacted by section thirteen of chapter thirty-five of the statutes of 1930) and forty-four of the said Act, are repealed and the following are substituted therefor:—
- False representation or fraud. “**41.** Any person who by any false representation, personation or fraud obtains, or attempts to obtain, a pension for himself or for any other person shall be guilty of an indictable offence, and shall be liable to imprisonment for a period not exceeding two years, or to a fine not exceeding one thousand dollars, or to both imprisonment and fine.”
- Inducements to assign, charge or attach pensions. “**42.** (1) Any person who lends or gives or attempts to lend or give money or credit or any other consideration for the assignment, charging, attachment, anticipation, commutation or giving as security of a pension shall be guilty of an indictable offence, and shall be liable to imprisonment for a period not exceeding one year, or to a fine not exceeding five hundred dollars, or to both imprisonment and fine.”
- Collecting fees or charges on application for pensions. “**43.** Any person who collects or attempts to collect any fees or charges for services rendered with respect to any application for a pension, the amount of which fees or charges has not been approved as herein before provided, shall be guilty of an indictable offence, and shall be liable to imprisonment for a period not exceeding six months, or to a fine not exceeding five hundred dollars, or to both imprisonment and fine.”
- False statement under oath or otherwise. “**44.** Any person who wilfully makes any false statement under oath with reference to any pension or application for pension, shall be guilty of an indictable offence, and shall be liable to imprisonment for a period not exceeding six months, or to a fine not exceeding five hundred dollars, or to both imprisonment and fine.”
- 15.** Sections fifty to seventy-two, inclusive, of the said Act, as enacted by section fourteen of the statutes of 1930, (fifty-one and seventy as repealed and re-enacted by chapter forty-four of the statutes of 1931), are repealed and the following are substituted therefor:—

**13.** (2) The words underlined were inadvertently omitted from the amendments made in 1930. Without them a widow of a member of the forces who has died from a non-pensionable disability may be placed in a preferred position as against a widow of a member of the forces who has died from a pensionable disability. The section covering the latter reads as follows:—

“**32A.** The widow of a member of the forces whose death results from an injury or disease or aggravation thereof which was attributable to or was incurred during his military service shall be entitled to pension if she was married to such member of the forces either before he was granted a pension in respect of such injury or disease or before the first day of January, 1930.”

**14.** The penalty sections 41 to 44 inclusive each provide that the person charged “shall be guilty of an offence and shall be liable on summary conviction to imprisonment.” The reference to “summary conviction” makes it necessary for proceedings to be taken within six months of the date on which the offence was committed. It was recommended by the Committee that this limitation be removed. It has, therefore, been provided in each section that such person “shall be guilty of an indictable offence and shall be liable to imprisonment.”

This phraseology extends the period during which proceedings may be taken to two years.

**15.** Disappearance of the Pension Tribunal makes it necessary that the sections dealing with procedure should be repealed and re-enacted. To meet the recommendations of the Committee certain provisions have been made more definite.

## PROCEDURE

- Applications. "50. The procedure governing applications for entitlement to pension under section eleven of this Act shall be as prescribed by sections fifty-one to sixty-three hereof.
- Duties of Commission on receipt of application. "51. (1) The Commission shall expeditiously consider each application submitted to it and shall collect such relevant information, if any, as may be available in the records of any department of the Government of Canada and make, through its medical and other officers, such inquiry as appears advisable into the facts upon which the application is based; if satisfied, on the material available, that the applicant is entitled to a pension, the Commission shall then award such pension, and shall take the necessary steps to cause payment of such pension to be made.
- Forms of application and questionnaire to be furnished. (2) When it is necessary to obtain further information, the Commission shall furnish to each person who makes application for pension, or makes known to it his intention to submit an application for pension, a suitable form of application to which there shall be attached a questionnaire, such forms of application and questionnaire to be prescribed by the Commission.
- Applicant to complete forms. (3) The applicant shall fill out the forms of application and questionnaire and transmit them to the Commission at Ottawa, together with such other documents, records or statements of fact as he may desire to submit in support of his application.
- If assistance of Veterans' Bureau desired. (4) Should the applicant indicate, in the questionnaire or otherwise, that he desires the assistance of the Veterans' Bureau or other representative in the preparation and presentation of his application to the Commission, the Commission shall refer such application to the Chief Pensions Advocate for the necessary action.
- Notification of refusal of pension. "52. (1) Whenever any application for pension is not granted, the Commission shall promptly notify the applicant, in writing, of its decision, stating fully the grounds therefor; and shall inform such applicant that he may within the period of ninety days after the date of such notification, inform the Commission of his intention to submit additional evidence with a view to the reconsideration of his application by the Commission or to renew his application with or without additional evidence, in person or by or with a representative, before a quorum of the Commission sitting at Ottawa or elsewhere in Canada, and

**“51.** (1) No change, except the words underlined, necessitated by the re-arrangement of the sections. This is based upon paragraphs (a), (b) and (c) of subsection 1 of section 51. (1931, c. 44, s. 3.)

(2) (3) and (4) This conforms to new procedure recommended by the Committee.

**“52.** (1) This procedure is based upon the views of the Committee.

further, that he will be entitled in either case, to the assistance of the Veterans' Bureau in preparing his claim.

Applicant may have assistance of Chief Pensions Advocate.

(2) If the applicant signifies his intention within the period aforesaid of submitting additional evidence with a view to the reconsideration of his application by the Commission, or of renewing his application with or without additional evidence before a quorum of the Commission, the Chief Pensions Advocate shall assist him in preparing such additional evidence and arrange for the presentation of the application before such quorum sitting in Ottawa or elsewhere in Canada, either by himself or by a pensions advocate; if the applicant so elects he may also have the same presented by some other person at his own expense. 5 10

When application will stand "not granted".

(3) If within the period of ninety days aforementioned the applicant does not signify his intention of submitting to the Commission additional evidence or of renewing his application before a quorum of the Commission, his application shall stand "not granted", and may thereafter be renewed only upon special application to the Commission. 15

Notification of awards.

"53. The Commission, when its decision awarding a pension to any applicant has become effective, shall forthwith notify the Department and the Comptroller of the Treasury of its award and the Comptroller of the Treasury shall thereupon take the necessary steps to give effect to the same. 20 25

Reconsideration of former automatic references.

"54. (1) The Commission shall, on reference by the Chief Pensions Advocate, reconsider all applications which were referred by the Board of Pension Commissioners for Canada to him and the Chief Commission Counsel between the first day of October 1930, and the third day of August, 1931, which the Chief Pensions Advocate has not notified the Pension Tribunal to be ready for hearing. 30

Time limit for submission of additional evidence.

(2) With respect to all such applications, now in the hands of the Chief Pensions Advocate, as are not sufficiently prepared to be remitted to the Commission for reconsideration, the Chief Pensions Advocate shall, by notice in writing to the applicant, require him within a period of ninety days after the date of the mailing of such notice to give notice of his intention to submit additional evidence in support of his application or of his desire that his application be reconsidered by the Commission upon the evidence already submitted; and if the applicant fails, within the period so limited, to give such notice, or, having given notice within the period aforesaid of his intention to submit 35 40

(2) This procedure is based upon the views of the Committee.

(3) This procedure is based upon the views of the Committee.

**“53.** This is necessary procedure.

**“54.** (1) No change in substance, except that the cases indicated will be referred to the Commission instead of the Pension Tribunal. Formerly subsection (3) of section 51 (1931, c. 44, s. 3).

(2) It was the opinion of the Committee that steps should be taken to remove from the active list applications which have little prospect of success. Subsections (2) and (5) have been inserted to meet the situation.

additional evidence, fails within the period of one year thereafter to submit such evidence he shall be deemed to have decided not to proceed with the application and it shall automatically be removed from the lists of the Veterans' Bureau.

Disposition  
of  
applications  
before  
Pension  
Tribunal.

(3) Any application for pension heretofore reported by the Chief Pensions Advocate as ready for hearing by the Pension Tribunal, which remains undisposed of shall be heard and disposed of by a quorum of the Commission composed of members who did not originally pass upon the application.

Renewal of  
applications.

(4) An application heretofore disposed of by the Federal Appeal Board may, notwithstanding such disposition, be renewed at any time under this Act.

Undisposed  
of appeals to  
Federal  
Appeal  
Board.

(5) With respect to any appeal heretofore taken to the Federal Appeal Board which remains undisposed of the Chief Pensions Advocate shall, by notice in writing, require the applicant within a period of ninety days after the date of such notice, to give notice of his intention to submit additional evidence in support of his application or of his desire that his application be reconsidered by the Commission upon the evidence already submitted; and if the applicant fails, within the period aforesaid to give such notice, or, having given notice within the period aforesaid of his intention to submit additional evidence, fails within the period of one year thereafter to submit such evidence, he shall be deemed to have decided not to proceed with the application and it shall automatically be removed from the lists of the Veterans' Bureau.

Hearings by  
quorums of  
Commission.

**"55.** (1) For the purpose of hearing applications, quorums of the Commission, each consisting of two members thereof shall hold public sittings at convenient places throughout Canada.

Arrangement  
of sittings.

(2) Such quorums shall sit at such places and on such days and shall consist of such members of the Commission as may be determined by the Chairman of the Commission.

Procedure  
at hearings.

(3) Public hearings of applications by any quorum of the Commission shall be conducted in accordance with the rules of procedure made under this Act.

Hearings in  
private.

(4) At the request of the applicant, a quorum of the Commission may direct any application to be heard in private if it considers that a public hearing might be disadvantageous and that a hearing in private would not be contrary to the public interest.

(3) This amendment is necessary to deal with cases which will be unheard when the Pension Tribunal ceases to function.

(4) No change. This is subsection (4) of section 51. (1931, c. 44, s. 3).

(5) It was the opinion of the Committee that steps should be taken to remove from the active list applications which have little prospect of success. Subsections (2) and (5) have been inserted to meet the situation. This subsection deals with cases covered by section 15 of the Act of 1930.

**55.** This section provides for the constitution of quorums of the Commission and for its public sittings throughout Canada.

(4) No change except the substitution of the "a quorum of the Commission" for "Tribunal." This was subsection 2 of section 62. (1930, c. 35, s. 14).

Hearing by  
one member  
by consent.

(5) With the consent of all parties entitled to be heard upon any application, any application may be heard by one member of the Commission who shall constitute a quorum of the Commission for the purpose of such hearing.

Witnesses.

“**56.** Subject to the rules of procedure made under this Act, an applicant may attend and witnesses may be called on his behalf or on behalf of the Crown to give evidence before a quorum of the Commission, and such applicant and witnesses may be paid by the Comptroller of the Treasury the cost of transportation and the fees and allowances as therein fixed.” 5 10

Medical  
examination

“**57.** (1) A quorum of the Commission shall have power to direct a medical examination of any applicant whose application is before it by a specialist or by a duly licensed physician or surgeon selected by such applicant.” 15

Power of  
Commission.

(2) The Commission, or a quorum thereof, shall have power at any time to direct a medical examination of any applicant whose application is before it by a specialist or by a duly licensed physician or surgeon in the employ of the Department, or by a specialist or duly licensed physician or surgeon, not in the employ of the Department, selected by it.” 20

Accounts.

(3) The account of any specialist, physician or surgeon selected by an applicant for any medical examination and for his attendance before a quorum of the Commission to give evidence as to his findings thereon, and the account of any specialist, physician or surgeon, not in the employ of the Department, selected by the Commission or a quorum thereof for any such examination and for his attendance before the Commission or a quorum thereof to give evidence as to his findings thereon, shall be paid by the Comptroller of the Treasury upon the certificate of the Commission or a quorum thereof that the examination was authorized and that the sums charged therefor and for attending to give evidence are proper and reasonable.” 25 30 35

Admission  
to hospital.

(4) For the purpose of any such examination, the Commission or a quorum thereof shall have power to direct the admission of an applicant into a hospital administered by the Department, or with which the Department has a contract.” 40

“Specialist.”

(5) For the purpose of this section “specialist” shall mean a duly qualified and experienced medical practitioner whose principal practice is restricted to one branch of medicine or surgery.”

(5) Provision for one member to hear an application by consent. This was subsection 2 of section 58. (1930, c. 35, s. 14).

**“56.** This is the present procedure. Formerly section 60. (1930, c. 35, s. 14.)

**“57.** No material change except the substitution of the Commission for the Pension Tribunal “applicant” for “claimant,” “Comptroller of the Treasury” for “Department,” also a definition of “specialist.” This was section 61. (1930, c. 35, s. 14).

Pronouncement of decision by a quorum of the Commission.

“58. (1) The decision upon an application shall be pronounced by the quorum of the Commission which heard the application but only after the records relating to the member of the forces by or in respect of whom such application was made together with the report of the evidence submitted at the hearing have been examined and considered; and when no appeal from the decision has been taken by the Crown, the applicant shall forthwith be notified in writing of such decision, stating the grounds therefor. 5

If members not in agreement.

(2) If, after the records together with the report of the evidence submitted at the hearing have been examined and considered, the members of the Commission constituting the quorum which heard an application are not in agreement as to the decision which should be pronounced, the Chairman shall delegate a member of the Commission to confer with them and the decision shall be that of a majority of the members of the quorum and such member of the Commission. 10 15

Reference of decision to reviewing officer.

“59. (1) If a decision of a quorum of the Commission upon any application is favorable to the applicant and involves the determination of any question in respect of which the Crown has any right of appeal under this Act, the applicant shall not be notified of such decision but the Commission shall submit such decision to the reviewing officer for his consideration. 20 25

Action on finding of reviewing officer.

(2) If the reviewing officer concurs in the decision upon any such application, entitlement shall be conceded by the Commission forthwith; but if the reviewing officer does not concur in such decision, he shall direct that an appeal be taken to the Court and the Commission shall notify the applicant of such appeal with full reasons therefor and that pending the hearing of the same the decision is ineffective. 30

Information to be placed on file.

“60. On the approval of the Commission or of a quorum thereof of the award of any pension or of the refusal of any pension, a form shall be placed on the file of the member of the forces by or in respect of whom application for pension has been made bearing the personal signature of at least one of the Commissioners and containing the following information: 35 40

(a) The names of the Commissioners dealing with the case.

**“58 and 59.** This will prevent disappointment to an applicant as he will not receive a favourable decision which may subsequently be reversed.

**“60.** This restores the provision which was in the Act before 1930 which conforms with the present practice.

(b) The grounds on which pension is awarded or refused specifying:—

(i) the medical classification of the injury or disease causing the disability or death in respect of which the application has been made;

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(ii) the medical classification of such injuries or diseases as have been dealt with by the Commission in connection with the application;

(iii) whether the injury or disease resulting in disability or death was or was not attributable to or incurred during military service or whether it pre-existed enlistment and was or was not aggravated during military service.

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(c) In the event of disagreement the grounds on which a Commissioner disagrees with the decision reached.

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Appeals.

“61. (1) From any decision of the Board of Pension Commissioners for Canada or of the Pension Tribunal or of the Commission or of a quorum thereof refusing an application for entitlement, an appeal shall lie to the Court at the instance of the applicant; and from any decision of the Pension Tribunal or of a quorum of the Commission granting an application for entitlement, an appeal shall lie to the Court at the instance of the Crown: Provided that the notice of intention to appeal be filed with the Registrar by the applicant within ninety days and by the Crown within thirty-five days of the date of such decision.

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Leave to appeal.

(2) A member of the Court shall have power, in his discretion, to grant leave to appeal notwithstanding the expiry of the time limit.

Notices to be given by Registrar.

(3) The Registrar of the Court shall notify the Department, the Chief Pensions Advocate, the Pension Counsel and the Comptroller of the Treasury of the receipt of every notice of appeal and of the time the appeal will come on to be heard.

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Chief Pensions Advocate to assist applicant on appeal.

“62. The Chief Pensions Advocate shall assist an applicant, who has filed notice of intention to appeal as aforesaid, in the preparation of his appeal and arrange for its presentation before the Court either by himself or a

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**“61.** The only change in present practice is that a time limit of thirty-five days in the case of the Crown and ninety days in the case of an applicant has been inserted during which an appeal can be entered, subject to the power of the Pension Appeal Court to allow further time. This was section 65. (1930, c. 35, s. 14).

**“62.** This section is based on the views of the Committee.

Pensions Advocate; if the applicant so elects he may also have the same presented by some other person at his own expense.

Pension  
counsel to  
represent  
Crown on  
appeals.

**“63.** Upon receipt of notification of an appeal by any applicant, as aforesaid, or upon any reference to the Court, the Pension Counsel shall arrange for the presentation and conduct of the case on behalf of the Crown before the Court. 5

Disposal of  
appeals.

**“64.** The Court shall hear and dispose of all appeals from decisions of the Board of Pension Commissioners for Canada, the Pension Tribunal, and of the Commission or of a quorum thereof and other matters which may properly be brought before it. 10

Appealable  
questions

**“65.** (1) The Court shall have jurisdiction in respect to the following matters:—

(a) Any appeal by an applicant from any decision of the Board of Pension Commissioners for Canada, or of the Pension Tribunal or of the Commission or of a quorum thereof on an application respecting entitlement under section eleven of this Act; 15

(b) Any appeal by the Crown from any decision of the Pension Tribunal or of a quorum of the Commission on an application respecting entitlement under section eleven of this Act. 20

(c) Any question of interpretation of this Act which may be referred by the Crown or, by leave of the Court, submitted by any applicant; and the procedure on such reference or submission shall be as prescribed by the Court. 25

Cancellation  
of pension.

(2) Should the Commission consider that an award of entitlement granted by the Federal Appeal Board, the Pension Tribunal or the Court should on the ground of fraud or misrepresentation or the concealment of material facts be cancelled, it shall refer the case, with all relevant information to the Court, and the Court may thereupon direct an investigation by a quorum of the Commission after notification to the pensioner, and if the Court is satisfied that the award should be cancelled, it may order cancellation and the recovery of any overpayment which may have been made. 30 35

“**63.** This is necessary procedure. See subsection (4) of section 10r as enacted by this Act.

“**64.** No change except the addition of the words underlined. This was section 68. (1930, c. 35, s. 14).

“**65.** (1) This subsection is substituted for section 66 (1930, c. 35, s. 14). It makes clear the grounds of appeal.

(2) This subsection vests the power of cancellation of awards of entitlement in certain cases in the Pension Appeal Court instead of the Commission. See new section 5 as enacted by section 4 of this Act.

Public and private sittings.

**“66.** The sittings of the Court shall be public except in cases in which the Court considers that a public hearing might be disadvantageous to the applicant and that a hearing in private would not be contrary to the public interest.

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Quorum of Court.

**“67.** (1) Any two members of the Court shall constitute a quorum and may lawfully hear and dispose of any appeal brought before the Court.

Procedure on disagreement.

(2) If upon any appeal, the members of any such quorum are divided in their opinion as to the decision that ought to be rendered thereon, the appeal shall be re-heard and determined by three members of the Court.

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Review of decision on question of law.

(3) If a decision of a quorum of the Court upon any appeal determines any point of law inconsistently with any previous decision of the Court, or a quorum thereof, such appeal may, at the instance of the applicant or the Crown, be re-heard and determined before the full Court.

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Further examination may be ordered.

**“68.** (1) The Court, or a member thereof, may, if it is considered for the ends of justice expedient to do so, order any further examination before either the Court, or a member thereof, or other person, of any witness; and if the party on whose behalf the evidence is tendered neglects or refuses to obtain such further examination or evidence, the Court, or a member thereof, in its or his discretion, may decline to act on the evidence.

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Notice to adverse party.

(2) Such notice of the time and place of examination as is prescribed in the order shall be given to the adverse party.

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Remission of case for amendment or re-hearing.

**“69.** The Court, or a quorum thereof, if it considers the evidence or record in any appeal to be incomplete or unsatisfactory, may remit the case to the Commission for amendment or for re-hearing by a quorum of the Commission sitting at Ottawa or elsewhere in Canada.

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Decision to be final.

**“70.** (1) Except as hereinafter otherwise provided, every decision of the Court in favour of an applicant or dismissing an application shall be final.

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Leave to renew application.

(2) No application based upon any error in such decision, by reason of evidence not having been presented or otherwise, shall be entertained by the Commission except with the leave of the Court and subject to the rules of procedure prescribed by the Court, and the Court shall have jurisdiction to grant such leave in any case in which it appears proper to grant it.

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Notification of decision.

(3) Decision of the Court in favour of an applicant shall be forthwith notified by the Registrar of the Court

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**“66.** This is the present procedure and the only change made has been deletion of reference to hearings before the Pension Tribunal. This was section 69. (1930, c. 35, s. 14).

**“67.** (1) and (2) This is the present procedure by agreement of all parties. It is desirable that it be made statutory. This is section 70 amended. (1931, c. 44, s. 5).

(3) This section will ensure that decisions of different quorums of the court are not in conflict.

**“68.** This provision is intended to vest in the Pension Appeal Court the same power as is vested in the Supreme Court of Canada with respect to the right to receive further evidence.

**“69.** This continues the present procedure, with substitution of the Commission for the Pension Tribunal. This was subsection (2) of section 71. (1930, c. 35, s. 14).

**“70.** (1) (2) and (3) No change except the deletion of references to the Pension Tribunal and a necessary reference to the Comptroller of the Treasury. This was section 72. (1930, c. 35, s. 14).

to the Department, and the Comptroller of the Treasury who shall thereupon take the necessary steps to give effect to the same.

Decision of Pension Appeal Court. (4) In every case the Registrar shall notify each party to an appeal of the decision of the Court. 5

Judgment of Pension Appeal Court. (5) A copy of the formal judgment of the Court on any appeal and a copy of the reasons therefor, if any, shall be furnished to the Commission.

Conferences. "71. Conferences, as required, may be held between the Commission and the Court for the discussion of any matters which concern both the Commission and the Court; such conferences may be convened by the President of the Court, after consultation with the Chairman of the Commission. 10

Access to records. "72. (1) The Chief Pensions Advocate, pensions advocates and Pension Counsel shall have free access to all records of the Department and to all material considered by the Board of Pension Commissioners for Canada, by the Pension Tribunal or the Commission or a quorum thereof in disposing of any application. 15 20

Records confidential. (2) No such records or material relating to any member of the forces, pensioner or applicant for pension, shall be inspected by, nor shall their contents be communicated by anyone in the public service to, any person other than 25  
 (a) the member of the forces, pensioner or applicant for pension concerned;  
 (b) such public servants as may require to inspect them or have their contents communicated to them in order that they may properly discharge their duties;  
 (c) such medical advisers and other persons, including representatives of soldiers' service organizations, as may be consulted by or on behalf of a Pension counsel or by or on behalf of the person whom the records or material directly concerns, and 30  
 (d) such person as may be employed by such last mentioned person to present a claim on his behalf before the Commission or a quorum thereof or the Court." 35

16. Section seventy-four of the said Act, as enacted by section fourteen of chapter thirty-five of the statutes of 1930, is repealed and the following is substituted therefor:— 40

Provincial Governments to be re-couped mothers' allowance out of retroactive pension. "74. When an award of pension is made with retroactive effect to a widow who is, or has been, in receipt of mothers' allowance payable by a Government of any province of Canada, the Commission may, if the pension be awarded

(4) This is necessary procedure.

(5) This subsection is inserted so that the decisions of the Court and reasons therefor may be available as required.

**“71.** This provides for conferences between the Pension Appeal Court and the Commission.

**“72.** No change except as indicated in the words underlined and deletion of reference to the Pension Tribunal. Formerly section 55. (1930, c. 35, s. 14).

**16.** The inclusion of this section was endorsed by the Committee to meet a situation to which the attention of the Committee had been called by one of the Provincial Governments.

in respect of any period during which such mothers' allowance has been paid to such widow, recoup the Provincial Government concerned the amount of the allowance so paid during such period out of the retroactive pension payable to such widow."

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**17.**

Records and  
decisions of  
Pension  
Tribunal.

Upon the proclamation of this Act all records of the Pension Tribunal shall be taken over by the Department, and any decision of the Pension Tribunal which has not been acted upon or appealed shall be dealt with as if it were a decision of a quorum of the Commission under this Act. 10

**18.**

Repeal.

Sections fifteen and seventeen of chapter thirty-five of the statutes of 1930 are repealed.

**19.**

Coming  
into force.

This Act shall come into force on a day to be fixed by proclamation of the Governor in Council. 15

**17.** Necessary procedure to deal with the records of the Pension Tribunal and decisions made immediately prior to the coming into force of this Act.

**18.** Section 15 has been included in subsection 5 of section 54, as enacted by section 15 of this Act. Section 17 referred to, dealt with the date of the coming into force of the amending Act of 1930.

APPENDIX CONTAINING SECTIONS OF EXISTING ACT REPEALED,  
RE-ENACTED OR AMENDED IN THIS BILL.

**“3.** There shall be a Commission to be known as The Board of Pension Commissioners for Canada which shall consist of three Commissioners who shall be appointed by the Governor in Council.

(2) Each Commissioner shall hold office during good behaviour for a period of ten years from the date of his appointment, but shall be removable at any time for cause by the Governor in Council. 5

(3) A Commissioner shall cease to hold office upon reaching the age of seventy years. 10

(4) A Commissioner, on the expiration of his term of office, shall, if not disqualified by age, be eligible for re-appointment.

(5) One of the Commissioners shall be appointed by the Governor in Council to be Chairman of the Commission. 15

(6) The Chairman shall be paid a salary of seven thousand dollars per annum, and each of the other Commissioners shall be paid a salary of six thousand dollars per annum; such salaries shall be paid monthly out of any unappropriated moneys forming part of the Consolidated Revenue Fund of Canada. 20

(7) Each Commissioner shall devote the whole of his time to the performance of his duties under this Act, and shall not accept or hold any office or employment inconsistent with this section. R.S., 1927, c. 157, s. 3. 25

(8) The Chairman of the Commission shall have power to decide when and where each of the meetings of the Commission shall be held and to determine which, if any, members of the Commission may be permitted to absent themselves from any meeting.” 1930, c. 35, s. 3. 30

**“4.** (3) The Commission shall have all the powers and duties of a deputy head of a department for the purpose of the Civil Service Act. 1928, c. 38, s. 5.

**“5.** The members of the Commission and such of the officers of the Commission as it may designate shall have power, in respect of any matter relating to any pension, to administer oaths or to receive affirmations from persons entitled to affirm.” 1930, c. 35, s. 4. 35

**“9.** The Governor in Council may appoint not less than nine and not more than twelve persons to be members of a Pension Tribunal; one of such persons shall be appointed Chairman of the Tribunal, and he and eight members thereof shall hold office for ten years and the other three members for two years, subject only to earlier removal for cause. 1931, c. 44, s. 1. 40 45

(2) The salary of the chairman of the Pension Tribunal shall be seven thousand dollars a year and the salary of each of the other members thereof shall be six thousand dollars a year. 1930. c. 35, s. 5.



**“10.** (1) The Governor in Council may appoint three persons to be members of a Pension Appeal Court; one of such persons shall be appointed president thereof and he and each of the other members thereof shall hold office for ten years, subject only to earlier removal for cause. 5

(2) The salary of the president of the Pension Appeal Court shall be eight thousand dollars a year and the salary of each of the other members thereof shall be seven thousand dollars a year. 1930, c. 35, s. 5.

(3) The Governor in Council may appoint a judge of 10 the Superior Court or of a county or district court in any of the provinces of Canada, as an acting member of the Pension Appeal Court, to serve in the absence of any member thereof, and may prescribe the allowance to be made for expenses of such judge while so acting. 1931, 15 c. 44, s. 4.

**“10A.** Each member of the Pension Tribunal and each member of the Pension Appeal Court shall devote his whole time to the performance of the duties of his office and shall not hold any other office or employment. 1930, c. 35, s. 5. 20

**“10B.** All the members of the Pension Appeal Court and the chairman of the Pension Tribunal shall reside at Ottawa or within ten miles thereof and each of the other members of the Pension Tribunal shall reside at such place as may be directed by the chairman. 1930, c. 35, s. 5. 25

**“10c.** Notwithstanding anything in this Act contained, no member of the Pension Tribunal or of the Pension Appeal Court shall continue in office after he has attained the age of seventy years, unless it is declared by the Governor in Council, either before or within one month after the 30 termination of such member's tenure of office, that it is in the public interest that he should remain in office for an additional period of twelve months, but no such declaration shall authorize the continuance in office of any such member after he has attained the age of seventy-five years. 35 1930, c. 35, s. 5.

**“10D.** (1) The Governor in Council, upon the retirement of any member of the Commission, or of the Pension Tribunal or the Pension Appeal Court, who has served upon one or other of such bodies during at least twenty years, or 40 who has so served during at least ten years and has reached the age of seventy years, or is physically or mentally incapacitated, may grant to him a pension for his life not exceeding one-third of the salary to which he was entitled as such member. 45

(2) For the purpose of this section, service as a judge appointed by the Governor in Council prior to appointment as a member of the Pension Tribunal or of the Pension Appeal Court shall count as service as a member of such tribunal or court as the case may be, provided that if any 50



such member would have become entitled to a greater pension or retiring allowance under any other statute if he had continued as such judge during his service on the tribunal or court, he may be granted such greater pension or retiring allowance in lieu of the pension by this section 5 provided. 1930, c. 35, s. 5.

“**10E.** (1) Notwithstanding anything in the *Civil Service Act* or any other statute, the Governor in Council may appoint a registrar of the Pension Appeal Court and a registrar of the Pension Tribunal who shall have their 10 offices at Ottawa.

(2) Such registrars shall be entitled to receive such salaries as may be fixed by the Governor in Council. 1930, c. 35, s. 5.

“**10F.** There may be appointed, in the manner authorized by law, such assistant registrars as may be required to act at sittings of the tribunal and such medical and clerical assistants as may be necessary for the conduct of the business of the tribunal and of the court. 1930, c. 35, s. 5. 20

“**10G.** The assistant registrars and the clerical staff of the tribunal shall be under the control of the registrar thereof, subject to the direction of the chairman, and the clerical staff of the court shall be under the control of the registrar thereof, subject to the direction of the president. 25 1930, c. 35, s. 5.

“**10H.** Each of the members of the tribunal shall be entitled to receive the actual and necessary expenses incurred by him for transportation when travelling in the performance of the duties of his office, and also an allowance 30 of ten dollars for each day of not less than six hours on which he is necessarily absent from such place of residence as he may from time to time elect with the approval of the chairman. 1930, c. 35, s. 5.

“**10I.** Each member of the staff of the tribunal shall be 35 entitled to receive his actual and necessary travelling and living expenses when absent in the performance of his duties from the place at which he is directed to reside. 1930, c. 35, s. 5.

“**10J.** All sums payable pursuant to this Act to any 40 member of or of the staff of the court or tribunal, shall be payable by the Department. 1930, c. 35, s. 5.

“**10K.** (1) Provision shall be made for the constitution of a branch of the Department to be known as the “Veterans’ Bureau” which, subject to the direction of the 45 Minister, shall be administered by a chief pensions advocate



who shall be assisted by such other pensions advocates and such additional staff as may be required for the proper performance of the duties of the branch.

(2) Notwithstanding anything in the *Civil Service Act* or any other statute, the Governor in Council may appoint, 5 and fix the salaries of, the chief pensions advocate and the pensions advocates. 1930, c. 35, s. 5.

“**10L.** (1) Notwithstanding anything in the *Civil Service Act*, the Governor in Council may on the recommendation of the Commission appoint a chief commission counsel, 10 and on the like recommendation a number of commission counsel not exceeding ten. 1931, c. 44, s. 2.

(2) The chief commission counsel and the commission counsel shall be provided with such clerical assistance as is required for the performance of their duties, and the chief 15 commission counsel shall, subject to the directions of the Commission, be charged with the duty of ensuring the proper performance of their duties by the commission counsel and the clerical staff.

(3) The salary of the chief commission counsel shall be 20 the same as that authorized to be paid to the chief pensions advocate, and the salaries of the commission counsel shall be the same as those authorized to be paid to the pensions advocates.” 1930, c. 35, s. 5.

“**16.** When a pensioner appears to be incapable of 25 expending or is not expending the pension in a proper manner or is not maintaining the members of his family to whom he owes the duty of maintenance, the Commission may direct that the pension be administered for the benefit of the pensioner and/or the members of his family by the 30 Department or by some person selected by the Commission.” 1928, c. 38, s. 8.

“**19.** No person shall make any claim against any person for any services performed in connection with the preparation or prosecution of any application to the Com- 35 mission, the Pension Tribunal or the Pension Appeal Court, unless one or other of such bodies has certified that the amount claimed is a fair and reasonable charge for the services rendered and properly payable by the person against whom the claim is made.” 1930, c. 35, s. 7. 40

“**20.** (4) Any pension or balance of pension due to a deceased pensioner at the time of his death, whether unpaid or held in trust by the Department, shall not form part of the estate of such deceased pensioner.

(5) The Commission may, in its discretion direct the 45 payment of such pension or balance of pension either to the pensioner's widow and/or his child or children or to



any person who has maintained him or been maintained by him or may direct that it be paid in whole or in part towards the expenses of the pensioner's last sickness and burial.

(6) If no order for the payment of such pension or balance of pension is made by the Commission such pension or balance of pension shall be paid into the Consolidated Revenue Fund of Canada." 1928, c. 38, s. 10. 5

"**21.** (1) The Commission may, on special application in that behalf, grant a compassionate pension or allowance in any case which it considers to be specially meritorious, but in which the Pension Tribunal, or, if an appeal lies, the Pension Appeal Court, has decided that the applicant is not entitled as of right under this Act." 1930, c. 35, s. 8. 10

"**22.** (5) The Commission may direct that the pension for a child may be paid to its mother or father or to its guardian or to any person approved by the Commission or may direct that such pension be administered by the Department." 1928, c. 38, s. 13. 15

"**29.** (1) During such time as, under the departmental regulations in that behalf, a pensioner is in receipt of pay and allowances from the Department while under treatment, payment of his pension shall be suspended and the pay and allowances shall stand in lieu thereof; pending a fresh award, payment of the pension shall recommence forthwith after the termination of such suspension. 20 25

(2) During such time as, under the departmental regulations in that behalf, a pensioner is an in-patient under treatment in respect of a disability other than his pensionable disability, his pension, if in excess of the amount he would have been entitled to receive by way of pay and allowances, if the disability for which he is under treatment had been pensionable, shall be reduced to such amount; pending a fresh award, the payment of pension in full shall recommence forthwith upon the pensioner's ceasing to be an in-patient as aforesaid." 1928, c. 38, s. 20. 30 35

"**32.** (2) Subject as in this Act otherwise provided, the widow of a member of the forces who had at the time of his death been, for not more than ten years, in receipt of a pension for a disability of or exceeding eighty per cent or would have been in receipt of such pension if he had not been in receipt of pay and allowances from the Department while under treatment shall, irrespective of the cause of the death of her husband, be entitled to a pension as if his death had resulted from an injury or disease or aggravation thereof attributable to or incurred during military service. 1935, c. 35, s. 11. 40 45



“**41.** Any person who by any false representation, personation or fraud obtains, or attempts to obtain, a pension for himself or for any other person shall be guilty of an offence, and shall be liable on summary conviction to imprisonment for a period not exceeding two years, or to a fine not exceeding one thousand dollars, or to both imprisonment and fine.” R.S., c. 157, s. 41. 5

“**42.** (1) Any person who lends or gives or attempts to lend or give money or credit or any other consideration for the assignment, charging, attachment, anticipation, commutation or giving as security of a pension shall be guilty of an offence, and shall be liable on summary conviction to imprisonment for a period not exceeding one year, or to a fine not exceeding fine hundred dollars, or to both imprisonment and fine.” R.S., c. 157, s. 42 (1). 10 15

“**43.** Any person who collects or attempts to collect any fees or charges for services rendered with respect to any application for a pension, the amount of which fees or charges has not been approved as hereinbefore provided, shall be guilty of an offence, and shall be liable on summary conviction to imprisonment for a period not exceeding six months, or to a fine not exceeding five hundred dollars, or to both imprisonment and fine.” 1930, c. 35, s. 13. 20

“**44.** Any person who wilfully makes any false statement under oath to the Commission with reference to any pension or application for pension, shall be guilty of an offence, and shall be liable on summary conviction to imprisonment for a period not exceeding six months, or to a fine not exceeding five hundred dollars, or to both imprisonment and fine.” R.S., c. 150, s. 44. 25 30

“**50.** (1) The members of the Commission, and of the Pension Tribunal and the Pension Appeal Court shall together have power to make rules not inconsistent with this Act with respect to the procedure to be followed in matters coming before them for adjudication. 35

(2) The president of the Pension Appeal Court shall convoke and preside at any meeting required to be held for the purpose of the adoption of rules under this section, but if he is absent or incapacitated the chairman of the Pension Tribunal may act in his stead. 40

(3) All such rules shall forthwith upon their adoption be published in the *Canada Gazette*.” 1930, c. 35, s. 14.

“**51.** (1) Every application for any payment under this Act shall be made in the first instance to the Commission whose duty it shall be. 45



- (a) to collect such relevant information, if any, as may be available in the records of any department of the Government of Canada;
- (b) to make, through its medical and other officers, such inquiry as appears advisable into the facts upon which the claim is based; 5
- (c) to grant the application, if it appears to be proper to grant it on the material available and, if not, to inform the applicant that the claim has not been granted, giving the grounds therefor. 10

(2) Should the application be not granted the Commission shall refer the same to the chief Pensions Advocate and the Chief Commission Counsel for presentation to the Pension Tribunal if the applicant or any person on his behalf duly authorized in writing so requests. 15

(3) The Commission shall reconsider all applications which have been referred to the Chief Pensions Advocate and Chief Commission Counsel between the first day of October, 1930, and the date of coming into force of this Act, in respect to which the Chief Pensions Advocate has not notified the Pension Tribunal that such applications are ready for hearing. 20

(4) Any application heretofore disposed of by the Federal Appeal Board may, notwithstanding such disposition, be renewed at any time under this Act." 1931, c. 44, s. 3. 25

"**52.** (1) The Commission, forthwith upon granting any application, shall notify the Department of its award and the grounds thereof; it shall, if relevant, indicate the medical classification of all injuries or diseases it has considered, specify the medical classification of the injury or diseases upon which the award is based, and state whether or not this was either attributable to or was incurred during military service or, having existed before enlistment, was aggravated during military service. 30

(2) Every such notification of any award shall be acted upon by the Department forthwith upon its receipt." 1930, c. 35, s. 14. 35

"**53.** Upon the reference of any application to the chief pensions advocate as aforesaid, it shall be his duty

- (a) to notify the claimant and any interested soldiers' service organization of the reference of the claim to him. 40
- (b) to cause the case to be prepared for presentation on behalf of the claimant to the Pension Tribunal;
- (c) when the case is so prepared, to cause application to be made to the registrar of the Pension Tribunal, at the request of the claimant, and on notice to the chief commission counsel, to have a time and place fixed for the hearing of the application, and 45



(d) to arrange for the presentation of the claim before the tribunal at such time and place either by himself or a pensions advocate, unless the claimant elects to have the same presented by some other person at his own expense." 1930, c. 35, s. 14.

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"54. Upon the reference of any application to the chief commission counsel as aforesaid, it shall be his duty to cause such inquiry to be made as appears advisable and to appear himself or arrange for a commission counsel to appear on the hearing of the application by the Pension Tribunal in order to assist it in disposing of the claim by conceding such points as it appears to be proper to concede and by directing attention to such matters and questions as appear to require consideration for the purpose of determining whether or not the claim should be allowed." 1930, c. 35, s. 14.

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"55. (1) The pensions advocates and commission counsel shall have free access to all the records of the Department and to all material considered by the Commission in disposing of any application.

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(2) No such records or material relating to any member of the forces, pensioner or applicant for pension, shall be inspected by, nor shall their contents be communicated by anyone in the public service to, any person other than

(a) the member of the forces, pensioner or applicant for pension concerned,

(b) such public servants as may require to inspect them or have their contents communicated to them in order that they may properly discharge their duties,

(c) such medical advisers and other persons, including representatives of soldiers' service organizations, as may be consulted by or on behalf of a commission counsel or by or on behalf of the person whom the records or material directly concern, and

(d) such person as may be employed by such last mentioned person to present a claim on his behalf before the Pension Tribunal or the Pension Appeal Court." 1930, c. 35, s. 14.

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"56. The Pension Tribunal shall be charged with the duty of hearing and disposing of all applications under this Act which may be brought before it as hereinbefore provided." 1930, c. 35, s. 14.

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"57. For the purpose of hearing applications the Pension Tribunal shall sit at convenient places throughout Canada; the selection of such places, the determination of the days for the sittings at each thereof, and the assignment of members of the tribunal to attend thereon, shall be in

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the discretion of the chairman subject to such rules of procedure as may be adopted as hereinbefore provided." 1930, c. 35, s. 14.

"**58.** (1) Two members of the Pension Tribunal sitting together shall form a quorum for the purpose of hearing and disposing of any application as to the disposition of which they are in agreement; any application as to the disposition of which there has been an equal division of opinion shall be reheard before an uneven number of members exceeding by at least one the number of members who tool part in the first hearing. 5 10

(2) With the consent of all parties entitled to be heard upon any application, any application may be heard and disposed of by one member of the tribunal, who shall constitute a quorum of the tribunal for the purpose of such application." 1930, c. 35, s. 14. 15

"**59.** The Pension Tribunal shall have all the powers of a Commissioner under Part I of the *Inquiries Act* and may exercise any discretion conferred by this Act upon the Commission." 1930, c. 35, s. 14. 20

"**60.** The Pension Tribunal shall have power to direct the payment to witnesses called to give evidence before it, or to persons required by it to attend for medical examination, such allowances for travelling expenses and loss of time, at rates fixed by the rules of procedure, as, having regard to all the circumstances, it considers should be paid by the public." 1930, c. 35, s. 14. 25

"**61.** (1) The Pension Tribunal shall have power to direct the medical examination of any claimant, whose application is before it, by a specialist, physician or surgeon selected by him, and the account of such physician or surgeon for any such examination, and for his attendance before the tribunal to give evidence as to his findings thereon, shall be paid by the Department upon the certificate of a registrar of the tribunal, given under its direction, that the examination was authorized by the tribunal to be made and that the sums charged therefor and for attending to give evidence are proper and reasonable in amount. 35

(2) For the purpose of any such examination the Tribunal shall have power to direct the admission of a claimant into a hospital administered by the Department." 1930, c. 35, s. 14. 40

"**62.** (1) No application shall be disposed of by the tribunal until after full opportunity to adduce evidence and to be heard at a public hearing has been afforded to all persons entitled to be heard, and so far as possible, the 45



decision of the tribunal shall be given at such public hearing in the presence of all such persons.

(2) At the request of the applicant, the tribunal may direct any application to be heard and its decision may be given in private if it considers that a public hearing might be disadvantageous to the applicant and that a hearing in private would not be contrary to the public interest." 1930, c. 35, s. 14. 5

"63. At the time its decision is given, the Pension Tribunal shall indicate fully the grounds upon which its conclusions are based and, if the decision is not unanimous, the members of the tribunal who dissent and the grounds of their dissent shall be specified." 1930, c. 35, s. 14. 10

"64. Notice of every decision of the tribunal shall be forthwith given by the registrar to the Department." 1930, c. 35, s. 14. 15

"65. (1) From the decision of the Pension Tribunal on any application falling within one of the classes hereinafter defined, the claimant or the commission counsel may appeal to the Pension Appeal Court within the time hereafter limited by filing notice of intention to appeal with the registrar of the Pension Appeal Court, who shall notify the Department, the chief pension advocate and the chief commission counsel, of the receipt of such notice and of the time at which the appeal will come on to be heard. 20 25

(2) Notice of an appeal may be filed by a commission counsel at any time within fifteen days from the date of the decision if the same was given at the conclusion of the hearing, or if not so given, within fifteen days after the appelland has received notice thereof, and by the applicant at any time." 1930, c. 35, s. 14. 30

"66. An appeal shall lie to the Pension Appeal Court from any decision of the Pension Tribunal turning upon:—

- (a) whether or not any injury or disease or aggravation thereof which resulted in the disability or death upon which the application is based, was attributable to or was incurred during military service; 35
- (b) whether or not any injury or disease or aggravation thereof which was attributable to or was incurred during military service resulted in the disability or death upon which the application is based; 40
- (c) whether or not any pre-enlistment disability was wilfully concealed, was obvious, was of a nature to cause rejection from service, or was congenital;
- (d) the degree of any pre-enlistment disability; 45
- (e) the right to receive pension in respect of any period prior to the date of the application therefor;



(f) the jurisdiction of the Commission or the Pension Tribunal to deal with an application either generally or in any particular way;

(g) the interpretation of any provision of this Act." 1930, c. 35, s. 14.

5

"**67.** (1) Every decision of the Pension Tribunal in favour of the applicant shall be acted upon by the Department after the expiry of sixteen days from the date upon which it receives notice of the decision unless and until it has been notified that an appeal has been taken to the Pension Appeal Court. 10

(2) Notwithstanding that it has been so notified, the Department shall act upon such decision after the expiry of sixty days from the date thereof unless and until it is notified by the registrar of the Pension Appeal Court that such Court has otherwise directed or that the appeal has been presented to the Court, which still has its decision thereon under consideration." 1930, c. 35, s. 14. 15

"**68.** The Pension Appeal Court shall hear and dispose of all appeals from the Pension Tribunal which may be properly brought before it. 1930, c. 35, s. 14. 20

"**69.** The sittings of the Pension Appeal Court shall be public except in cases in which the hearing by the Pension Tribunal has been held in private and the Pension Appeal Court considers it desirable to adopt a like course in respect of the hearing of the appeal. 1930, c. 35, s. 14. 25

"**70.** Unless the parties agree that an appeal or other matter as to which the Court has jurisdiction shall be heard before only two from among the members or acting members of the Pension Appeal Court, three of them shall sit; if an appeal is heard before two only and they cannot agree as to its disposition, it shall stand dismissed." 1930, c. 35, s. 14; 1931, c. 44, s. 5. 30

"**71.** (1) Every appeal shall be presented before the Pension Appeal Court on behalf of the claimant and by a commission counsel in the same way as it is required to be presented before the Pension Tribunal, but on the evidence and record upon which the decision of the tribunal was given, without addition. 35

(2) The Pension Appeal Court, if it considers such evidence or record to be incomplete or unsatisfactory, may remit the case to the Pension Tribunal for re-hearing." 1930, c. 35, s. 14. 40

"**72.** (1) Subject as hereinafter provided every decision of the Pension Appeal Court in favour of an applicant or dismissing an application shall be final. 45



(2) Any decision in favour of a claimant shall be forthwith notified by the registrar to and shall be forthwith acted upon by the Department.

(3) Any decision of the Pension Appeal Court against an applicant and any such decision by the Pension Tribunal which is not appealed shall be final and no application based upon any error in such decision, by reason of evidence not having been presented or otherwise, shall be entertained by the Commission or the Pension Tribunal except with the leave of the Pension Appeal Court, which shall have jurisdiction to grant such leave in any case in which it appears proper to grant it." 1930, c. 35, s. 14.

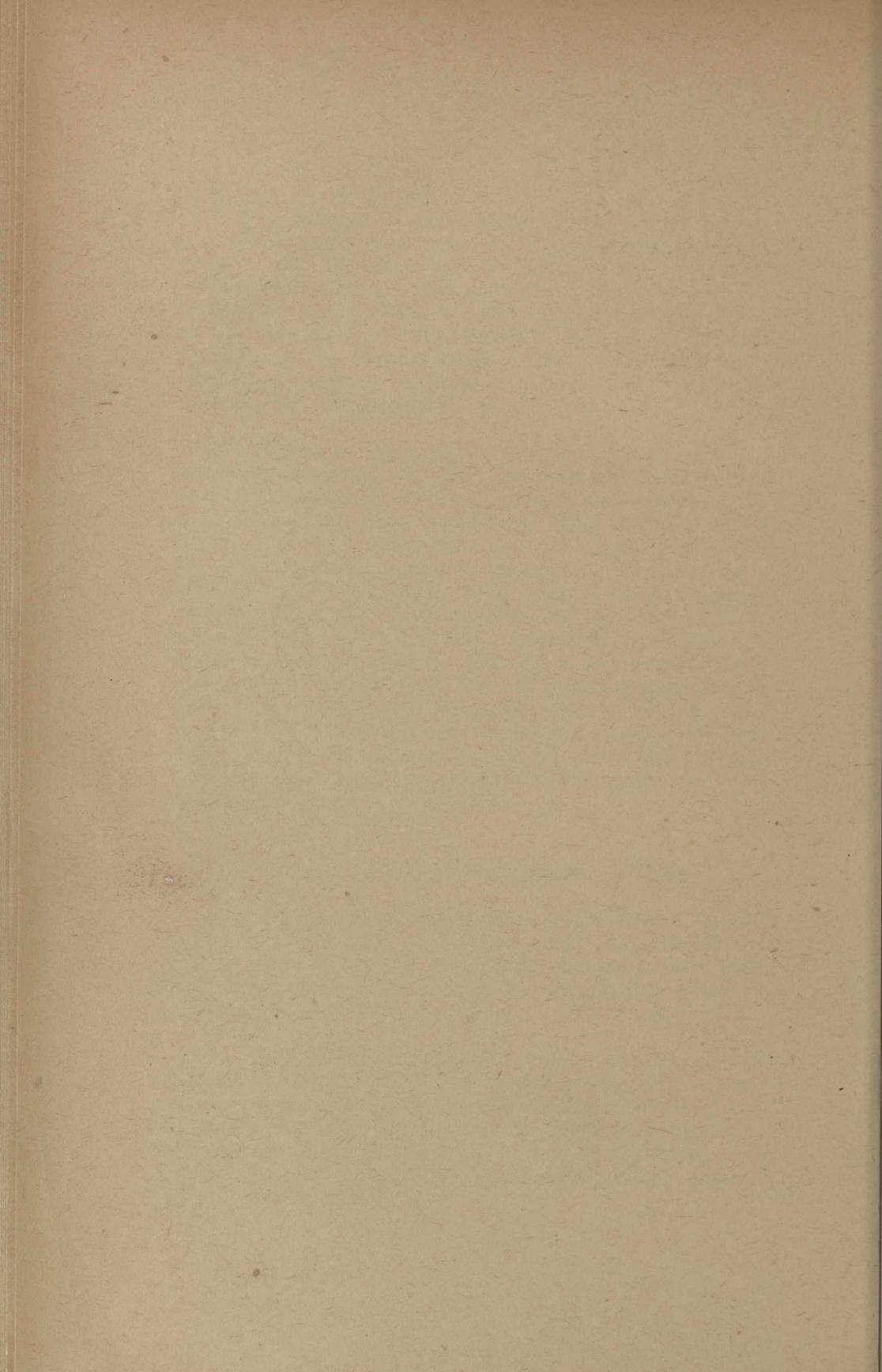
"74. Upon its appearing at any time that the circumstances by reference to which any award of pension was made no longer exist, or that any condition of such award is unfulfilled, the Department shall bring the case to the attention of the Commission, and the Commission, upon any such case being brought to its attention by the Department or otherwise, shall, after making any necessary inquiry, either give such direction as the circumstances require for the apportionment, suspension or cancellation of the pension and as to the recovery of any over payment which may have been made, or if the direction which should be given is in doubt and the public interest will not suffer by delay, shall refer the case to the chief pension advocate and the chief commission counsel in order that it may be further considered by the Pension Tribunal or the Pension Appeal Court." 1930, c. 35, s. 14.

#### SECTIONS 15 AND 17 OF CHAPTER 35, 1930.

"15. All appeals heretofore taken to the Federal Appeal Board and remaining undisposed of at the date of the coming into force of this Act shall be deemed to have been referred thereunder for hearing by the Pension Tribunal and shall be dealt with accordingly." 1930, c. 35, s. 15.

"17. This Act shall come into force on the first day of October, 1930, provided that any appointment required or authorized to be made thereunder may be made at any time after the first day of September, 1930 and any salary or other payment to which any person so appointed may be entitled shall be payable from the date of his appointment." 1930, c. 35, s. 17.





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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 79.**

An Act to amend The Canada Grain Act.

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First reading, April 21, 1933.

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The MINISTER OF TRADE AND COMMERCE.

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OTTAWA  
J. O. PATENAUDE, ACTING KING'S PRINTER

THE HOUSE OF COMMONS OF CANADA.

**BILL 79.**

An Act to amend The Canada Grain Act.

1930, c. 5.

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

Regulations.

**1.** Section fifteen of *The Canada Grain Act*, chapter five of the statutes of 1930, is amended by striking out therefrom paragraph (v) and substituting the following:— 5

Terminal elevator receipts.

“(v) Requiring the registration and cancellation of terminal warehouse receipts, Eastern warehouse receipts and transfer receipts, specifying the mode and times and the conditions of their registration and cancellation and fixing the fees payable in respect thereof.” 10

Discharge of grain if not owner.

**2.** Subsection one of section one hundred and three of the said Act is amended by adding thereto the following:—

Seaport elevators may be excepted.

“Provided, however, that the Board may for the purpose of insuring the orderly dispatch of grain, except any elevator located at a seaport from the operation of this section, and may make regulations governing the discharge of grain from any elevator so excepted.” 15

## EXPLANATORY NOTES.

It appears that while all grain is shipped from the head of the lakes on a through bill of lading, when the same reaches the transfer elevators, for example at Port Colborne, the identity of the parcel is lost and the elevator issues no document of title covering the grain while it is in the elevator, either for storage or transfer. It is considered important that the property rights of the holder of the bill of lading should be protected when the grain is in the transfer house, and it is proposed that these elevators should issue a receipt non-negotiable if the grain is for transfer only and negotiable if it is stored.

Furthermore, it appears to be doubtful whether such eastern elevators as that at Montreal are obliged to issue warehouse receipts under the Act, and it is proposed to require them to do so.

These proposals will be effected by sections 1, 3, 4, 5 and 6 of this Bill.

It is desired to relieve the Montreal Harbour Commissioners in connection with the operation of their transfer elevator from the prohibition against discharging grain from an elevator except on delivery of a warehouse receipt. It is desired to do this in order to enable a person who has grain on ship board in the harbour to "borrow" grain of like quality and quantity from the stock in the harbour elevator and ship the same when the best opportunity offers.

Sections 2 and 7 will effect this purpose, the Board being responsible to establish regulations which will protect the public.

**1.** The first two lines of section 15, and paragraph (v) which is to be repealed and re-enacted read as follows:—

"15. The Board may make regulations or orders not inconsistent with this Act:—

.....  
"(v) Requiring the registration and cancellation of terminal warehouse receipts, specifying the mode and times and the conditions of their registration and cancellation and fixing the fees payable in respect thereof."

The only change consists of the words underlined on the opposite page.

**2.** Subsection one of section 103 reads as follows:—

"103. No operator or manager of any licensed public or semi-public elevator shall, otherwise than as in this Act provided, discharge out of the said elevator any grain of which he is not the owner, except when the manager of such elevator is the owner of a part interest in the grain and his co-owners have authorized him to discharge the grain from the elevator in the manner in which the same is in fact discharged."

Section 103 is amended to enable the Board of Grain Commissioners to make regulations under section 15, paragraph (t), to facilitate the despatch of grain from elevators at any seaport in Canada by advancing grain.

Terminal  
and eastern  
elevators.

Issue of  
elevator  
receipts.

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

“**126.** (1) Upon the surrender of the shipping receipt or bill of lading covering any grain received into any licensed public or semi-public terminal elevator or Eastern elevator, accompanied by evidence of the payment of all lawful charges against such grain up to the time of its being so received, the operator or manager of such elevator shall issue, in exchange for such shipping receipt or bill of lading, a terminal warehouse receipt or an Eastern warehouse receipt as the case may require, which may be in such form as the Board shall prescribe, and shall specify the date of its issue, the name of the person on whose account the grain has been received, the quantity and grade of the grain and the terms upon which it will be delivered out of the elevator to the holder of the receipt on payment of the charges accruing due in respect thereof.

Separate  
receipts.

(2) Upon the request of the person by whom there is surrendered a shipping receipt or bill of lading covering any such grain, separate warehouse receipts shall be issued in respect of each car-lot or parcel thereof.

Cancellation.

(3) Upon the surrender for cancellation of any warehouse receipt, the same shall forthwith be plainly marked across its face with the word ‘Cancelled’ followed by the date and the signature of the person to whom the same has been surrendered.

Non-  
negotiable  
receipt if  
grain for  
transfer only.

(4) Where western grain is received into an Eastern elevator for trans-shipment to other points or destinations, transfer receipts shall be issued by the manager of such elevator, which shall be subject to the provisions of this Act governing warehouse receipts but which shall not be negotiable.

Receipts  
may be  
exchanged.

Provided that such transfer receipts may be exchanged for Eastern warehouse receipts upon the surrender of the bills of lading applicable thereto duly endorsed, subject to such regulations as the Board may make in that behalf.”

Receipts  
issued  
to manager  
for grain  
owned by  
himself.

4. Section one hundred and twenty-seven of the said Act is repealed and the following is substituted therefor:—

“**127.** Terminal or Eastern warehouse receipts shall be issued under the last preceding section by the manager of a terminal elevator or an Eastern elevator to himself in respect of grain which such manager owns or to which he is solely entitled at the time it is received into the elevator, and warehouse receipts so issued or warehouse receipts issued to others covering grain in such elevator to which such manager has become solely entitled after it has been received therein, may, upon the cancellation

**3, 4, 5 and 6.** The only changes in sections 126, 127, 128 and 129 consist in adding thereto or inserting therein the words underlined on the opposite page.

Sections 15 (*v*), 126, 127, 128, and 129 are amended

(*a*) to protect the holders of through lake bills of lading while the grain is in an eastern elevator by the issue of non-negotiable transfer receipts; and

(*b*) to provide for the issue of warehouse receipts by eastern elevators under the Canada Grain Act.

or surrender thereof, be replaced by new warehouse receipts, subject to such regulations as the Board may make in that behalf; such new warehouse receipts shall be warehouse receipts for all purposes under this Act."

5. Section one hundred and twenty-eight of the said Act is repealed and the following is substituted therefor:—

Priority  
of holders.

"**128.** The holders of terminal or Eastern warehouse receipts or transfer receipts outstanding in respect of grain in any public or semi-public terminal elevator or Eastern elevator shall jointly be entitled in priority to all other claims to a quantity of grain in such elevator equal to the total quantity covered by such warehouse receipts and transfer receipts."

6. Section one hundred and twenty-nine is repealed and the following is substituted therefor:—

Separate  
elevator  
receipts.

"**129.** At the request of the holder of the bill of lading or shipping receipt covering any western grain delivered at any licensed terminal or Eastern elevator, the operator or manager of such elevator shall issue a separate warehouse receipt in respect of each parcel or car-lot of the said grain."

7. Section one hundred and thirty-five of the said Act is amended by inserting after the word "shall" in the sixth line thereof the words "except as in this Act otherwise provided".

Delivery  
to vessel  
or car of  
identical  
grain.

7. Section 135 at present reads as follows:—

"135. Subject as hereinafter provided within twenty-four hours after the holder of an elevator receipt issued by any public or semi-public terminal elevator, or by any eastern elevator, has caused to be placed at such elevator a vessel or railway car ready to receive the grain covered by such receipt, the operator or manager of such elevator shall, upon the surrender of such receipt and the payment of all lawful charges in respect to the grain covered thereby, cause to be discharged into the said railway car or vessel the identical grain covered by such receipt, or grain of the quantity and grade therein described, as the case may require. No manager shall be held to be in default in delivery if the grain is delivered in the order demanded, and as rapidly as due diligence, care and prudence will justify."



Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 80.**

An Act to amend the Railway Act.

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First reading, May 1, 1933.

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The MINISTER OF RAILWAYS AND CANALS.

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OTTAWA  
J. O. PATENAUDE, ACTING KING'S PRINTER

THE HOUSE OF COMMONS OF CANADA.

**BILL 80.**

An Act to amend the Railway Act.

R.S., c. 170;  
1928, c. 43;  
1929, c. 54;  
1930, c. 36.

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

The *Railway Act*, chapter one hundred and seventy of the Revised Statutes of Canada, 1927, is amended as follows:— 5

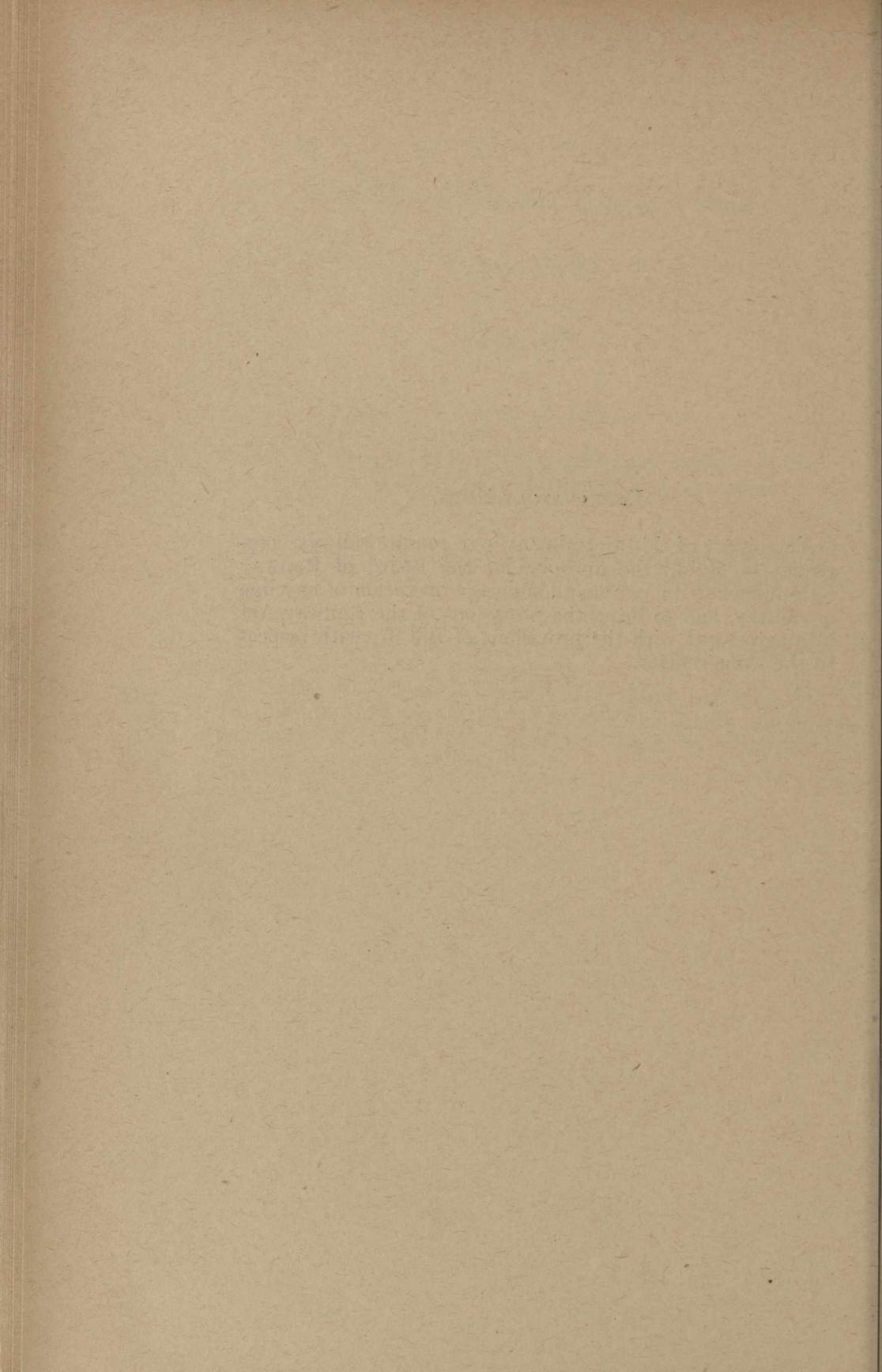
**1.** By inserting the following section immediately after section one hundred and sixty-five:—

Abandon-  
ment of  
operation

“**165A.** The Company may abandon the operation of any line of railway with the approval of the Board, and no company shall abandon the operation of any line of railway without such approval.” 10

#### EXPLANATORY NOTE.

The object of this amendment is to require railway companies to obtain the approval of the Board of Railway Commissioners before abandoning the operation of any line of railway, and to bring the provisions of the Railway Act into agreement with the provisions of Bill 37, with respect to the same matter.



81.

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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 81.**

An Act to amend the Interest Act.

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First reading, May 1, 1933.

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Mr. COOTE.

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OTTAWA  
J. O. PATENAUDE, ACTING KING'S PRINTER

THE HOUSE OF COMMONS OF CANADA.

**BILL 81.**

An Act to amend the Interest Act.

R.S., c. 102.

Preamble.

**W**HEREAS excessive rates of interest are being charged on loans on mortgage, agreements and contracts; and whereas it is advisable under present conditions to fix a maximum rate of interest in Canada, applicable to loans, contracts and agreements of every kind: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— 5

**1.** Section two of the *Interest Act*, chapter one hundred and two of the Revised Statutes of Canada, 1927, is repealed, and the following is substituted therefor:— 10

Rate of interest.

“**2.** (1) Notwithstanding anything to the contrary in this or any other Act of the Parliament of Canada, the rate of interest shall not exceed five per centum per annum, and no person, corporation or company shall stipulate for, allow, exact, reserve or collect a rate of interest or discount greater than five per centum per annum, and in no case shall a higher rate of interest be recoverable. 15

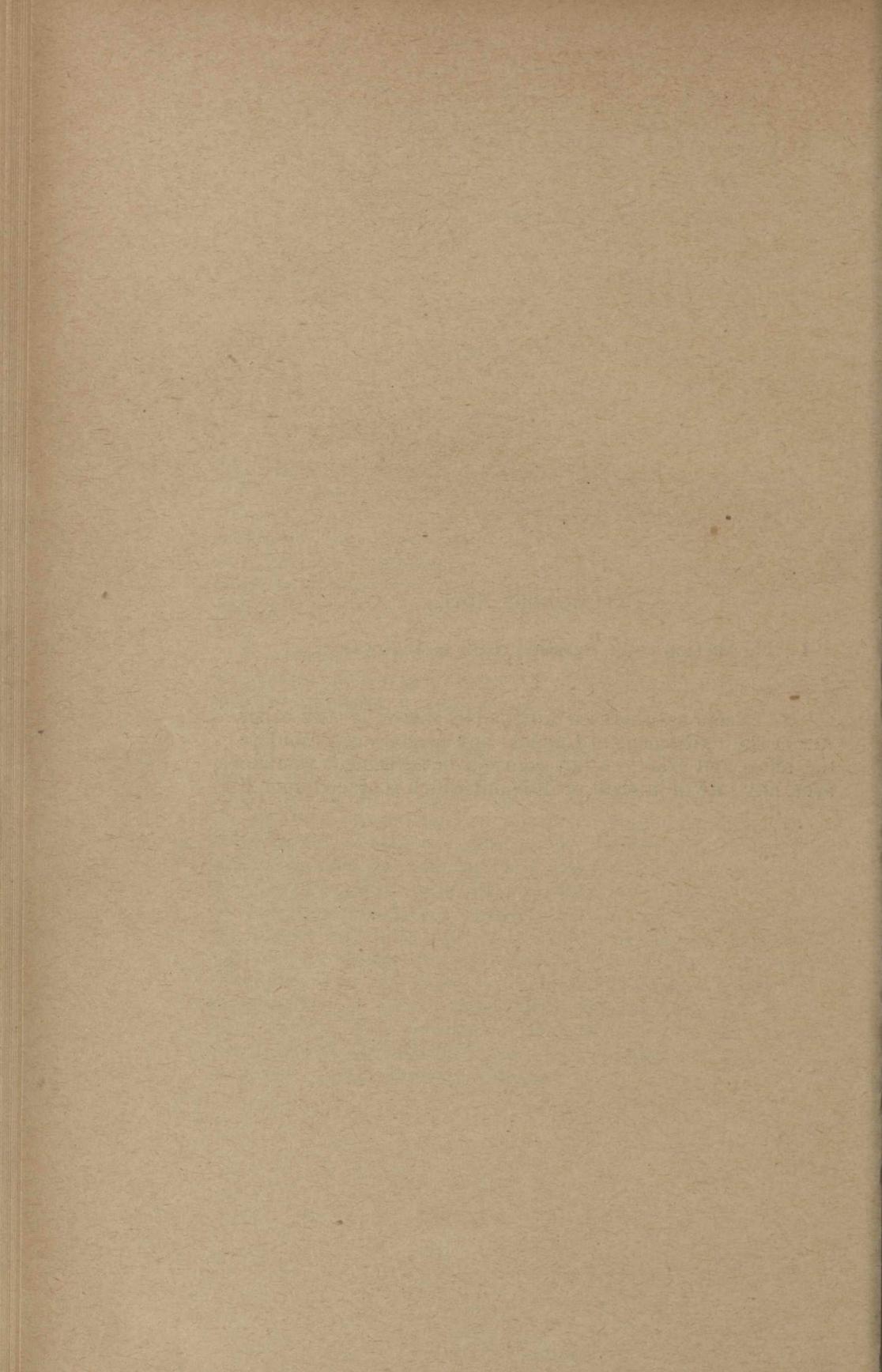
Penalty.

(2) Every person, corporation or company who or which, directly or indirectly, takes, accepts and receives a higher rate of interest than is authorized by this section shall incur a penalty equal to twice the value of the moneys, wares, merchandise or other commodities lent or bargained for. Such penalty may be sued for and recovered in any court of competent jurisdiction by any party injuriously affected, on proof of such excessive interest.” 25

EXPLANATORY NOTE.

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

**“2.** Except as otherwise provided by this or by any other Act of the Parliament of Canada, any person may stipulate for, allow and exact, on any contract or agreement whatsoever, any rate of interest or discount which is agreed upon.”



Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 82.**

An Act to amend the Oaths of Allegiance Act.

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First reading, May 1, 1933.

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Mr. LAPOINTE.

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OTTAWA  
J. O. PATENAUDE, ACTING KING'S PRINTER

THE HOUSE OF COMMONS OF CANADA.

**BILL 82.**

An Act to amend the Oaths of Allegiance Act.

R.S., c. 143.

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

Oath prescribed.

**1.** The second paragraph of section two of the *Oaths of Allegiance Act*, chapter one hundred and forty-three of the Revised Statutes of Canada, 1927, is repealed and the following is substituted therefor:— 5

Form.

“ I, A. B., do sincerely promise and swear that I will be faithful and bear true allegiance to His Majesty, King George V, (*or reigning sovereign for the time being*) as lawful Sovereign of the Kingdom of Great Britain, Ireland and of the British Dominions beyond the seas, and of this Dominion of Canada, and that I will defend Him to the utmost of my power against all traitorous conspiracies or attempts whatsoever, which shall be made against His person, crown and dignity, and that I will do my utmost endeavour to disclose and make known to His Majesty, His heirs or successors, all treasons or traitorous conspiracies and attempts which I shall know to be against Him or any of them; and all this I do swear without any equivocation, 10  
20 mental evasion or secret reservation. So help me God.”

### EXPLANATORY NOTE.

1. The first paragraph of section two of the Oaths of Allegiance Act reads as follows:—

“2. Every person in Canada, who, either of his own accord, or in compliance with any lawful requirement made of him, or in obedience to the directions of any Act or law in force in Canada, save and except the *British North America Act 1867*, desires to take an oath of allegiance, shall have administered to him and take the oath in the following form, and no other:—”

The underlined word “Dominions” in the fifth line of the new paragraph is substituted for the word “possessions” so that the form of the oath should be in accordance with the new title of His Majesty as recommended by the Imperial Conference of 1926.

Furthermore, the word “Dominions” has been substituted for the word “possessions” in the Royal Title since 1901 by the Royal Titles Act of that year.

The only other change in the paragraph to be repealed and re-enacted (being the oath prescribed) consists in striking out the words “dependent on and belonging to the said Kingdom” in the sixth and seventh lines of the said paragraph after the words “this Dominion of Canada” in the sixth line.

The United Kingdom and the Dominions being “autonomous communities within the British Empire, equal in status, in no way subordinate one to another in any respect of their domestic or external affairs”, the reason for this amendment is obvious.



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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 83.**

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1934.

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AS PASSED BY THE HOUSE OF COMMONS,  
4th MAY, 1933.

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THE HOUSE OF COMMONS OF CANADA.

**BILL 83.**

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1934.

MOST GRACIOUS SOVEREIGN,

Preamble.

**W**HEREAS it appears by messages from His Excellency the Right Honourable the Earl of Bessborough, 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-four, 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. 4, 1932-33.*

\$16,220,422.36  
granted for  
1933-34.

**2.** From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole sixteen million, two hundred and twenty thousand, four hundred and twenty-two dollars and thirty-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-three, to the thirty-first day of March, one thousand nine hundred and thirty-four, not otherwise provided for, and being one-twelfth of the amount of each of the several items to be voted, set forth in the Estimates for the fiscal year ending the thirty-first day of March, one thousand nine hundred and thirty-four, as laid before the House of Commons at the present session of Parliament.

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Account to  
be rendered  
in detail.

**3.** A detailed account of the sums expended under the authority of this Act shall be laid before the House of Commons of Canada during the first fifteen days of the then next session of Parliament.

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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 84.**

An Act to amend the Judges Act.

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First reading, May 4, 1933.

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The MINISTER OF JUSTICE.

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OTTAWA  
J. O. PATENAUDE, ACTING KING'S PRINTER

THE HOUSE OF COMMONS OF CANADA.

**BILL 84.**

An Act to amend the Judges Act.

R.S., c. 105;  
1930, c. 27;  
1931, c. 37;  
1932, cc. 16,  
48.

**H**IS 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 *Judges Act*, chapter one hundred and five of the Revised Statutes of Canada, 1927, 5 is amended by adding thereto the following subsection:—

Salaries  
of judges  
in office  
after  
attaining  
the age of  
seventy-five  
years.

“(5) Notwithstanding anything contained in this Act, and without modifying or affecting the operation of any provision of this section, the salary of any judge of a superior court of any province or of the Yukon Territory, 10 heretofore or hereafter appointed, who continues or has continued in office after attaining the age of seventy-five years shall hereafter be the amount which the judge would have been entitled to receive by way of retiring annuity 15 if he had resigned his office on the day when he attained the age of seventy-five years, or on the first day of July, 1933, whichever is later: Provided, however, that such amount shall be reduced by any amount which is payable to the judge by any provincial government by way of 20 additional remuneration or otherwise; and provided further that on retirement from office any such judge shall receive only such retiring annuity as he would have received if he had resigned his office on the day when he attained the age of seventy-five years or on the first day of July, 1933, 25 whichever is later.”

Proviso.

Proviso.

**2.** This Act shall come into force on the first day of July, 1933, but in the case of any judge who, on the day when he attained the age of seventy-five years or on the first day of July, 1933, whichever is later, has held office for less than fifteen years, the operation of this Act shall 30 in his case be postponed until he has continued in office for fifteen years, and shall thereupon have its full force and operation.

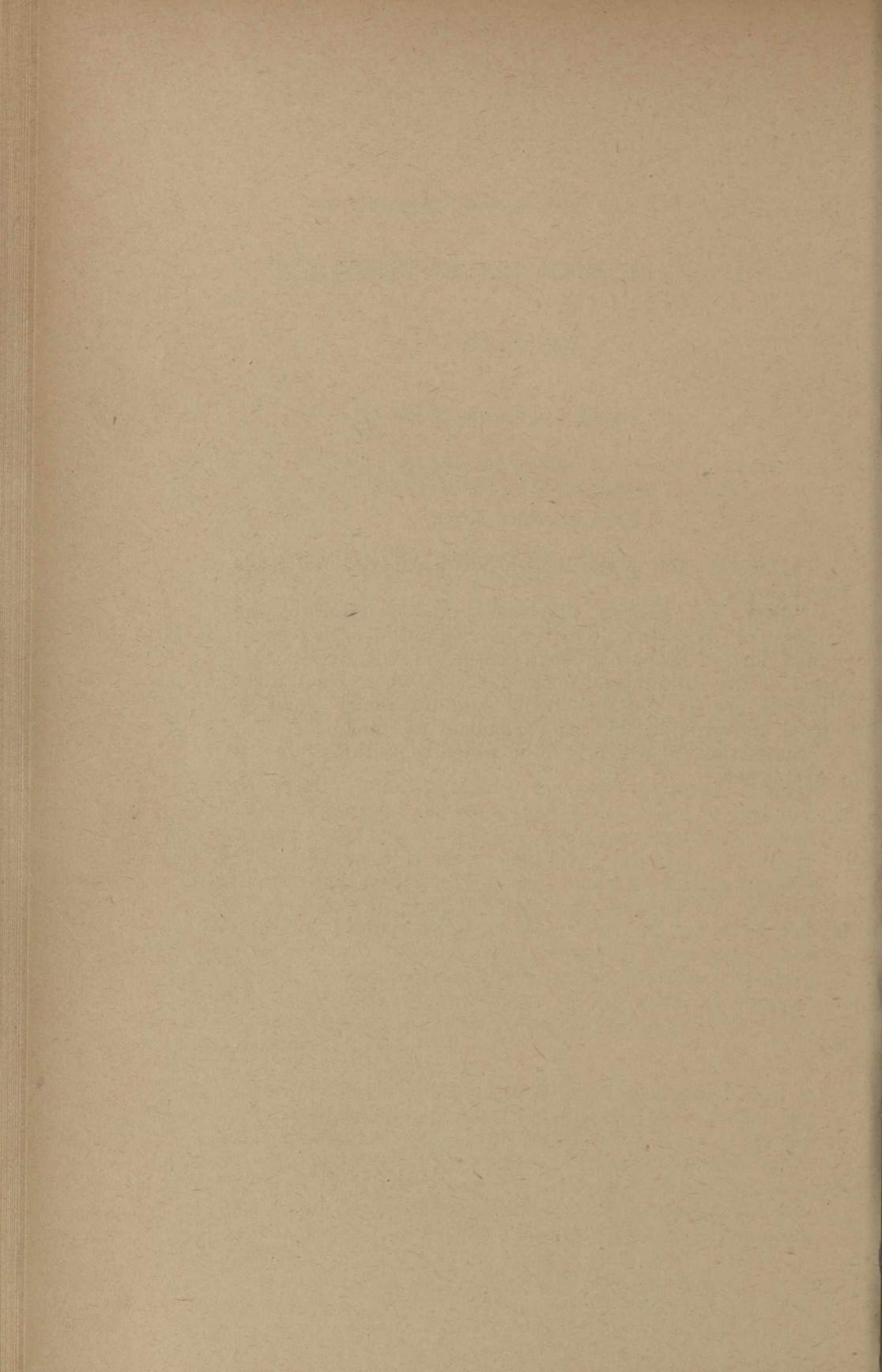
Coming  
into force.

#### EXPLANATORY NOTE.

1. Section 100 of the British North America Act reads as follows:—

“**100.** The salaries, allowances, and pensions of the Judges of the Superior, District, and County Courts (except the Courts of Probate in Nova Scotia and New Brunswick), and of the Admiralty Courts in Cases where the Judges thereof are for the time being paid by Salary, shall be fixed and provided by the Parliament of Canada.”

Subsection (5) which is to be added to section 28 of the Act, is new.



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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 93.**

An Act to amend the Customs Tariff.

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First reading, May 5, 1933.

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The MINISTER OF FINANCE.

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OTTAWA  
J. O. PATENAUDE, ACTING KING'S PRINTER

THE HOUSE OF COMMONS OF CANADA.

BILL 93.

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, c. 6.

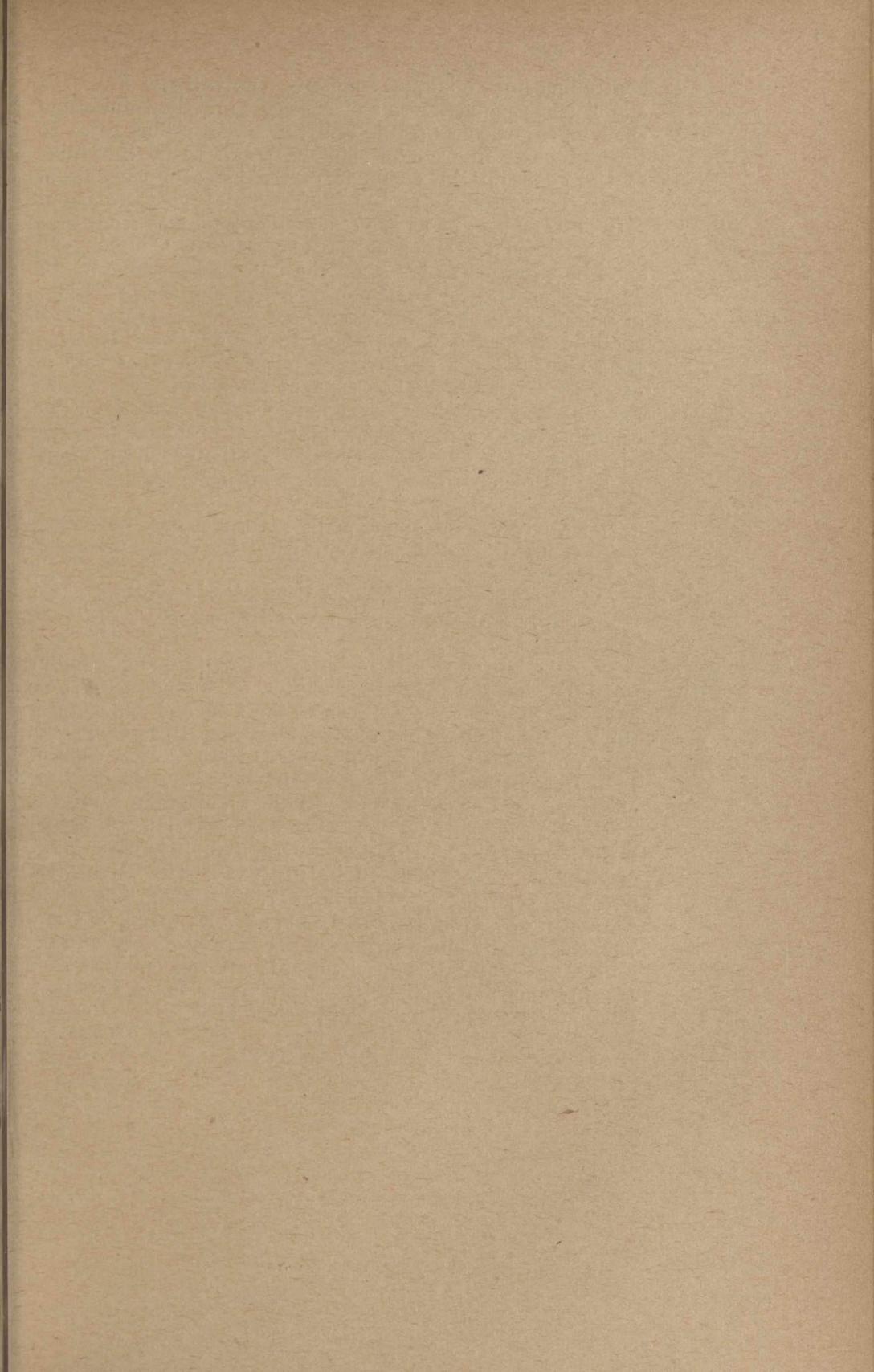
HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Section six of the *Customs Tariff*, chapter forty-four of the Revised Statutes of Canada, 1927, as enacted by section one of chapter three of the statutes of 1931, is amended by adding thereto the following subsection:—

Rate of exchange on depreciated currency in computing value for duty of goods imported.

“(9) (a) Notwithstanding the provisions of any other law, the Governor in Council may, from time to time and as occasion requires, 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 depreciated, and in case a sum in Canadian currency less than the invoice value of the goods in the currency of the place or country of export, computed at the rate of exchange so ordered, be paid for in goods, the actual selling price of the goods to the importer shall be regarded as less than the fair market value of the goods when sold for home consumption, and the provisions of this section shall apply and special or dumping duty shall apply equal to the difference between the value of the invoice computed at the current rate of exchange or at the average current rate from time to time fixed by order of the Governor in Council, and the value of such invoice, computed at the rate of exchange for duty so ordered as aforesaid, or may be less than such difference as the Governor in Council may from time to time order and direct; and the Governor in Council may order and direct that in all cases of sales or consignments of goods imported into Canada, where the importer owns, controls or is interested in the business of the exporter, or the exporter owns, controls or is interested in the business of the importer, or the importer and exporter operate under a

Sales or consignments of goods imported, when importer and exporter have joint ownership or operate under holding company.



controlling or holding company, notwithstanding the expressed terms of the sale or consignment, the transaction shall be regarded as a sale and the actual selling price to the purchaser in Canada shall be taken to be the value of the goods in the currency of the place or country of export converted into Canadian currency at the current rate of exchange, or at the average current rate from time to time fixed by order of the Governor in Council, and shall be regarded as less than the fair market value of the goods when sold for home consumption, and the provisions of this section shall apply and special or dumping duty shall be deemed to apply equal to the difference between the value of the invoice computed at the current rate of exchange or at the average current rate from time to time fixed by order of the Governor in Council, and the value of such invoice computed at the rate of exchange for duty so ordered as aforesaid, or may be less than such difference as the Governor in Council may from time to time order and direct.

Orders in Council.

(b) Any order in council made hereunder may be varied, extended or revoked at any time by the Governor in Council.

Retroactive effect.

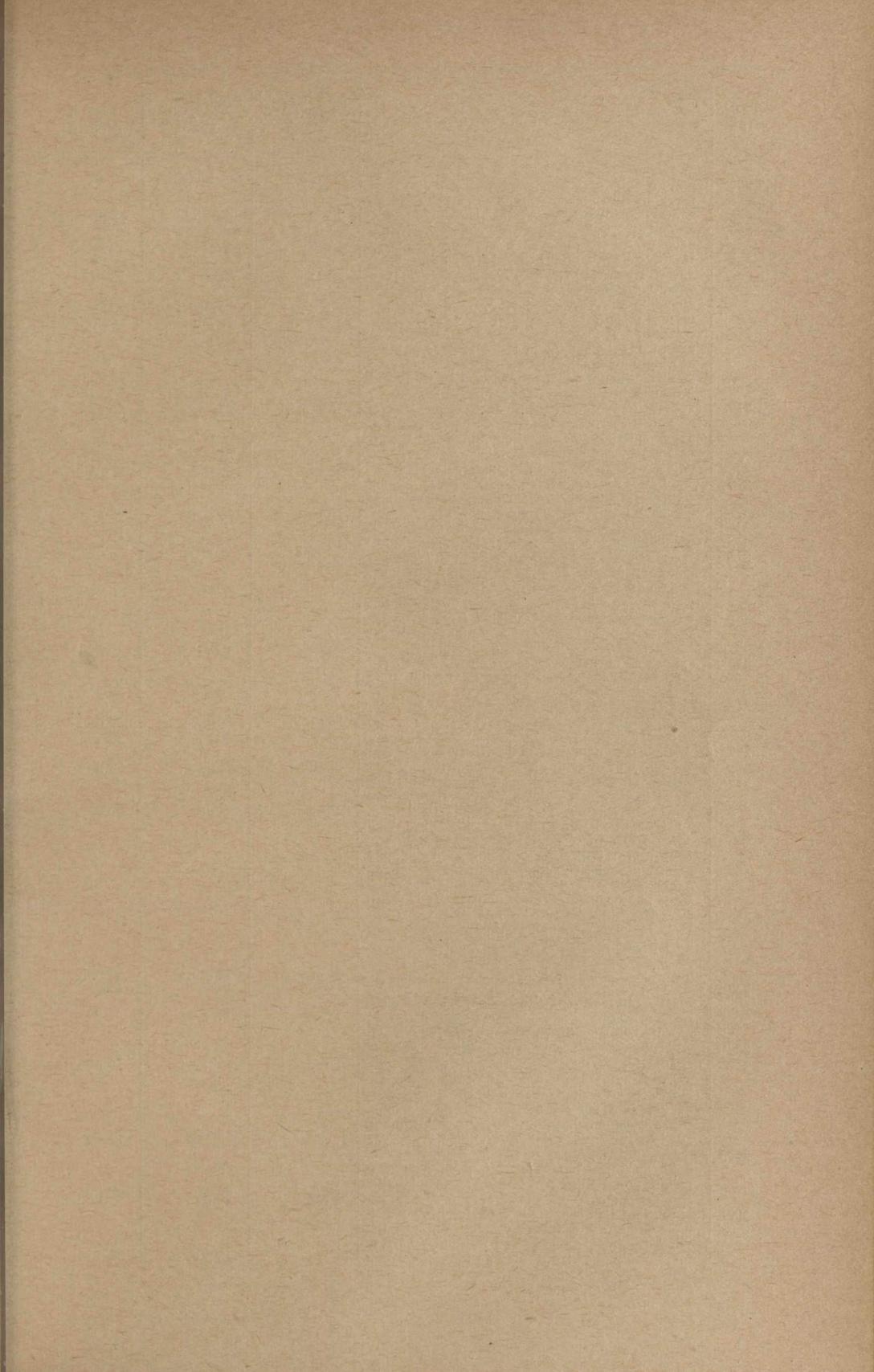
(c) This subsection shall be deemed to have had effect from and after the first day of September, 1931."

Schedule A amended.

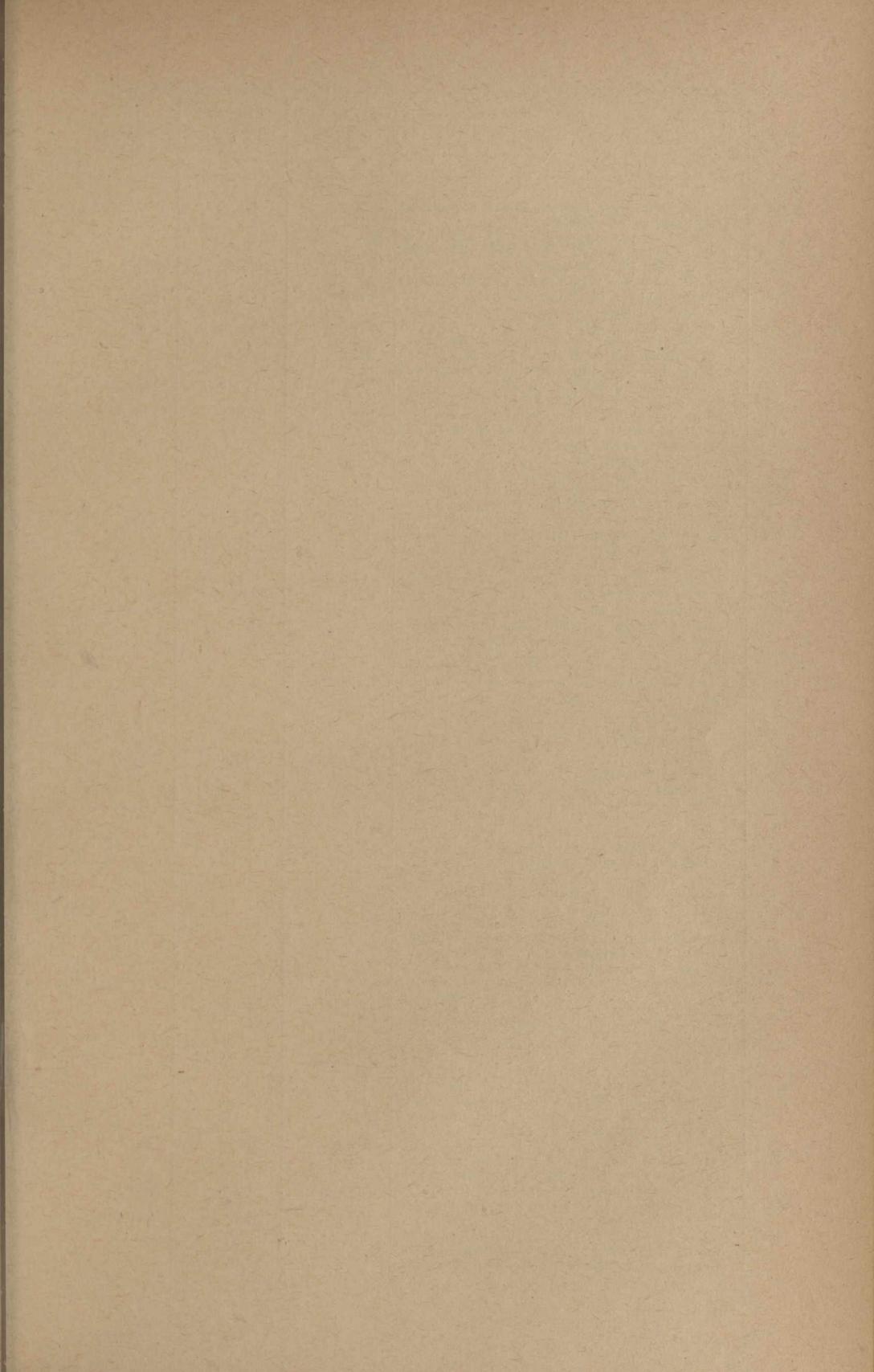
2. Schedule A to the *Customs Tariff*, being chapter forty-four of the Revised Statutes of Canada, 1927, as amended by chapter seventeen of the Acts of 1928, chapter thirty-nine of the Acts of 1929, chapter thirteen of the Acts of 1930 (first session), chapter three of the Acts of 1930 (second session), chapter thirty of the Acts of 1931, chapter forty-one of the Acts of 1932, and chapter six of the Acts of 1932-33, is further amended by striking thereout tariff items 79, 99c, 101, 123a, 157a, 173, 194, 203a, 203b, 206a, 208, 208e, 209, 210e, 219, 278, 315, 315a, 316, 327, 353, 366b, 385a, 409j, 409q, 417, 438b, 438d, 438f, 438g, 445c, 471, 475, 476a, 485, 520c, 568, 571, 682a, 756, 783, and 799, the several enumerations of goods respectively, and the several rates of duties of customs, if any, set opposite each of said items, and by inserting the following items, enumerations and rates of duty in said Schedule A:—



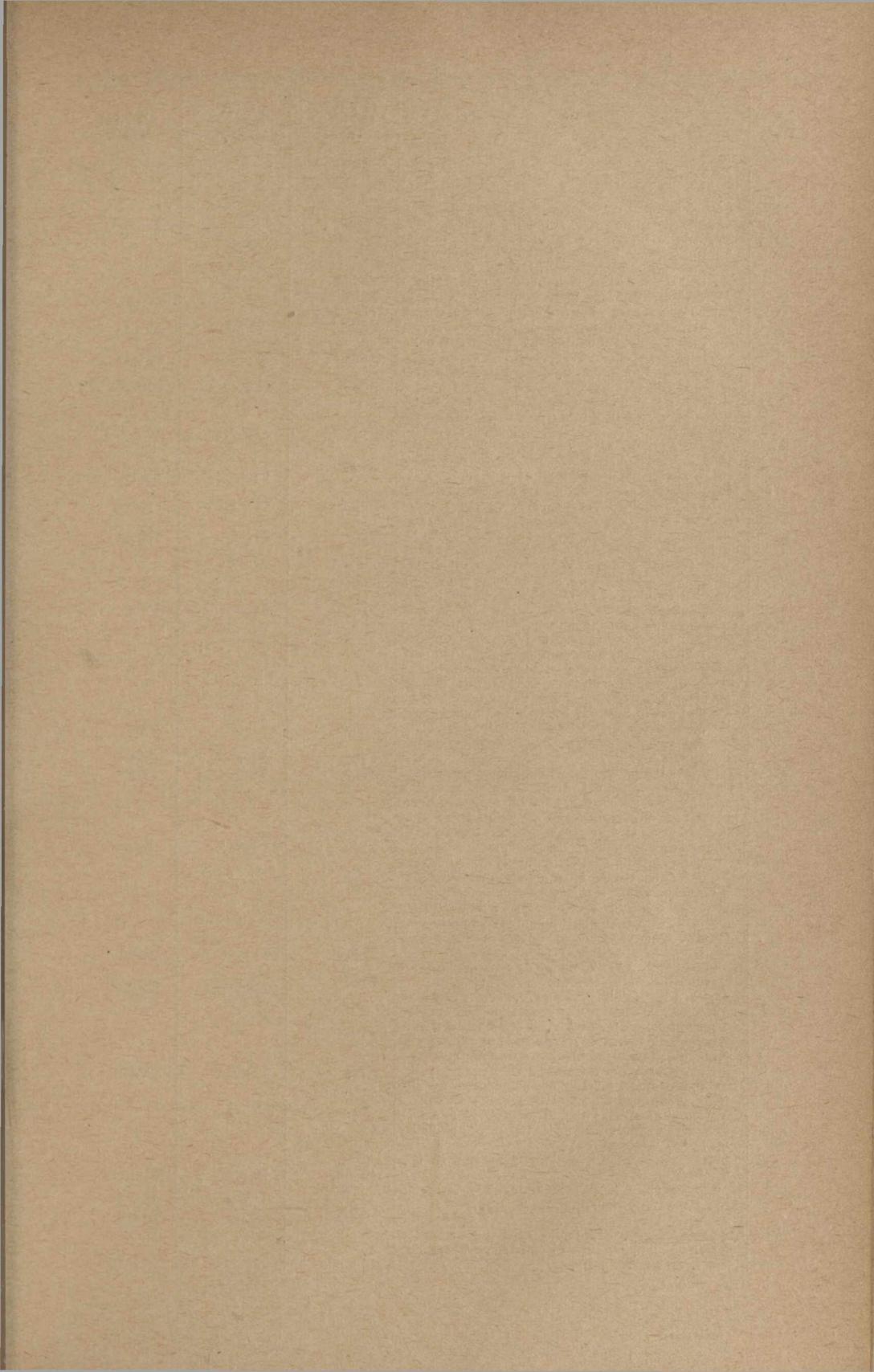
Tariff Item		British Preferential Tariff	Intermediate Tariff	General Tariff
79	Florist stock, viz.:—Azaleas, rhododendrons, pot-grown lilacs, rose stock and other stock for grafting, seedling carnation stock, araucarias, bulbs, corms, tubers, rhizomes and dormant roots, n.o.p.....	Free	15 p.c.	20 p.c.
79c	Seedling stock for grafting, viz.:—Plum, pear, peach and other fruit trees.....	Free	Free	Free
99c	Raisins and Dried Currants— (i) Until July 31, 1934..... per pound (ii) Thereafter..... per pound	Free Free	4 cts. 3 cts.	4 cts. 3 cts.
	When in packages weighing two pounds each, or less, the weight of such packages to be included in the weight for duty.			
101	Oranges, n.o.p..... per cubic foot	Free	35 cts.	35 cts.
101b	Oranges, the produce of Palestine (when imported direct from the country of growth and production) during the months of January, February, March and April.....			Free
106d	Grapefruit, the produce of the British West Indies, when prepared in air-tight cans or other air-tight containers in the British West Indies and imported direct from the country of growth and manufacture..... per pound	1 ct.		
123a	Crabs, clams or shrimps in sealed containers.....	17½ p.c.	40 p.c.	40 p.c.
152b	Orange Juice, the produce of the British West Indies, when imported direct from the country of production.....	Free		
157a	Amyl alcohol or refined fusel oil, when imported by the Department of National Revenue or by a person licensed by the Minister, to be denatured for use in the manufacture of metal varnishes or lacquers, to be entered at ports prescribed by regulations of the Minister, subject to the Excise Act and to the regulations of the Department of National Revenue	Free	Free	Free
173	Books and Cards, including playing cards, embossed or grooved, for the blind; and books for the instruction of the deaf, dumb or blind; maps and charts for the use of schools for the blind.....	Free	Free	Free
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.
203a	Chemical compounds composed of two or more acids or salts soluble in water, adapted for dyeing or tanning..... Provided, that when such chemical compounds are permitted entry into the United Kingdom, by licence, under Section (2) of the Dye-Stuffs Act (1920) the rates of duty shall be.....	Free	10 p.c.	10 p.c.
203b	Aniline and coal tar dyes, soluble in water, in bulk or in packages of not less than one pound weight..... Provided, that when such dyes are permitted entry into the United Kingdom, by licence, under Section (2) of the Dye-Stuffs Act (1920) the rates of duty shall be.....	Free	10 p.c.	10 p.c.
206a	Bacteriological products or serum for sub-cutaneous injection.....	Free	Free	Free
208	Boracic acid and borax in packages of not less than twenty-five pounds weight; hydrofluosilicic acid; tannic acid; ammonia, sulphate of; cyanide of potassium; cyanide of sodium and cyanogen bromide; antimony salts, viz.: tartar emetic, chloride and lactate (antimonine); arsenous oxide; precipitate of copper (crude); verdigris or sub-acetate of copper, dry; sulphur and brimstone, crude or in roll or flour; argols; iodine, crude; bromine; sulphide of arsenic; carbon bisulphide.....	Free	Free	Free



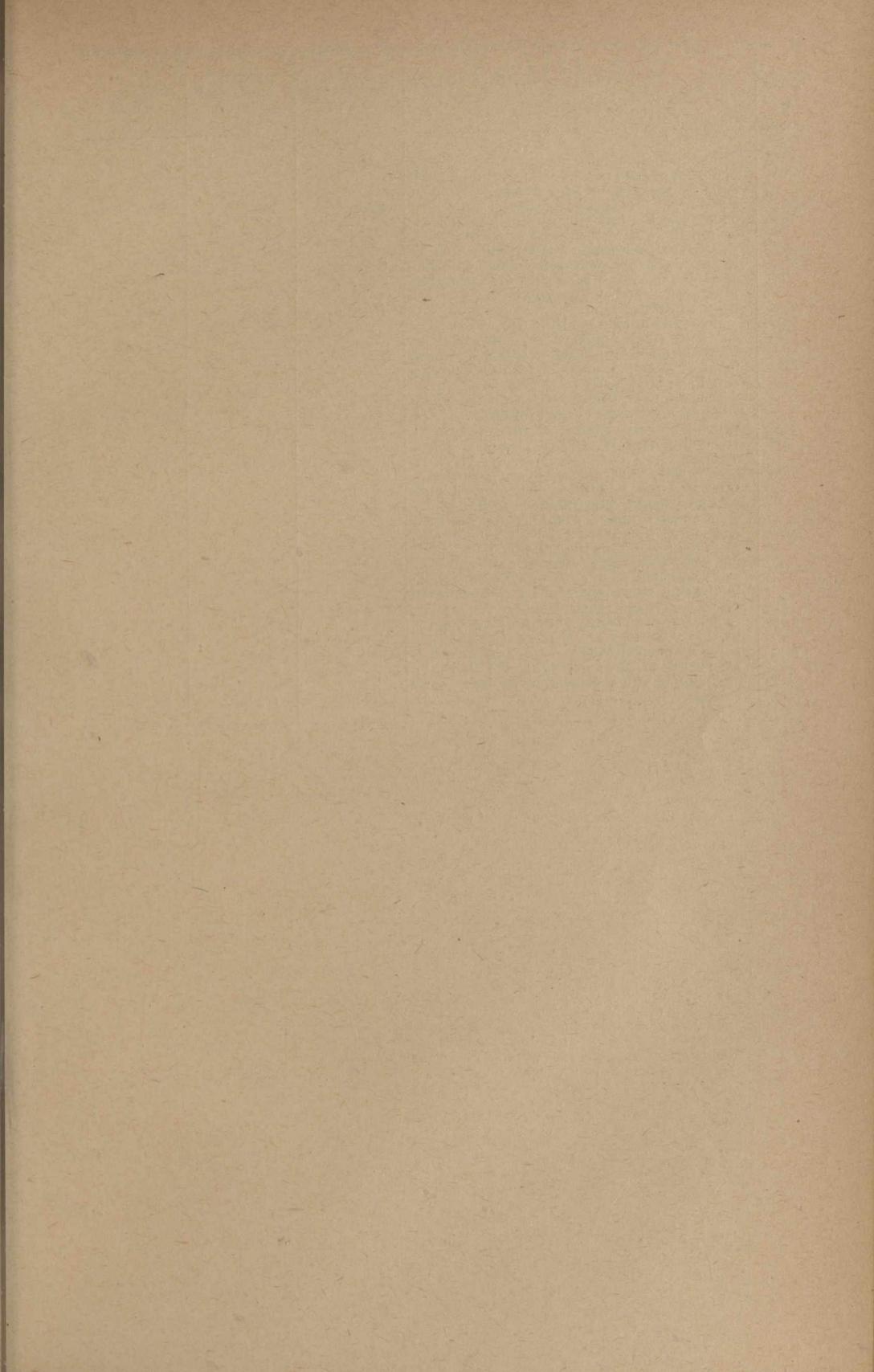
Tariff Item		British Preferential Tariff	Intermediate Tariff	General Tariff
208e	Cresylic acid and compounds of cresylic acid, used in the process of concentrating ores, metals or minerals.....	Free	15 p.c.	15 p.c.
208u	Xanthates, for use in the process of concentrating ores, metals or minerals.....	Free	Free	Free
209	Potash, muriate and sulphate of, crude; saltpetre or nitrate of potash.....	Free	Free	Free
209d	Potash, chlorate of, not further prepared than ground.....	Free	Free	Free
	on and after July 31, 1933.....	Free	15 p.c.	20 p.c.
210e	Nitrate of Soda or cubic nitre when imported for use as a fertilizer, or in the curing or pickling of meats, or when imported by manufacturers of explosives for use exclusively in their own factories in the manufacture of explosives....	Free	Free	Free
219	(i) Solutions of peroxides of hydrogen, n.o.p. (ii) Solutions of peroxides of hydrogen containing thirty per cent or more by weight of peroxide of hydrogen.....	15 p.c.	22½ p.c.	25 p.c.
265b	Cod Liver Oil, Crude or refined.....	Free	22½ p.c.	25 p.c.
278	Oils, viz.:—Cocconut, palm and palm kernel, not edible, for manufacturing soap; carbolie or heavy oil.....	Free	20 p.c.	22½ p.c.
278d	Olive Oil for manufacturing soap or tobacco, or for canning fish.....	Free	10 p.c.	10 p.c.
315	Carbons or carbon electrodes over three inches in circumference or outside measurement and not exceeding thirty-five inches in circumference or outside measurement; carbons of a class or kind not produced in Canada, when imported for use in the manufacture of dry batteries and dry cells.....	Free	Free	Free
315a	Carbons or carbon electrodes exceeding thirty-five inches in circumference or outside measurement.....	Free	20 p.c.	20 p.c.
316	Electric light and arc carbons, pointed or not, and contact carbons, n.o.p.....	22½ p.c.	32½ p.c.	35 p.c.
	and..... per pound.....		20 cts.	20 cts.
327	Spectacles; eyeglasses, and ground or finished spectacle or eyeglass lenses, n.o.p.....	20 p.c.	27½ p.c.	30 p.c.
327a	Contact eyeglasses or lenses, designed to be worn in direct contact with the human eye, under the lid.....	Free	Free	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 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; aluminium powder.....	Free	30 p.c.	30 p.c.
353a	Aluminum scrap.....	Free	Free	Free
	Provided, that nothing shall be deemed to be aluminum scrap except waste or refuse aluminum, fit only to be remelted.			
366b	Parts of watch movements, finished or unfinished.....	Free	15 p.c.	15 p.c.
	Provided, that when imported under the Intermediate or General Tariffs, the duty on plates designed to hold in place four or more wheels or other moving parts shall be not less than, per plate.....		5 cts.	10 cts.
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	20 p.c.	20 p.c.
409j	Fanning mills; peaviners; corn husking machines; threshing machine separators, including wind stackers, baggers and self-feeders therefor; complete parts of all the foregoing.....	Free	15 p.c.	25 p.c.



Tariff Item		British Preferential Tariff	Intermediate Tariff	General Tariff
409q	Complete parts for repairs, under regulations prescribed by the Minister:—			
	(i) For the implements or machinery enumerated in tariff items 409c, 409e, 409f, 409g, 409j, 409o, 409p and 439c.....	Free	10 p.c.	10 p.c.
	(ii) For the implements or machinery enumerated in tariff item 409b.....	Free	7½ p.c.	7½ p.c.
	(iii) For the implements or machinery enumerated in tariff item 409d.....	Free	6 p.c.	6 p.c.
	(iv) For the implements or machinery enumerated in tariff items 409h and 409n....	Free	10 p.c.	15 p.c.
	(v) For the implements or machinery enumerated in tariff item 409k.....	Free	17½ p.c.	17½ p.c.
409r	Weighers for use as parts of threshing machine separators, and complete parts thereof.....	Free	10 p.c.	10 p.c.
417	Machinery and complete parts thereof, and structural iron and steel, of a class or kind not made in Canada, when imported for use exclusively in the construction or equipment of factories for the manufacture of sugar from beet-root, under regulations prescribed by the Minister.....	Free	Free	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	10 p.c.	15 p.c.
438b	Automobiles for conveying passengers only, n.o.p., valued at retail at place of production, when new, with standard equipment complete, at not more than twelve hundred dollars each; motor trucks with standard equipment (not for use on railways or tramways), not to include machines or other articles mounted thereon or attached thereto for purposes other than for loading or unloading the truck; chassis for motor vehicles specified in this item.....	Free	17½ p.c.	20 p.c.
438d	Horns, distributors, instrument board lamps, oil gauges, gasoline gauges and parts thereof, thermostats, oil filters, carburetors, purifiers for oil, purifiers for air, lock washers, speedometers and parts thereof, vacuum tanks, fuel pumps and parts thereof, composite gaskets of metal and asbestos, steering wheels and rims thereof, one piece welded axle housings, machined or not, instrument bezel assemblies, dash heat indicators, electric ignition locks, steering gear locks, transmission locks, or combinations of such locks, and parts thereof, cylinder lock barrels and keys, bearing spring shackles and parts thereof, and automatic radiator shutter assemblies, ammeters, radiator shells, body cowls, and body stampings of metal, including front, rear, side and door stampings, not further manufactured than welded or riveted for shipping purposes, all the foregoing being of a class or kind not made in Canada, when imported by manufacturers of goods enumerated in tariff items 438a, 438b, 438c, 438e and 438f, for use only as original equipment in the manufacture of motor vehicles enumerated in Tariff Items 438a, 438b, 438c and 438f.....	Free	Free	Free
438f	Motor omnibuses, for conveying passengers only, having seating capacity for not less than ten persons; chassis for same.....	Free	30 p.c.	40 p.c.
438g	Motor cycles or side cars thereof, and complete parts of the foregoing.....	Free	20 p.c.	30 p.c.
438h	Annular ball bearings and parts thereof, when imported for use in the manufacture of goods enumerated in tariff items 438a, 438b, 438c,			



Tariff Item	British Preferential Tariff	Inter-mediate Tariff	General Tariff
438e and 438f, for use only as original equipment in the manufacture of motor vehicles enumerated in tariff items 438a, 438b, 438c and 438f, under regulations prescribed by the Minister.	Free	Free	Free
438i Repair or replacement parts, complete, not including tops, bodies or rubber tires, for motor vehicles entitled to enter under the British Preferential Tariff under Tariff Items 438a, 438b, 438c and 438f.	Free		
440n Complete parts for repair of engines enumerated in tariff item 440m.	Free	12½ p.c.	15 p.c.
445c (i) Electric telegraph apparatus and complete parts thereof.	Free	25 p.c.	30 p.c.
(ii) Electric telephone apparatus and complete parts thereof.	10 p.c.	25 p.c.	30 p.c.
445j Electric dry shaving machines, of a class or kind not made in Canada, for use in removing human hair.	Free	10 p.c.	10 p.c.
464b Steel die-blocks, of a class or kind not made in Canada, not less than forty-four degrees of hardness by scleroscopic test.	Free	Free	Free
471 Belt pulleys of all kinds, n.o.p., for power transmission.	15 p.c.	25 p.c.	27½ p.c.
471a Pressed steel belt pulleys, for power transmission.	Free	25 p.c.	27½ p.c.
475 Stereotypes, electrotypes and celluloids of books, and bases and matrices and copper shells for the same, whether composed wholly or in part of metal or celluloid; positive and negative films of books.	Free	Free	Free
476a Glassware and other scientific apparatus for laboratory work in public hospitals; surgical operating tables and complete parts thereof; apparatus for sterilizing purposes, including bedpan washers and sterilizers but not including washing or laundry machines; all for the use of any public hospital, under regulations prescribed by the Minister.	Free	Free	Free
485 Metal caps, for use in the manufacture of electric batteries.	Free	Free	Free
486 Artificial larynx, for use in restoring speech.	Free	Free	Free
520c Linters of short fibres of cotton, bleached, and cotton pulp, when imported by manufacturers of paper, for use exclusively in their own factories in the manufacture of blotting or other grade of paper.	Free	10 p.c.	12½ p.c.
522b Yarns, wholly of cotton, coarser than number forty but exceeding number twenty, not more advanced than singles, when imported by manufacturers for use exclusively in their own factories in the manufacturing of cotton sewing thread and crochet, knitting, darning and embroidery cottons.	7½ p.c.	15 p.c.	20 p.c.
523d Woven fabric, wholly of cotton, imported for use as billiard cloth.	Free	27½ p.c.	32½ p.c.
and ..... per pound		3½ cts.	4 cts.
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	30 p.c.	35 p.c.
564b Woven fabric, of a kind not made in Canada, wholly or in chief part by weight of silk or artificial silk, or both, imported in the web in lengths of not less than ten yards each by manufacturers of umbrellas for use in the manufacture of umbrellas in their own factories.	10 p.c.	20 p.c.	25 p.c.
568 Knitted garments, knitted underwear and knitted goods, n.o.p.	25 p.c.	35 p.c.	45 p.c.
and ..... per pound		25 cts.	30 cts.
571 Carpeting, rugs, mats and matting of straw, hemp, flax tow, jute or paper; carpet lining and stair pads.	15 p.c.	22½ p.c.	25 p.c.



Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
682a	Net floats of aluminum, glass, canvas or cork, of a class or kind not made in Canada, for use only in deep-sea or lake fishing, not to include floats for sportsmen's use.....	Free	Free	Free
700a	Goods imported temporarily and forming part of foreign exhibits in every exhibition to which the International Convention relating to International Exhibitions, signed on behalf of Canada, on the 22nd day of November, 1928, applies, and under regulations prescribed by the Minister..... Provided a bond shall be first given in accordance with regulations prescribed by the Minister as a sufficient guarantee for payment of Customs duties and all other duties and taxes applicable to the goods exhibited which are not re-exported within the period fixed after the close of the exhibition.	Free	Free	Free
756	Artificial abrasive grains, crushed or ground, when imported for use in Canadian manufactures.....	Free	Free	Free
783	Gasoline and steam engines, transmission assemblies and parts thereof, magnetos, starting motors, electric generators, propeller shafts, steel chassis frames, brakes, clutches, brake and clutch controls, steel road wheels, steel rims for pneumatic tires, larger than thirty inches by five inches, steering gears and front and rear axles, all of a class or kind not made in Canada, when imported by manufacturers of motor trucks with standard equipment (not for use on railways or tramways), not to include machines or other articles mounted thereon or attached thereto for purposes other than for loading or unloading the truck, for use only in the manufacture of such motor trucks.....	Free	17½ p.c.	20 p.c.



Schedule B  
amended.

3. Schedule B to the *Customs Tariff*, chapter forty-four of the Revised Statutes of Canada, 1927, as amended by chapter seventeen of the Acts of 1928, chapter thirty-nine of the Acts of 1929, chapter thirteen of the Acts of 1930 (first session), chapter three of the Acts of 1930 (second session), and by chapter thirty of the Acts of 1931, is further amended by inserting the following item, enumeration and rate of drawback of customs duties:—

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Item No.	Goods	When Subject to Drawback	Portion of Duty (Not including Special Duty or Dumping Duty) Payable as Drawback
1063	Materials, including all parts.....	When used in the manufacture of engines for use exclusively in the equipment of aircraft.....	60 p.c.

Schedule C  
amended.

4. Schedule C to the *Customs Tariff*, chapter forty-four of the Revised Statutes of Canada, 1927, as amended by chapter thirty of the Acts of 1931, is further amended by deleting therefrom item 1215 and by inserting in said Schedule C the following items:—

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1215	Used or second hand automobiles and motor vehicles of all kinds, manufactured prior to the calendar year in which importation into Canada is sought to be made. Provided, that this Item does not affect in any manner automobiles and motor vehicles,— (a) Imported under Tariff Items 702, 705a, 706, 707 or 708, or under tourists' or travellers' vehicle permits; (b) Imported by a <i>bona fide</i> settler on a first arrival but not entitled to entry free of duty under Tariff Item 705a; (c) <i>Bona fide</i> purchased on or before the first day of June, one thousand nine hundred and thirty-one, by consumers for their own use and not for resale; (d) Forfeited or confiscated for any offence under the Customs laws, or the laws of any province of Canada; (e) Left by bequest.
1216	Used or second-hand aeroplanes and aircraft of all kinds. Provided, that this Item does not affect in any manner aeroplanes and aircraft,— (a) Imported under Tariff Items 707 or 708, or engaged solely in international traffic, or brought in by non-resident tourists for temporary use under permit issued by the Department of National Revenue; (b) <i>Bona fide</i> purchased on or before the twenty-second day of March, one thousand nine hundred and thirty-three, by consumers for their own use and not for resale; (c) Forfeited or confiscated for any offence under the Customs laws, the Air Regulations or the laws of any province of Canada; (d) Imported by the Department of National Defence for military purposes.

Date of  
coming  
into force.

5. Sections two, three and four of this Act shall be deemed to have come into force on the twenty-second day of March, one thousand nine hundred and thirty-three, and to have applied to all goods mentioned in the said sections 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.

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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 94.**

An Act to amend the Excise Act.

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First reading, May 5, 1933.

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The MINISTER OF NATIONAL REVENUE.

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OTTAWA  
J. O. PATENAUDE, ACTING KING'S PRINTER

1933

THE HOUSE OF COMMONS OF CANADA.

BILL 94.

An Act to amend The Excise Act.

R.S., c. 60;  
1928, c. 24;  
1929, c. 41;  
1930, c. 18;  
1932, c. 30;  
1932-33 c. 8.

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

1. Subsection three of section eighty-five of the *Excise Act*, chapter sixty of the Revised Statutes of Canada, 1927, 5 is repealed and the following is substituted therefor:—

Trial of offender.

“(3) Every person so arrested shall, as soon as possible thereafter, be brought before any court of record having jurisdiction in the premises, or before a police or stipendiary magistrate or two justices of the peace.” 10

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

Penalties belong to Consolidated Revenue Fund.

“134. All sums of money paid or recovered for any penalty or forfeiture under this Act, or any part thereof belonging to His Majesty, shall be paid to the collector 15 at the port within the jurisdiction of which the offence is committed, or to the Commissioner, Royal Canadian Mounted Police, Ottawa, or any Officer commanding a Division of the Royal Canadian Mounted Police, for deposit in either case to credit of the Receiver General 20 of Canada, and shall form part of the Consolidated Revenue Fund of Canada.”

3. Subsection one of section one hundred and thirty-nine of the said Act is repealed and the following is substituted therefor:— 25

Licences to distillers.

“139. (1) A licence to carry on the business or trade of a distiller may be granted to any person who has complied with the other requirements of this Act, if the granting of such licence has been approved by the district inspector, and such person has, jointly with a guarantee 30 company, approved by the Department, entered into a bond to His Majesty for a sum in accordance with the following Schedule:—

Bond.

## EXPLANATORY NOTES.

**1.** The section is amended to conform with section 127, as amended by section 4 of chapter 24 of the statutes of 1928, which abolished the special jurisdiction of county court judges in excise cases.

The subsection to be repealed reads as follows:—

"3. Every person so arrested shall, as soon as possible thereafter, be brought before any court of record having jurisdiction in the premises, or before a judge or junior judge of a county court, or before a police or stipendiary magistrate or two justices of the peace.

**2.** The customs-excise preventive service has been abolished and its work taken over by the Royal Canadian Mounted Police.

The section to be repealed reads as follows:—

"134. All sums of money paid or recovered for any penalty or forfeiture under this Act, or any part thereof belonging to His Majesty, shall be paid to the collector at the port within the jurisdiction of which the offence is committed, or to the Chief, Customs-Excise Preventive Service, Ottawa, for deposit in either case to credit of the Receiver General of Canada, and shall form part of the Consolidated Revenue Fund of Canada."

**3.** Section 139 as it stands was enacted when the rate of duties imposed under the Act was ninety cents per proof gallon and when the production of Canadian distilleries was on a relatively small scale. The purpose of the amendment is to establish a schedule covering the amount of guarantee bonds required from a licensed distillery, in keeping with existing rates of duty and with the productive and storage capacities of modern Canadian distilleries so that the interests of the revenue will be within reason adequately protected.

Amount.

Where the duties that may accrue on the monthly production of spirits in the licensed premises, together with the duties that may be assessable on spirits in warehouse, at any time during the fiscal year,  
amount to, but do not exceed \$100,000, the amount of the bond shall be \$100,000; or  
amount to, but do not exceed \$1,000,000, the amount of the bond shall be \$175,000; or  
exceed \$1,000,000, the amount of the bond shall be \$250,000.  
provided the licensee and the guarantee company are both bound to the full amount of such bond.  
Provided that a licence may be granted to any such person to distil only spirits to be used exclusively in the fortification of native wines, upon such person entering into a bond for such sum as the Minister in his discretion deems adequate to the protection of the duties at risk."

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4. Section one hundred and forty-nine of the said Act as amended by chapter eight of the statutes of 1932-33, is repealed and the following is substituted therefor:—

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Excise duties on spirits.

"149. (1) Except as hereinafter provided, there shall be imposed, levied and collected on all spirits distilled, the following duties of excise, which shall be paid to the collector, as herein provided, that is to say:—

On every gallon of the strength of proof by Sykes' hydrometer seven dollars and so in proportion for any greater or less strength than the strength of proof and for any less quantity than a gallon:

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Patent or proprietary medicines, etc.

Provided, however, that when any person is licensed by the Minister to manufacture patent and proprietary medicines, extracts, essences and pharmaceutical preparations, by the use of spirits in bond and subject to this Act and regulations thereunder, the following duties of excise shall be imposed, levied and collected, that is to say:—

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University, scientific, or research purpose.

On every gallon of the strength of proof by Sykes' hydrometer two dollars and fifty cents, and so in proportion for any greater or less strength than the strength of proof and for any less quantity than a gallon.

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Provided further than when such spirits testing not less than fifty per centum over proof are sold and delivered in such limited quantities as may be prescribed by the Minister to any university or scientific and research laboratory for scientific purposes only, or to any bona fide hospital certified to be such by the Department of Public Health, for medi-

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The subsection to be repealed reads as follows:—

"139. A licence to carry on the business or trade of a distiller may be granted to any person who has complied with the other requirements of this Act, if the granting of such licence has been approved by the district inspector, and such person has, jointly with a guarantee company, approved by the Department, entered into a bond to His Majesty, in a sum equal to the amount at which the collector or superior officer estimates the duties to accrue on the products of the distillery for which the licence is to be granted, when worked to its full capacity during one month of the time for which the licence is to remain in force, plus such further amount as the collector deems sufficient to cover the duty on goods remaining in warehouse, from time to time, during the currency of the licence about to issue, which further amount shall be determined by such means as the Department prescribes, the person obtaining the licence and the guarantee company both being bound in the full amount of such estimates."

4. The purpose of the present amendment is to have the duties on spirits used in bond for manufacturing purposes conform to the amendments made at the last session of Parliament with regard to the duty on potable spirits, which were changed from a sliding scale based upon material from which spirits were distilled to a flat rate of \$7.00. The differential rates are abolished and a flat rate of \$2.50 per gallon strength of proof is imposed. The rate of duty being a flat rate in case of both potable and non-potable spirits, there is no longer need for the three divisions, (a), (b) and (c), setting out in each case the materials from which spirits are ordinarily distilled. Subsection two is added for the purpose of imposing a duty on spirits distilled from the juices of native fruits for the purpose of fortifying native wines, and subsection three to impose a duty on spirits used in the manufacture of perfume.

Section 149, as amended, reads as follows:—

"149. There shall be imposed, levied and collected on all spirits distilled, the following duties of excise, which shall be paid to the collector, as herein provided, that is to say:—

- (a) When the material used in the manufacture thereof consists of not less than ninety per centum, by weight, of raw or unmalted grain, or when manufactured from sugar, syrup, molasses or other saccharine matter not otherwise provided for, on every gallon of the strength of proof by Sykes' hydrometer, seven dollars and so in proportion for any greater or less strength than the strength of proof, and for any less quantity than a gallon;
- (b) When manufactured exclusively from malted grain taken to the distillery in bond and on which no duty of customs or excise has been paid, or when manufactured from raw or unmalted grain, used in combination, in such proportions as the department prescribes, with malted grain taken to the distillery in bond and on which no duty of customs or of excise has been paid, on every gallon of the strength of proof by Sykes' hydrometer, seven dollars and so in proportion for any greater or less strength, and for any less quantity than a gallon;
- (c) When manufactured exclusively from molasses, syrup, sugar or other saccharine matter, taken to the distillery in bond and on which no duty of customs has been paid, on every gallon of the strength of proof by Sykes' hydrometer, seven dollars and so in proportion for any greater or less strength and for any less quantity than a gallon."

cial purposes only, a drawback of ninety-nine per centum of the duty paid may be granted under regulations to be made by the Minister.

Spirits distilled from juices of native fruits.

(2) There shall be imposed, levied and collected on all spirits distilled from the juices of native fruits for use exclusively by registered wine manufacturers under prescribed regulations, a special excise duty as follows:— 5

On every gallon of the strength of proof by Sykes' hydrometer, one dollar and so in proportion for any greater or less strength than the strength of proof and for any less quantity than a gallon, and the said duty shall be payable by the registered wine manufacturer at the time such spirits are taken out of warehouse. 10

Perfume spirits.

(3) There shall be imposed, levied and collected on all spirits used in bond for the manufacture of perfume, an excise duty as follows:— 15

On every gallon of the strength of proof by Sykes' hydrometer, one dollar and fifty cents and so in proportion for any greater or less strength than the strength of proof and for any less quantity than a gallon, and the said duty shall be payable by the bonded manufacturer in accordance with regulations prescribed." 20

Excise duty on spirits used by druggists.

5. Subsection two of section one hundred and fifty of the said Act is amended by repealing paragraphs (a), (b) and (c) thereof and substituting therefor the following:— 25

"On every gallon of the strength of proof by Sykes' hydrometer, two dollars and fifty cents, and so in proportion for any greater or less strength than the strength of proof and for any less quantity than a gallon."

6. Section one hundred and fifty-one of the said Act 30 as amended by chapter eight of the statutes of 1932-33, is further amended by adding thereto the following subsection:—

Abatement on spirits re-warehoused.

"(3) Spirits re-warehoused and stored in wooden or ventilated metal tanks or in barrels will be subject to the same 35 abatement as if originally warehoused, but in no case shall the time in warehouse exceed fifteen years from the date of the original warehousing of the spirits."

Provided, however, that when any person is licensed by the Minister to manufacture patent and proprietary medicines, extracts, essences, and pharmaceutical preparations by the use of spirits in bond subject to this Act and regulations thereunder, the following duties of excise shall be imposed, levied and collected, that is to say:—

- (a) When the material used in the manufacture thereof consists of not less than ninety per centum, by weight, of raw or unmalted grain, or when manufactured from sugar, syrup, molasses or other accharine matter not otherwise provided for, on every gallon of the strength of proof by Sykes' hydrometer, two dollars and forty cents, and so in proportion for any greater or less strength than the strength of proof, and for any less quantity than a gallon;
- (b) When manufactured exclusively from malted barley, taken to the distillery in bond and on which no duty of customs or excise has been paid, or when manufactured from raw or unmalted grain, used in combination, in such proportions as the department prescribes, with malted barley taken to the distillery in bond and on which no duty of customs or of excise has been paid, on every gallon of the strength of proof by Sykes' hydrometer, two dollars and forty-two cents, and so in proportion for any greater or less strength, and for any less quantity than a gallon;
- (c) When manufactured exclusively from molasses, syrup, sugar or other saccharine matter, taken to the distillery in bond and on which no duty of customs has been paid, on every gallon of the strength of proof by Sykes' hydrometer, two dollars and forty-three cents, and so in proportion for any greater or less strength, and for any less quantity than a gallon;

Provided further that when such spirits testing not less than fifty per centum over proof are sold and delivered in such limited quantities as may be prescribed by the Minister to any university or scientific and research laboratory for scientific purposes only, or to any bona fide hospital, certified to be such by the Department of Public Health, for medicinal purposes only, a drawback of ninety-nine per centum of the duty paid may be granted under regulations to be made by the Minister."

**5.** Section 150 is amended to correspond to the amendments made in section 149.

Subsection 2 thereof is as follows:—

"2. When any druggist is licensed by the Minister to prepare prescriptions for medicines and pharmaceutical preparations in the manufacture or preparation of which spirits are used, where such spirits are purchased for such purposes by a druggist so licensed the following duties of excise shall be imposed, levied and collected, on spirits testing not less than fifty per centum over proof in such limited quantities as may be prescribed by the Minister:—

- (a) When the material used in the manufacture thereof consists of not less than ninety per centum, by weight, of raw or unmalted grain, or when manufactured from sugar, syrup, molasses or other saccharine matter not otherwise provided for, on every gallon of the strength of proof by Sykes' hydrometer, two dollars and forty cents and so in proportion for any greater strength than the strength of proof, and for any less quantity than a gallon;
- (b) When manufactured exclusively from malted barley, taken to the distillery in bond and on which no duty of customs or excise has been paid, or when manufactured from raw or unmalted grain, used in combination, in such proportions as the Department prescribes, with malted barley taken to the distillery in bond and on which no duty of customs or of excise has been paid, on every gallon of the strength of proof by Sykes' hydrometer, two dollars and forty-two cents, and so in proportion for any greater strength than the strength of proof and for any less quantity than a gallon;
- (c) When manufactured exclusively from molasses, syrup, sugar or other saccharine matter, taken to the distillery in bond and on which no duty of customs has been paid, on every gallon of the strength of proof by Sykes' hydrometer, two dollars and forty-three cents, and so in proportion for any greater strength than the strength of proof and for any less quantity than a gallon."

**6.** The provisions of the Act allowing an abatement on spirits lost through evaporation in warehouse are extended to conform to British practice.

7. Section one hundred and sixty-seven of the said Act, as amended by section seven of chapter thirty of the statutes of 1932, is amended by adding thereto the following subsection:—

Regulations.

“(6) The Governor in Council may make regulations for the vatting, blending, racking and reducing of spirits in warehouse and may therein provide for an abatement of duty to cover any deficiency found to have occurred in the process of vatting, blending, racking or reducing, such abatement not to exceed one per centum of the quantity of spirits taken for such purposes.”

8. Section one hundred and seventy-one of the said Act, as enacted by section five of chapter twenty-four of the statutes of 1928, is repealed and the following is substituted therefor:—

Bottling spirits in bond.

“171. The Governor in Council may make such regulations as to him seem necessary,

(a) for allowing the bottling of spirits in bond at any licensed distillery and for the removal therefrom of such spirits after being so bottled and may in such regulations provide for an abatement not exceeding one per centum of the quantity of spirits brought into the bottling room to cover any deficiency found in the process of bottling;

(b) for the bottling of alcohol of a minimum strength of sixty-five per centum over proof by Sykes' hydrometer at the bonded warehouse of any Provincial Liquor Commission.”

9. Section one hundred and seventy-five of the said Act is repealed and the following is substituted therefor:—

Least quantity removable in one cask.

“175. No spirits shall be removed from a distillery at any time in casks or packages containing less than five standard gallons each.”

7. See explanatory note to section 6.

8. Distillers have submitted a request for a bottling allowance on many occasions, and have furnished evidence that under the British Excise Act, the distiller is permitted an allowance up to 2 per cent, to cover losses in bottling operations. The distillers in Canada were given a bottling allowance from time to time, by Order in Council under the Consolidated Revenue Act. It is now proposed to make this concession statutory and incorporate it in the Excise Act.

The section to be repealed reads as follows:—

"171. The Governor in Council may make such regulations as to him seem necessary for allowing the bottling of spirits in bond, at the distillery where the spirits were manufactured, or for the bottling of alcohol of a minimum strength of sixty-five per centum over proof by Sykes' hydrometer at the bonded warehouse of any Provincial Liquor Commission, and for their removal therefrom after being so bottled."

9. Under the Act as it stands licensed druggists may purchase from distilleries unmatured alcohol in minimum quantities of ten standard gallons. It has been represented by the Canadian Pharmaceutical Association that the minimum quantity of ten gallons is too large a quantity to require them to buy at one time, especially when they are permitted to use only five gallons a month. The purpose of the amendment is to enable licensed druggists to purchase in quantities corresponding to their monthly requirements.

The section to be repealed reads as follows:—

"175. No spirits shall be removed from a distillery at any time in casks or packages containing less than ten standard gallons each."

**10.** Subsection one of section one hundred and seventy-six of the said Act is repealed, and the following is substituted therefor:—

**“176.** Every person who without having a licence under this Act, then in force,

(a) distils or rectifies any spirits, or makes or ferments any beer; or

(b) assists in distilling or rectifying any spirits, or in making or fermenting any beer or wash in any unlicensed place; or

(c) imports, makes, commences to make, sells, offers for sale or delivers any still, worm, rectifying or other apparatus suitable for the manufacture of wash, beer or spirits or for the rectification of spirits, or any part of such apparatus; or

(d) completely or partially sets up or assists in setting up, prepares or partially prepares for working, any such still, worm, rectifying or other apparatus; or

(e) has in his possession, in any place, any such still, worm, rectifying or other apparatus, or any part or parts thereof, or any beer or wash suitable for the manufacture of spirits, without having given notice thereof as required by this Act, except in cases of duly registered chemical stills of capacity not exceeding three gallons each as hereinbefore provided for, or in whose place or upon whose premises such things are found; or

(f) conceals or keeps, or allows or suffers to be concealed, or kept, in any place or premises owned or controlled by him, any such still, worm, rectifying or other apparatus, or part thereof, or any beer or wash suitable for the manufacture of spirits; or

(g) conceals by removing, or removes, or assist in concealing by removing or otherwise, any such still, worm, rectifying or other apparatus, or part thereof, or any beer or wash suitable for the manufacture of spirits;

Penalties.

is guilty of an indictable offence, and shall, for a first offence be liable to a penalty not exceeding two thousand dollars, and not less than two hundred dollars or to imprisonment with or without hard labour for a term not exceeding twelve months and not less than three months, 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 twelve 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 two thousand dollars and not less than five hundred dollars and to imprisonment with hard labour

Exercising any business of distilling without licence.

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**10.** The amendment is submitted as a result of numerous protests against the severity of the minimum punishment for the contravention of this section, which is a fine of two hundred dollars and a minimum of one month's imprisonment in addition to the fine. It will tend to uniformity in the penalties imposed by the Customs and Excise Acts respectively and will also be more in keeping with the penalty provided for infractions of the Liquor Control Acts of the various Provinces.

The section to be repealed reads as follows:—

- "176. Every person who without having a licence under this Act, then in force,
- (a) distils or rectifies any spirits, or makes or ferments any beer; or
  - (b) assists in distilling or rectifying any spirits, or in making or fermenting any beer or wash in any unlicensed place; or
  - (c) imports, makes, commences to make, sells, offers for sale or delivers any still, worm, rectifying or other apparatus suitable for the manufacture of wash, beer or spirits, or for the rectification of spirits, or any part of such apparatus; or
  - (d) completely or partially sets up or assists in setting up, prepares or partially prepares for working, any such still, worm, rectifying or other apparatus; or
  - (e) has in his possession, in any place, any such still, worm, rectifying or other apparatus, or any part or parts thereof, or any beer or wash suitable for the manufacture of spirits, without having given notice thereof as required by this Act, except in cases of duly registered chemical stills of capacity not exceeding three gallons each as hereinbefore provided for, or in whose place or upon whose premises such things are found; or
  - (f) conceals or keeps, or allows or suffers to be concealed, or kept, in any place or premises owned or controlled by him, any such still, worm, rectifying or other apparatus, or part thereof, or any beer or wash suitable for the manufacture of spirits; or
  - (g) conceals by removing, or removes, or assists in concealing by removing, or otherwise, any such still, worm, rectifying or other apparatus, or part thereof, or any beer or wash suitable for the manufacture of spirits;

is guilty of an indictable offence, and shall, for a first offence, be liable to a penalty not exceeding two thousand dollars, and not less than two hundred dollars, and to imprisonment, with or without hard labour, for a term not exceeding twelve months and not less than one month, and, in default of payment of the penalty, to a further term of imprisonment not exceeding twelve months and not less than six months, and for every subsequent offence, to a penalty of two thousand dollars, and not less than five hundred dollars, and to imprisonment, with hard labour, for a term not exceeding twelve months and not less than six 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."

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."

**11.** Section one hundred and eighty of the said Act is repealed and the following is substituted therefor:—

Removal  
of spirits  
in packages  
of less than  
five gallons.

"**180.** If any spirits are removed from any distillery at any time in casks or packages containing less than five standard gallons each the same shall be forfeited to the Crown and shall be seized by any officer and dealt with accordingly."

**12.** Section one hundred and eighty one of the said Act, as enacted by section nine of chapter eighteen of the statutes of 1930, is repealed and the following is substituted therefor:—

Penalties  
for sale of  
spirits un-  
lawfully  
manu-  
factured.

"**181.** Every person, whether the owner thereof or not, who, without lawful excuse, the proof whereof shall be upon the person accused, sells or offers for sale or purchases or has in his possession any spirits unlawfully manufactured or imported, or any spirits unlawfully or fraudulently removed from any distillery, bonded manufactory or from any bonded warehouse, is guilty of an indictable offence and shall for a first offence, be liable to a penalty not exceeding two thousand dollars and not less than two hundred dollars, or to imprisonment with or without hard labour for a term not exceeding three months, 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 twelve months and not less than two 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 two thousand dollars and not less than five hundred dollars, and to imprisonment, with hard labour, for a term not exceeding twelve months and not less than six 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 spirits so unlawfully manufactured or imported, or unlawfully or fraudulently removed from any distillery, bonded manufactory or from any bonded warehouse, wheresoever they are found, and all horses and vehicles, vessels and other appliances which have been or are being used for the purpose of removing the same, shall be forfeited to the Crown, and shall be dealt with accordingly."

**11.** See explanatory note to section 9. Section 180 is amended to correspond to section 175.

The section to be repealed reads as follows:—

“**180.** If any spirits are removed from any distillery at any time in casks or packages containing less than ten standard gallons each, the same shall be forfeited to the Crown, and shall be seized by any officer and dealt with accordingly.”

**12.** See explanatory note to section 10.

The section to be repealed reads as follows:—

“**181.** Every person, whether the owner thereof or not, who, without lawful excuse, the proof whereof shall be upon the person accused, sells or offers for sale or purchases or has in his possession any spirits unlawfully manufactured or imported, or any spirits unlawfully or fraudulently removed from any distillery, bonded manufactory or from any bonded warehouse, is guilty of an indictable offence, and shall, for a first offence be liable to a penalty not exceeding two thousand dollars and not less than two hundred dollars, and to imprisonment, with or without hard labour, for a term not exceeding twelve months and not less than one month, and, in default of payment of the penalty, to a further term of imprisonment not exceeding twelve months and not less than six months, and for every subsequent offence to a penalty not exceeding two thousand dollars and not less than five hundred dollars, and to imprisonment, with hard labour, for a term not exceeding twelve months and not less than six 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 spirits so unlawfully manufactured or imported, or unlawfully or fraudulently removed from any distillery, bonded manufactory or from any bonded warehouse, wheresoever they are found, and all horses and vehicles, vessels and other appliances which have been or are being used for the purpose of removing the same, shall be forfeited to the Crown, and shall be dealt with accordingly.”







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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 95.**

An Act to amend the Special War Revenue Act.

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First reading, May 5, 1933.

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The MINISTER OF FINANCE.

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OTTAWA  
J. O. PATENAUDE, ACTING KING'S PRINTER

THE HOUSE OF COMMONS OF CANADA.

BILL 95.

An Act to amend the Special War Revenue Act.

R.S., c. 179;  
1928, c. 50;  
1929, c. 57;  
1930, c. 43;  
1931, c. 54;  
1932, c. 54.

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

1. Section four of the *Special War Revenue Act*, chapter one hundred and seventy-nine of the Revised Statutes of Canada, 1927, is amended by adding thereto the following subsections as subsections three, four and five thereof:—

Note issue in British possessions other than Canada, and taxed therein, exempted.

“(3) Notes of the bank in circulation, in any British colony or possession other than Canada, under the authority and in pursuance of section sixty-two of the *Bank Act*, and in respect of which taxation is levied and payable by or under the laws of such colony or possession, shall be exempt from the taxation required to be made under sections three and four of this Act, provided that if the tax imposed by or under such laws is less than the tax imposed under section three of this Act, the amount of such exemption shall not exceed the amount required to be paid by or under the laws of such colony or possession in respect of such notes.

Proviso.

Basis of average.

(4) For the purposes of such exemption the basis of the average amount of the notes of the bank in circulation in such colony or possession shall be the greatest amount of such notes in circulation at any time in each of the three months ending as in section three set forth.

Certificate of average amount.

(5) A certificate signed by the manager and accountant of the chief branch of the bank in such colony or possession countersigned by the chief accountant of the bank, setting forth the average amount aforesaid, shall accompany the remittance made to the Minister under this Part.”

2. Section forty-four of the said Act, as enacted by section five of chapter fifty-four of the statutes of 1932, is repealed and the following is substituted therefor:—

## EXPLANATORY NOTES.

**1.** Section 3 of the Special War Revenue Act reads as follows:—

“**3.** Each bank to which the Bank Act applies, exclusive of banks in course of winding-up, shall pay to the Minister for the Consolidated Revenue Fund, on the first day of February, the first day of May, the first day of August and the first day of November in each year, a tax equal to one-fourth of one per cent upon the average amount of the notes of the bank in circulation as hereinafter limited during the three months ending respectively on the last day of December, the last day of March, the last day of June and the last day of September preceding.”

Subsection 1 of section 62 of the Bank Act provides as follows:—

“**62.** Notwithstanding the provisions of the last preceding section any bank may issue and reissue, at any branch, agency or office of the bank in any British colony or possession other than Canada, notes of the bank payable to bearer on demand and intended for circulation in such colony or possession, for the sum of one pound sterling each, or for any multiple of such sum, or for the sum of five dollars each, or for any multiple of such sum of the dollars in commercial use in such colony or possession, if the issue or reissue of such notes is not forbidden by the laws of such colony or possession.”

Certain of the West Indian colonies impose an equivalent tax on the circulation issued through branches of Canadian banks in such colonies under the authority of section 62 of the Bank Act.

**2.** The exemption at present existing for cheques for a sum of money not exceeding \$5.00 is repealed, with the exception of cheques issued to producers of milk and cream.

Stamp tax  
on cheques.

“**44.** (1) No person shall  
(a) issue a cheque payable at or by a bank or drawn  
upon or addressed to a bank and requiring or directing  
payment of a sum of money; or  
(b) present to a bank for payment a cheque as defined 5  
in paragraph (c) (ii) of the last preceding section;  
unless there is affixed thereto an adhesive excise or postage  
stamp of the value hereinafter specified, or unless there is  
impressed thereon by means of a die an excise stamp of  
the value of: 10

- (i) three cents, if the amount of money for which the  
cheque is drawn does not exceed one hundred dollars;
- (ii) six cents if the amount of money for which the  
cheque is drawn exceeds one hundred dollars.

Exception.

(2) The following cheques shall be exempt from the tax 15  
imposed by this section:—

Cheques to  
milk or cream  
producers.

Cheques issued in payment for milk or cream to pro-  
ducers thereof when drawn for an amount of money not  
exceeding five dollars.”

**3.** Section forty-six of the said Act is repealed and the 20  
following is substituted therefor:—

Excise tax  
on notes,  
cheques or  
bills made  
or drawn  
out of  
Canada.

“**46.** (1) Every bank having in possession in Canada  
any cheque, bill of exchange or promissory note made or  
drawn out of Canada shall, before payment or presentment  
for payment, if the same is payable in Canada, affix thereto 25  
an adhesive excise stamp of the value of:—

- (i) three cents if the amount of money for which  
the cheque is drawn does not exceed one hundred  
dollars;
- (ii) six cents if the amount of money for which the 30  
cheque is drawn exceeds one hundred dollars.

Payable  
by person  
entitled to  
proceeds.

(2) The value of the stamp so affixed shall be payable  
to the bank by the person entitled to the proceeds of the  
note, cheque or bill.”

**4.** Section forty-seven of the said Act, as enacted by 35  
section seven of chapter fifty-four of the statutes of 1932,  
is repealed, and the following is substituted therefor:—

Stamp tax  
on receipts  
for money  
paid by  
Bank.

“**47.** No person shall sign a receipt for money paid to  
him by a bank chargeable against a deposit of money to  
his credit, unless there is affixed thereto an adhesive excise 40  
or postage stamp of the value hereinafter specified, or  
unless there is impressed thereon by means of a die an excise  
stamp of the value of:

- (i) three cents if the amount of money for which the  
receipt is given does not exceed one hundred dollars; 45
- (ii) six cents if the amount of money for which the  
receipt is given exceeds one hundred dollars.”

**3.** Cheques drawn out of Canada are to be stamped as before. The exemption on cheques drawn for a sum not exceeding \$5.00 is repealed.

**4.** The exemption on receipts to banks for a sum not exceeding five dollars is repealed.

5. Section fifty-eight of the said Act, as enacted by section one of chapter forty-three of the statutes of 1930, is repealed, and the following is substituted therefor:—

Excise tax on sale, transfer or assignment of stocks, bonds, debentures and certificates.

“58. (1) There shall be imposed, levied and collected upon every change of ownership consequent upon the sale, transfer, or assignment of any share of the capital stock of any association, company or corporation, or of any bond, debenture, or share of debenture stock, or of any participating interest in the operations or profits of any association, company, or corporation, represented by certificates, or other instruments of title capable of being sold, transferred or assigned, including mineral deeds, oil royalties, and fixed investment trust shares issued by a trustee and representing equitable ownership in deposited securities, an excise tax as follows:—

- (a) Three cents for every one hundred dollars or fraction thereof, of the par value of a bond, debenture or debenture stock; 15
- (b) Five cents for every share of stock sold or transferred at a price over one hundred and fifty dollars per share; 20
- (c) Four cents for every share of stock sold or transferred at a price over seventy-five dollars per share but not more than one hundred and fifty dollars per share;
- (d) Three cents for every share of stock sold or transferred at a price over fifty dollars per share but not more than seventy-five dollars per share; 25
- (e) Two cents for every share of stock sold or transferred at a price over twenty-five dollars per share but not more than fifty dollars per share;
- (f) One cent for every share of stock sold or transferred at a price over five dollars per share but not more than twenty-five dollars per share; 30
- (g) One-quarter of one cent for every share of stock sold or transferred at a price of one dollar to five dollars per share, but not more than five dollars per share; 35
- (h) One-tenth of one per cent of the value of every share of stock sold or transferred at a price less than one dollar per share.

“Share of stock” as defined.

(2) The words “share of stock” in paragraphs (b) to (h) of the last preceding subsection shall be deemed to include any participating interest in the operations or profits of any association, company, or corporation represented by certificates or other instruments of title capable of being sold, transferred or assigned.” 40

6. Section sixty-one of the said Act, as enacted by section five of chapter fifty-four of the statutes of 1931, and amended by section eight of chapter fifty-four of the statutes of 1932, is repealed and the following is substituted therefor:—

5. The object of the amendment is to impose the tax upon the class of security described in the words underlined, which have not hitherto come within the ambit of this section.

6. Paragraph (b) of the existing section is repealed as redundant. Paragraph (d) is amended to include the classes of security upon which taxation is now to be imposed by section 58 as amended above. Paragraph (c) is amended by the addition of the words underlined for greater certainty as to the type of transaction to be exempted.

Exemptions  
from tax.

“61. The following transactions shall not be subject to the tax imposed by this Part:—

- (a) The sale, transfer or assignment of any bond, debenture, or share of debenture stock of the Dominion of Canada, or of any Province of Canada; 5
- (b) The allotment by any association, company or corporation of its shares, in order to effect an issue thereof, and the first issue of a bond, debenture or share of debenture stock, or of any participating interest in the operations or profits of any association, 10 company or corporation, represented by certificates, or other instruments of title capable of being sold, transferred or assigned;
- (c) The sale to any person resident and domiciled outside of Canada of any bond, debenture or share of 15 debenture stock, provided such sale is duly completed by a delivery of the certificate or other instrument of title from a point in Canada to a point outside of Canada;
- (d) Any transmission on account of death; 20
- (e) Any gift made *inter vivos* in consideration of natural love and affection, or to a religious, charitable or educational institution.”

7. Section sixty-five of the said Act, as amended by section six of chapter fifty-four of the statutes of 1931, 25 and by section nine of chapter fifty-four of the statutes of 1932, is repealed and the following is substituted therefor:—

“65. (1) No money order or traveller’s cheque shall be issued by an express company, bank or other person unless 30 there is affixed thereto an adhesive excise or postage stamp of the value hereinafter specified, or unless there is impressed thereon by means of a die an excise stamp of the value of:—

- (i) Three cents if the amount of money for which the money order or traveller’s cheque is drawn does 35 not exceed one hundred dollars;
- (ii) Six cents if the amount of money for which the money order or traveller’s cheque is drawn exceeds one hundred dollars.

Excise tax  
on money  
orders, etc.,  
of express  
companies.

Exception.

(2) The following money orders shall be exempt from 40 the tax imposed by this section:—Money Orders issued in payment for milk or cream to producers thereof when drawn for an amount of money not exceeding five dollars.”

8. Section sixty-nine of the said Act, as enacted by section ten of chapter fifty-four of the statutes of 1932, 45 is repealed and the following is substituted therefor:—

7. The existing exemption for money orders and travellers' cheques not exceeding \$5.00 is repealed, except in the case of money orders in favour of producers of milk or cream.

8. The stamp tax on post office money orders is amended to correspond with the changes in the tax on cheques and express money orders, i.e., the exemption on amounts of less than five dollars is repealed with the exception of orders in favour of producers of milk or cream.

Post office  
money  
orders.

**“69.** (1) No Money Order shall be issued under the provisions of the *Post Office Act* unless there is affixed thereto or to the relative advice a postage stamp of the value of:—

(i) three cents if the amount of money for which the order is drawn does not exceed one hundred dollars;

(ii) six cents if the amount of money for which the order is drawn exceeds one hundred dollars.

Exception.

(2) Post Office Money Orders issued in payment for milk or cream to producers thereof shall be exempt from the tax imposed by this section when drawn for an amount of money not exceeding five dollars.”

Stamp tax  
on postal  
notes.

**9.** Section seventy of the said Act, as enacted by section eight of chapter fifty-four of the statutes of 1931, is repealed and the following is substituted therefor:—

**“70.** (1) No postal note shall be issued under the provisions of the *Post Office Act* until there is affixed thereto a postage stamp of the value of three cents, to be paid for by the purchaser of the note.

Exception.

(2) Postal notes issued in payment for milk or cream to producers thereof shall be exempt from the tax imposed by this section when drawn for an amount of money not exceeding five dollars.”

Tax on  
matches  
in small  
packages.

**10.** Subsection two of section seventy-six of the said Act is repealed and the following is substituted therefor:—

**“**(2) When matches are put up in packages containing not more than sixty and not less than thirty matches each, the tax shall be payable at the rate of three-eighths of one cent for each package, and when matches are put up in packages containing not more than thirty and not less than twenty-one matches each, the tax shall be payable at the rate of three-sixteenths of one cent for each package, and when matches are put up in packages containing less than twenty-one matches each, the tax shall be payable at the rate of three-twentieths of one cent per package.”

Excise tax  
on cigarette  
papers.

**11.** Part X of the said Act is further amended by inserting the following section immediately after section seventy-seven as section **77A**:—

**“77A.** (1) Except as hereinafter provided, every manufacturer and every importer of cigarette papers in packets shall affix to every packet of cigarette papers manufactured by him or imported into Canada, an excise stamp of the value of two cents for each one hundred leaves or fraction of one hundred leaves contained in such packet.

Excise tax  
on cigarette  
paper tubes.

(2) Except as hereinafter provided, every manufacturer and every importer of cigarette paper tubes shall affix to every package of cigarette paper tubes manufactured

**9.** The tax on postal notes is raised from 1 to 3 cents except in the case of notes not exceeding five dollars in favour of producers of milk or cream.

**10.** The amendment provides for taxing matches in packages of 20 or less *pro rata* with packages containing larger quantities, there being a demand for packages of this size.

**11.** The object of the amendment is to impose a tax on cigarette papers and cigarette paper tubes for revenue purposes.

by him or imported by him into Canada, an excise stamp of the value of four cents for each one hundred cigarette paper tubes or fraction of one hundred cigarette paper tubes contained in such package.

Sold or imported in packets or packages only.

(3) No manufacturer or importer shall sell or import 5  
cigarette papers or cigarette paper tubes unless they are in packets or packages.

Exception when for export.

(4) It shall not be necessary to affix an excise stamp to packets of cigarette papers or packages of cigarette paper tubes manufactured in Canada for export out of Canada 10  
when they are manufactured and exported under regulations made under the provisions of this Act.

When stamps to be affixed on imports.

(5) When cigarette papers in packets or cigarette paper tubes in packages are imported into Canada, the excise stamp shall be affixed to the packets or packages while 15  
they are in the custody of the proper customs officers.

Exception in case of licensed manufacturer.

(6) Nothing in the last five preceding subsections contained shall apply to cigarette papers or cigarette paper tubes actually used by any manufacturer licensed under the *Excise Act* in the manufacture of cigarettes whereon the 20  
duties imposed by the said Act are paid."

**12.** Subsection three of section eighty of the said Act, as enacted by section eight of chapter fifty of the statutes of 1928, is repealed and the following is substituted there- 25  
for:—

When tax not payable.

"(3) Save as hereinafter provided the said tax shall not be payable when such goods are exported under regulations prescribed by the Minister. The tax imposed by this section shall be payable on ale, beer, porter and stout, unless such goods are exported in bond by the manufacturer thereof, and foreign landing certificates satisfactory to the Minister are produced as proof that said goods have been landed at the place designated in the export entry." 30

**13.** Section eighty of the said Act is further amended by adding thereto the following subsections as subsections 35  
five and six thereof:—

Remission of tax when goods are imported by sugar refiners.

"(5) Notwithstanding anything contained in the four preceding subsections, the tax thereby imposed upon sugar, syrup, and substitutes therefor as enumerated in Schedule II to this Act shall not be payable when such materials are imported or bought in bond in Canada by recognized sugar refiners for further manufacture but shall be payable whenever any such materials are sold by such refiners, whether such materials have been further manufactured or not. 40 45

Collection of tax upon sugar content of goods imported.

(6) The tax by this section imposed upon sugar, syrup, and substitutes therefor, glucose and grape sugar, imported into Canada shall be levied and collected upon the importation of any specified commodity which contains any of these materials in accordance with regulations to be 50

**12.** Additional articles having been included in Schedules 1 and 2, the section is amended to make it clear that the exemption in favour of goods exported is to apply to all goods taxed under this section, subject to the proviso with respect to ale, beer, porter, and stout.

**13.** With a view to safeguarding the revenue and to provide against the double imposition of the new tax upon sugar, etc., when imported for further manufacture, provision is made for the remission of the tax upon sugar, etc., when imported by recognized refiners, and for the collection of the tax on the sugar content of imported goods.

prescribed by the Minister, and the said tax shall be graduated according to the quantity of any of such materials contained in any such commodity, and shall be paid by the importer at the time of importation, at the same rate as imposed on similar goods of domestic production, namely, 5  
two cents per pound upon sugar or sugar substitutes, one cent per pound upon glucose or grape sugar."

14. Paragraphs (a) and (b) of section eighty-five of the said Act are repealed, and the following paragraphs are substituted therefor:— 10

"Sale price." "(a) "sale price" for the purpose of calculating the amount of the consumption or sales tax, shall mean the price before any amount payable in respect of the consumption or sales tax is added thereto, and shall include the amount of other excise duties when 15  
the goods are sold in bond; and in the case of goods subject to the taxes imposed by Parts X and XII of this Act, shall include the amount of such taxes; in the case of imported goods the sale price shall be deemed to be the duty paid value thereof: 20

"Duty paid value." (b) "duty paid value" shall mean the value of the article as it would be determined for the purpose of calculating an *ad valorem* duty upon the importation of such article into Canada under the laws relating to the customs and the Customs Tariff whether such 25  
article be in fact subject to *ad valorem* or other duty or not, and in addition the amount of the customs duties, if any, payable thereon: Provided that in computing the "duty paid value" of tea purchased in bond in Great Britain the amount of the customs 30  
duty payable on tea for consumption in Great Britain shall not be included in the value of such tea for purposes of this Part; and that in the case of goods subject to the excise taxes imposed by Parts X and XII of this Act, the amount of such taxes shall be 35  
included in the duty paid value."

15. Paragraph (g) of subsection two of section eighty-six of the said Act, as enacted by section eleven of chapter fifty-four of the statutes of 1931, is amended by adding thereto the following sentence:— 40

Exemption qualified. "Provided that if a licensed wholesaler sells goods to another licensed wholesaler at a price less than the value upon which the tax would be computed under paragraph (c) of the last preceding subsection, the vendor shall forthwith become liable to pay the tax upon the difference between such value and his sale price." 45

**14.** Paragraph (*a*). The definition of "sale price" is extended to make it clear that the taxes imposed by Parts X and XII are to be included in and deemed to form part of the sale price for the purpose of calculating the consumption or sales tax;  
Paragraph (*b*). The definition of "duty paid value" is similarly widened for the same reason.

**15.** Paragraph (*c*) of section 86 (1) reads as follows:—  
“(*c*) sold by a licensed wholesaler, payable by the vendor at the time of delivery by him, and the said tax shall be computed on the duty paid value of goods imported or if the goods were manufactured or produced in Canada, on the price for which the goods sold were purchased by the said licensed wholesaler and the said price shall include the amount of the excise duties on goods sold in bond.”

Paragraph (*g*) of subsection (2) reads as follows:—

“(2) Notwithstanding anything contained in the preceding subsection, the consumption or sales tax shall not be payable on goods,—

(*g*) sold by a licensed wholesaler to another licensed wholesaler.”

An anomaly arises which it is the purpose of the amendment to remove, when goods are sold by one licensed wholesaler to another, at a loss. It is the purpose of the amendment to prevent loss to the revenue by making the first licensed wholesaler responsible for the difference in the tax.

**16.** Subsection four of section eighty-six of the said Act, as enacted by section eleven of chapter fifty-four of the statutes of 1932, is amended by adding thereto the following paragraph:—

Current  
market  
value of  
raw furs.

“The Minister may make regulations for the purpose of 5  
determining what constitutes the current market value of  
raw 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.”

**17.** Section ninety-four of the said Act, as enacted by 10  
section eighteen of chapter fifty-four of the statutes of  
1931, is amended by adding thereto the following:—

Drawback  
on goods  
exported.

“(2) A like drawback of ninety-nine per cent of the 15  
taxes imposed by Part XI of this Act upon tires of rubber,  
including inner tubes, for automotive vehicles of all kinds,  
including trailers or other wheeled attachments used in  
connection with any of the said vehicles; and upon materials  
enumerated in Customs Tariff Items 134, 135, 135a, 135b,  
139, 140 (except molasses); and invert sugar and syrup;  
may be granted upon the like conditions.” 20

**18.** Subsection one of section ninety-five of the said  
Act is repealed and the following is substituted therefor:—

Manufac-  
turers licenses.

“**95.** (1) Every manufacturer or producer shall take out  
an annual licence, for the purpose of this Part, and the  
Minister may prescribe a fee therefor, not exceeding two 25  
dollars.”

**19.** Section ninety-eight of the said Act is repealed  
and the following is substituted therefor:—

Power to  
determine  
fair price.

“**98.** Where goods subject to tax under this Part or  
under Part XI of this Act are sold at a price which in the 30  
judgment of the Minister is less than the fair price on  
which the tax should be imposed, the Minister shall have  
the power to determine the fair price and the taxpayer  
shall pay the tax on the price so determined.”

**20.** Subsection four of section one hundred and eight 35  
of the said Act is repealed and the following is substituted  
therefor:—

Certificate  
of default  
to be  
registered  
as judgment.

“(4) Any amount payable in respect of taxes, interest  
and penalties under Parts XI, XII and XIII remaining  
unpaid, whether in whole or in part after fifteen days 40  
from the date of sending by registered mail of a notice  
of arrears addressed to the taxpayer, may be certified by  
the Commissioner of Excise and on the production to the  
Exchequer Court of Canada or judge thereof or such officer  
as the Court or judge thereof may direct, the certificate 45  
shall be registered in the said Court and shall, from the

**16.** Under the existing section dressers and dyers of furs are obliged to account for the tax imposed thereby, without recourse to the owner of the furs, upon whom they must depend, to ascertain the value. The object of the additional paragraph is to enable the Minister to place responsibility upon the owner of the furs in cases where undervaluation has been made.

**17.** Section 94 of the Act now 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 articles exported, 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*.”

The object of the amendment is to enable a like drawback to be paid upon the exportation of sugar and automobile tires upon which a new tax is imposed by section 29 of the present Bill.

**18.** The existing section reads as follows:—

“95. Every manufacturer or producer shall take out an annual licence for the purpose of this Part, and the Minister may prescribe a fee therefor, not exceeding two dollars, and the penalty for neglect to take out such licence shall be a sum not exceeding one thousand dollars.”

The words underlined are struck out as redundant in view of section twenty-one of the present Bill.

**19.** Section 98 of the Act now reads as follows:—

“98. Where goods subject to tax under this Part are sold at a price which in the judgment of the Minister is less than the fair price on which sales tax should be imposed, the Minister shall have the power to determine the fair price and the taxpayer shall pay the sales tax on the price so determined.”

The only change consists in extending the existing section to cover the taxes imposed by Part XI as well as the sales tax imposed by Part XIII.

**20.** The amendment consists in shortening the period of 30 days delay to fifteen days, in order to make collections more speedy.

date of such registration, be of the same force and effect, and all proceedings may be taken thereon, as if the certificate were a judgment obtained in the said Court for the recovery of a debt of the amount specified in the certificate, including penalties to date of payment as provided for in Parts XI, XII and XIII of this Act and entered upon the date of such registration, and all reasonable costs and charges attendant upon the registration of such certificate shall be recoverable in like manner as if they were part of such judgment.”

**21.** Section one hundred and eleven of the said Act is repealed and the following is substituted therefor:—

Penalty for neglect or refusal to pay tax.

“**111.** Every person who, being thereto liable, neglects, omits or refuses to pay any tax imposed by Parts IV to XIII, and any person who contravenes any requirement of the said Parts or any regulation of the Minister under the said Parts for which no other penalty is provided, shall be liable on summary conviction, to a penalty of not less than fifty dollars and not exceeding one thousand dollars, and to a further penalty equal to double the amount of the tax properly payable.”

**22.** Subsection two of section one hundred and twelve of the said Act is repealed and the following are substituted as subsections two and three of the said section:—

Records, books, etc., to be open to inspection.

“(2) Any person who in any way prevents or attempts to prevent any such officer or other person from having access to or inspecting the said records, books, accounts and vouchers, or refuses to produce the same or any of them, shall be liable, on summary conviction, to a penalty of not less than one hundred dollars and not exceeding one thousand dollars.”

Penalties for tampering with books, accounts, etc.

(3) Everyone who, with intent to evade the payment of sales tax or any other tax imposed by this Act, alters, mutilates, or falsifies, the accountancy books or returns of any person, firm or corporation, liable to pay any taxes imposed by this Act, or to make any return required by this Act or any regulation made thereunder and makes and is privy to the making of false and fraudulent entries in any such accountancy books or returns of said person, firm or corporation, is guilty of an offence and shall be liable upon summary conviction to a penalty of not less than one hundred dollars and not exceeding one thousand dollars and to a further penalty equal to double the amount of the tax properly payable, and in default of payment of the said penalties to imprisonment for a term of not less than three months and not more than twelve months.”

**23.** Section one hundred and seventeen of the said Act, as enacted by section twenty-one of chapter fifty-four of 61564—2

**21.** The object of the amendment is to deal with the type of case in which the Act has been violated and loss has occurred to the revenue but the loss cannot be recovered because the person responsible for the violation is not directly taxable.

**22.** The penalties for tampering with books, accounts, etc., are increased.

**23.** The object of the amendment is to extend the provisions of section 117 so as to put a time limit for the repayment of all moneys collected under the Act.

the statutes of 1931, is repealed and the following is substituted therefor:—

Application for refund to be made in writing within two years.

“**117.** (1) No refund or deduction from any of the taxes imposed by this Act shall be paid unless application in writing for the same is made by the person entitled thereto within two years of the time when any such refund or deduction first became payable under this Act or under any regulations made thereunder. 5

Refund of moneys paid by mistake of law or fact.

(2) If any person, whether by mistake of law or fact, has paid or overpaid to His Majesty, any moneys which have been taken to account, as taxes imposed by this Act, such moneys shall not be refunded unless application has been made in writing within two years after such moneys were paid or overpaid.” 10

**24.** The said Act is further amended by adding thereto the following section as section one hundred and eighteen thereof:— 15

Penalty for evasion.

“**118.** Every one who wilfully attempts in any manner to evade or defeat any tax imposed by this Act is guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding twelve months and not less than two months.” 20

**25.** Schedule I to the said Act is amended by adding thereto the following:—

Toilet articles, preparations or cosmetics.

- “(2) Articles, materials or preparations of whatever composition or in whatever form, commonly or commercially known as toilet articles, preparations or cosmetics which are intended for use or application for toilet purposes, or for use in connection with the care of the human body, including the hair, nails, eyes, teeth or any other part or parts thereof, whether for cleansing, deodorizing, beautifying, preserving or restoring, and to include shaving soaps and shaving creams, antiseptics, bleaches, depilatories, perfumes, scents and similar preparations. . . . . ten per cent; 25
- (3) Toilet soaps not to include shaving soaps or shaving creams. . . . . five per cent; 30

**26.** Schedule II to the said Act is amended by adding thereto the following immediately after the proviso at the end thereof:—

Sugar.

- “(i) Materials enumerated in Customs Tariff Items 134, 135, 135a, 135b, 139 (except glucose and grape sugar), 140 (except molasses); invert sugar and syrup. . two cents per pound; 45

**24.** A new section designed to provide some remedy against wilful tax evaders who are not amenable to a pecuniary penalty.

**25-29.** The existing Schedules are attached to this Bill at the end of the explanatory notes.

Unfermented wort.	(ii) Glucose and Grape sugar. . . . . one cent per pound;	
	(iii) Unfermented wort (sweet wort) suitable for the brewing of beer. ten cents per gallon.	
Malt syrup.	(iv) Malt syrup, or malt syrup powder, extracts of malt, fluid or not, or any other malt product suitable for the brewing of beer. . . . .	5
Tires of rubber.	(v) Tires in whole or in part of rubber for automotive vehicles of all kinds, including trailers or other wheeled attachments used in connection with any of the said vehicles. . . . .	10
	Inner tubes for use in any such tires. . . . .	15
	Provided that the tax hereby imposed under paragraph (i) shall not apply to the materials enumerated in Customs Tariff Items 139 and 140, when sold in packages containing not more than ten pounds each.	20

27. Schedule III to the said Act, as enacted by section fourteen of chapter fifty-four of the statutes of 1932, is repealed and the following is substituted therefor:—

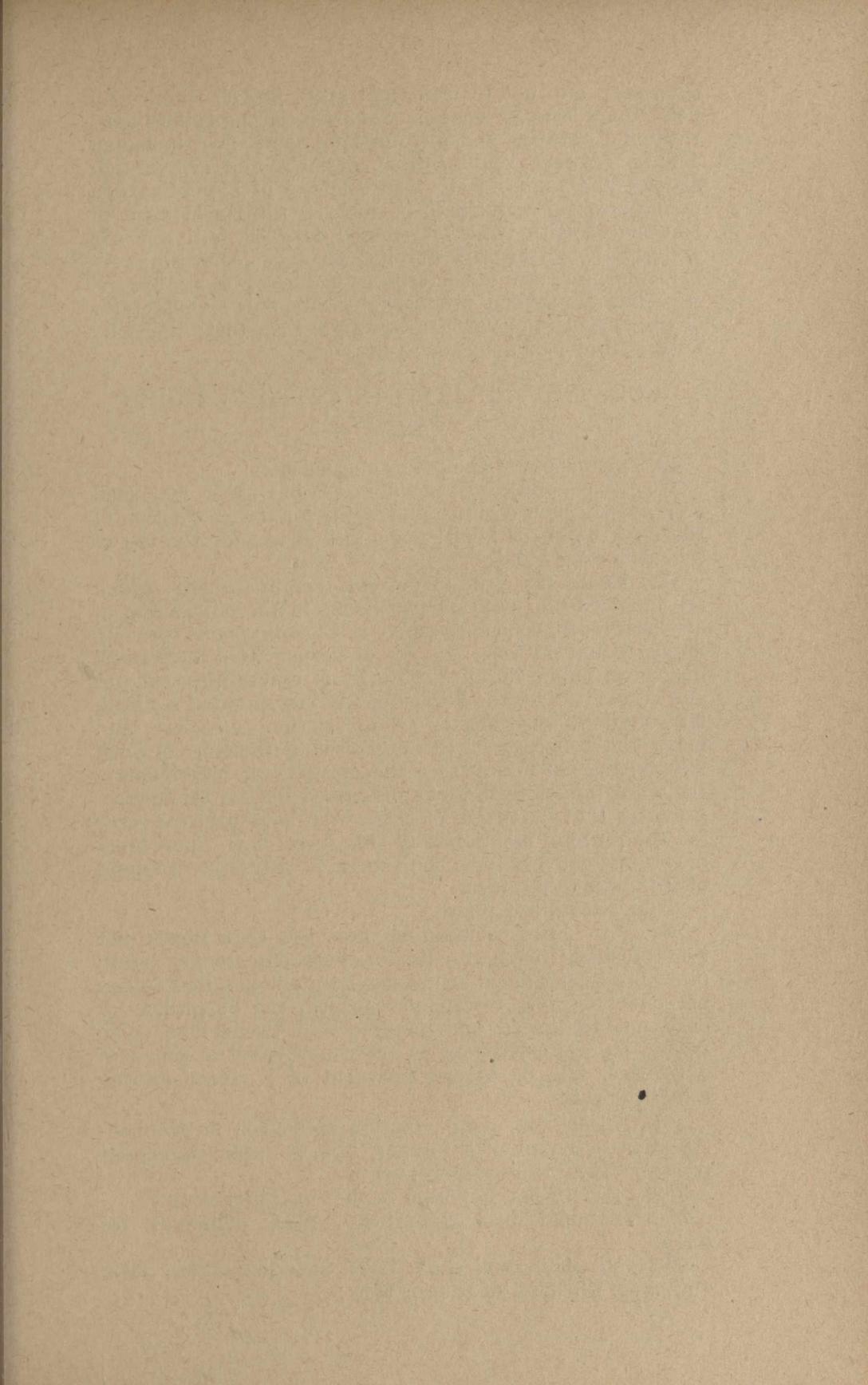
“SCHEDULE III

“Bread, not to include rolls, buns or similar goods, whether sweetened or not; flour, not including self-raising flour; animals living; live poultry; meats and poultry, fresh; meats, salted or smoked; milk, including buttermilk; condensed milk, evaporated milk and powdered milk; cream; butter; cheese; lard, when produced in Canada; eggs; vegetables, fruits, grains and seeds in their natural state, not to include rice; shorts; bran and middlings when for use as cattle, hog, poultry or other stock feed; alfalfa meal; oil cake, oil cake meal; grains mixed or crushed for cattle or poultry feed; hay; straw; hops, when produced in Canada; nursery stock; vegetable plants; other farm produce sold by the individual farmer of his own production; bees; honey; sugar; maple syrup; salt, when manufactured or produced in Canada; ice; fish and products thereof; ores of metals of all kinds; fuel other than in liquid form; gold and silver in ingots, blocks, bars, drops, sheets or plates unmanufactured; British and Canadian coin and foreign gold coin; logs and round unmanufactured timber; split fence posts; fence posts, railroad ties, pulpwood, tan bark, and other articles the product of the forest, when produced and sold by the individual settler or farmer; newspapers and quarterly, monthly, bi-monthly and semi-monthly magazines and weekly literary papers unbound; materials for use only in the construction, equipment and repair of ships; ships licensed to engage in the Canadian coasting trade; radium; electricity; gas manufactured from coal, calcium carbide



or oil for illuminating or heating purposes; artificial limbs, and parts thereof; artificial eyes; donations of clothing and books for charitable purposes; settlers' effects; War Veterans' badges; memorials or monuments erected in memory of soldiers who fell in the Great War; articles for the use of the Governor General; articles imported for the personal or official use of the British High Commissioner, Ministers of Foreign Countries, Consuls General who are natives or citizens of the country they represent and who are not engaged in any other business or profession; bibles, missals, prayer books, psalm and hymn books, religious tracts, and Sunday school lesson pictures; manila fibre for use only in the manufacture of rope not exceeding one and one-half inches in circumference for the fisheries; boats bona fide purchased by individual fishermen for their own personal use in the fisheries; articles and materials used in the manufacture of boats bona fide built for individual fishermen for their own personal use in the fisheries; sinkers, and floats including trawl kegs, when for use exclusively in the fisheries, not including these articles for sportsmen's purposes; fibre for use only in the manufacture of binder twine; fertilizers; dried beet pulp; manuscript; raw furs; wool not further prepared than washed; drain tiles for agricultural purposes; printed text-books authorized by the Department of Education of any province in Canada and phonograph records so authorized for instruction in the English and the French language, and materials used exclusively in the manufacture or production thereof; insulin; calf, cattle, hog, fox or poultry feed; preparations or chemicals sold for disinfecting, dipping or spraying and so used in agriculture or horticulture, and materials for use exclusively in manufacture or production of such preparations; cream separators and parts thereof; articles and materials to be used exclusively in the manufacture of cream separators and parts thereof; cars and other similar appliances for use exclusively at a mine or a quarry for mining or quarrying; articles and materials to be used exclusively in the manufacture of cars and other similar appliances for use exclusively at a mine or a quarry for mining or quarrying; usual coverings to be used exclusively for covering goods not subject to the consumption or sales tax; materials to be used exclusively in the manufacture of usual coverings to be used for covering goods not subject to the consumption or sales tax.

Woollen rolls or wool yarn milled for a producer of wool from such wool supplied by him for his own use; cotton duck and cotton sail twine to be used only in the manufacture of equipment for ships or vessels; official stationery imported by His Majesty's Trade Commissioners in Canada from His Majesty's Stationery Office in England; crushed stone, produced or manufactured by any municipality exclusively for use in building or maintaining its roads or



sidewalks, and not for sale, and sand, gravel, rubble and field stone; lasts for boots and shoes including rubber footwear and patterns and dies for boots and shoes including rubber footwear; apples, dried, desiccated or evaporated; articles and materials for the sole use of any bona fide public hospital certified to be such by the Department of National Health, when purchased in good faith for use exclusively by the said hospital and not for resale; preparations for use exclusively as gopher poison; bakers' cake and pies when produced by any one manufacturer or producer to the value of not more than three thousand dollars in any one calendar year.

GOODS ENUMERATED IN CUSTOMS TARIFF  
ITEMS:

40. Salt for use of the sea or gulf fisheries;
173. Books and cards, including playing cards, embossed or grooved, for the blind; and books for the instruction of the deaf, dumb or blind; maps and charts for the use of schools for the blind;
175. Books not printed or reprinted in Canada, which are included and used as text-books in the curriculum of any university, college or school in Canada; books specially imported for the *bona fide* use of incorporated mechanics' institutes, public libraries, libraries of universities, colleges and schools, or for the library of any incorporated medical, law, literary, scientific, or art association or society, and being the property of the organized authorities of such library, and not in any case the property of individuals—the whole under regulations prescribed by the Minister,—provided that importers of books who have sold the same for the purpose mentioned in this item, shall, upon proof of sale and delivery for such purpose, be entitled to a refund of any duty paid thereon;
- 209b. Nicotine sulphate;
281. Fire brick, containing not less than ninety per cent of silica; magnesite fire brick or chrome fire brick; other fire brick valued at not less than one hundred dollars per one thousand, rectangular shaped, the dimensions of each not to exceed one hundred and twenty-five cubic inches, for use exclusively in the construction or repair of a furnace, kiln or other equipment of a manufacturing establishment;
- 281a. Fire brick, n.o.p., for use exclusively in the construction or repair of a furnace, kiln, or other equipment of a manufacturing establishment;
- 352a. Bells, when imported for use in churches only;
364. Diamond dust or bort and black diamonds, for borers;
406. Coil chain, coil chain links, including repair links, and chain shackles, of iron or steel;



409a. Milking machines and attachments therefor; centrifugal machines for testing butterfat, milk or cream; complete parts of all the foregoing;

409b. Cultivators, harrows, seed-drills, horse-rakes, horse-hoes, scufflers, manure spreaders, garden seeders, weeders, and complete parts of all the foregoing;

409c. Ploughs; farm, field, lawn or garden rollers; soil packers; complete parts of all the foregoing;

409d. Mowing machines, harvesters, either self-binding or without binders, binding attachments, reapers, harvesters in combination with threshing machine separators including the motive power incorporated therein, and complete parts of all the foregoing;

409e. (i) Spraying and dusting machines and attachments therefor, including hand sprayers; apparatus specially designed for sterilizing bulbs; pressure testing apparatus for determining maturity of fruit; pruning hooks; pruning shears; animal dehorning instruments; and complete parts of all the foregoing;

(ii) Fruit and vegetable grading, washing and wiping machines and complete parts therefor;

409f. Hay loaders, hay tedders, potato planters, potato diggers, fodder or feed cutters, ensilage cutters, grain crushers and grain or hay grinders for farm purposes only; post hole diggers, snaths, stumping machines and all other agricultural implements or agricultural machinery, n.o.p., and complete parts of all the foregoing;

409g. Incubators for hatching eggs, brooders for rearing young fowl, and complete parts of all the foregoing;

409i. Scythes, sickles or reaping hooks, hay or straw knives, edging knives, hoes, pronged forks, rakes, n.o.p.;

Complete parts for goods enumerated in Tariff Item 409i;

409j. Fanning mills; peaviners; corn husking machines; threshing machine separators, including wind stackers, baggers and self-feeders therefor; complete parts of all the foregoing;

409k. Windmills and complete parts thereof, not including shafting;

409n. Portable engines with boilers, in combination, for farm purposes; horse powers and traction engines for farm purposes, n.o.p.; and complete parts of all the foregoing;

409r. Weighers for use as parts of threshing machine separators, and complete parts thereof;

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;



411. Machinery for use in sawing lumber, up to but not including the operation of planing, and complete parts thereof, not to include motive power, when for use exclusively in saw mills (for the purpose of this item motive power is defined as equipment for driving the machinery of the saw mill);

411a. Machinery, logging cars, cranes, blocks and tackle, wire rope, but not including wire rope to be used for guy ropes or in braking logs going down grade, and complete parts of all the foregoing, for use exclusively in the operation of logging, such operation to include the removal of the log from stump to skidway, log dump or common or other carrier;

411b. Cylinder stave saws, wheel type stave jointers, crozing and champhering machinery, when for use exclusively in making staves;

439c. Farm wagons, farm sleds, logging wagons, logging sleds, and complete parts thereof;

440k. Engines and complete parts thereof, to be used exclusively in the propulsion of boats or in hoisting nets and lines used in such boats *bona fide* owned by individual fishermen for their own use in the fisheries, under regulations prescribed by the Minister;

442. Articles which enter into the cost of manufacture of the goods enumerated in tariff items 409a, 409b, 409c, 409d, 409e, 409f, 409g, 409j, 409o, and 439c, when imported by manufacturers for use exclusively in the manufacture in their own factories of the goods enumerated in tariff items 409a, 409b, 409c, 409d, 409e, 409f, 409g, 409j, 409o, and 439c, under regulations prescribed by the Minister;

442a. Notwithstanding the provisions of tariff item 442, materials or commodities as hereunder defined or described, when imported by manufacturers for use exclusively in the manufacture, in their own factories, of the goods enumerated in tariff items 409a, 409b, 409c, 409d, 409e, 409f, 409g, 409j, 409o, and 439c, under regulations prescribed by the Minister:—

(1) Pig iron;

(2) Bars or rods, of iron or steel, hot rolled;

460. Materials to be used in Canada for the construction of bridges and tunnels crossing the boundary between the United States and Canada, when similar materials are admitted free under similar circumstances into the United States, under regulations prescribed by the Minister;

464. Steel dies, of a class or kind not made in Canada, valued at not less than one thousand dollars each, for use exclusively in stamping metal sheets or metal plates: Provided that such dies shall be exported from Canada under Customs supervision within three months from the date of import entry;

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;

476a. Glassware and other scientific apparatus for laboratory work in public hospitals; surgical operating tables and complete parts thereof; apparatus for sterilizing purposes, including bedpan washers and sterilizers but not including washing or laundry machines; all for the use of any public hospital, under regulations prescribed by the Minister;

480. Crutches or specially constructed staffs for cripples;

538. Binder twine or twine for harvest binders;

663b. Articles which enter into the cost of the manufacture of fertilizers, when imported for use exclusively in the manufacture of fertilizers;

666. Nitro-glycerine, giant powder, nitro and other explosives;

667. Blasting and mining powder;

682. Fish hooks, for deep-sea or lake fishing, not smaller in size than number 2.0; bank, cod, pollock and mackerel fish lines; and mackerel, herring, salmon, seal, seine, mullet, net and trawl twine in hanks or coil, barked or not—in variety of sizes and threads—including gilling thread in balls, and head ropes for fishing nets; marline, and net norsels of cotton, hemp or flax; and fishing nets or seines, and manila rope, not exceeding one and one-half inches in circumference, when used exclusively for the fisheries, not to include hooks, lines, nets or ropes commonly used for sportsmen's purposes;

692. Coins, cabinets of; collections of medals and collections of postage stamps; medals of gold, silver or copper, and other metallic articles actually bestowed as trophies or prizes and received and accepted as honorary distinctions; and cups or other metallic prizes (not usual merchantable commodities), won in *bona fide* competitions;

695a. Paintings in oil or water colours and pastels, valued at not less than twenty dollars each; paintings and sculptures by artists domiciled in Canada but residing temporarily abroad for purposes of study, under regulations by the Minister;

696. Philosophical and scientific apparatus, utensils, instruments, and preparations, including boxes and bottles containing the same; maps, photographic reproductions, casts as models, etchings, lithographic prints or charts; mechanical equipment of a class or kind not made in Canada. All articles in this item, when specially imported in good faith for the use and by order of any society or institution incorporated or established solely for religious, philosophical, educational, scientific or literary purposes, or for the encouragement of the fine arts, or for the use and by order of any public hospital, college, academy, school, or seminary of learning in Canada, and not for sale, under regulations prescribed by the Minister;



700. Animals and articles brought into Canada temporarily and for a period not exceeding three months, for the purpose of exhibition or of competition for prizes offered by any agricultural or other association: Provided a bond shall be first given in accordance with regulations prescribed by the Minister, with the condition that the full duty to which such animals or articles would otherwise be liable shall be paid in case of their sale in Canada, or if not re-exported within the time specified in such bond; 5

701. Menageries, horses, cattle, carriages and harness of, 10  
under regulations prescribed by the Minister;

702. Carriages for travellers, and carriages laden with merchandise, not to include circus troupes or hawkers, under regulations prescribed by the Minister;

703. Travellers' baggage, under regulations prescribed by 15  
the Minister;

704. Apparel, wearing and other personal and household effects, not merchandise, of British subjects dying abroad, but domiciled in Canada; books, pictures, family plate or furniture, personal effects and heirlooms left by bequest; 20

Articles and materials to be used exclusively in the manufacture of goods enumerated in Customs Tariff Items: 281, 281a, 406a, 406b, 409a, 409b, 409c, 409d, 409e, 409f, 409g, 409i, 409j, 409k, 409n, 410b, 411, 411a, 411b, 439c, 440k, 442, 442a, 476, 476a, 480, 538, 663, 663a, 663b, 25  
666, 667, 696;

Materials, not to include plant equipment, consumed in process of manufacture or production, which enter directly into the cost of goods enumerated in Customs Tariff Items: 281, 281a, 406a, 406b, 409a, 409b, 409c, 409d, 409e, 30  
409f, 409g, 409i, 409j, 409k, 409n, 410b, 411, 411a, 411b, 439c, 440k, 442a, 476, 476a, 480, 538, 663, 663a, 666, 667, 696."

**28.** Schedule IV to the said Act, as enacted by section fifteen of chapter fifty-four of the statutes of 1932, is 35  
repealed and the following is substituted therefor:—

“SCHEDULE IV.

“All articles manufactured or produced by the labour of the blind in institutions in Canada established for their care or under the control or direction of such institutions.”

**29.** Schedule V to the said Act, as enacted by section 40 sixteen of chapter fifty-four of the statutes of 1932, is repealed and the following is substituted therefor:—

“SCHEDULE V.

“Articles on which other excise taxes are imposed on importation by Part XI of this Act not to include tires of rubber, including inner tubes, for automotive vehicles of 45  
all kinds, including trailers or other wheeled attachments used in connection with any of the said vehicles, materials



enumerated in Customs Tariff Items 134, 135, 135a, 135b, 139, 140, and invert sugar and syrup; raw leaf tobacco when imported by licensed tobacco or cigar manufacturers; material for the manufacture of binder twine for export, when imported by the manufacturers thereof; 5  
 British and Canadian coin and foreign gold coin, bullion and unmanufactured gold; fish and other products of the fisheries of Newfoundland; fish caught by fishermen in vessels registered in Canada or owned by any person domiciled in Canada, and the products thereof carried from 10  
 the fisheries in such vessels; donations of clothing for charitable purposes; bibles; fertilizers; animals for the improvement of stock; boards, planks and deals of fir, spruce, pine, hemlock, or larch, in the rough, or not further manufactured than planed or dressed on one side, when imported from a 15  
 country which admits free of duty similar lumber imported from Canada; goods enumerated in Customs Tariff Items 173, 364, 460, 700, 702, 703, 704, 705, 705a, 706, 707, 708 and 709."

When various sections come into force.

**30.** Sections 2, 3, 4, 5, 6, 7, 8 and 9 of this Act shall come 20  
 into effect on the first day of May, 1933.

**31.** Sections 10, 11, 12, 13, 14, 15, 17, 19, 25, 27, 28 and 29 of this Act shall be deemed to have come into effect on the twenty-second day of March, 1933, and to have applied to all goods therein mentioned, imported or 25  
 taken out of warehouse for consumption on and after that date, and to have applied to goods previously imported for consumption for which no entry for consumption was made before that day.

When s. 26 comes into force.

**32.** Section twenty-six of this Act in so far as it applies 30  
 to materials enumerated in Customs Tariff Item 134, unfermented wort (sweet wort) suitable for the brewing of beer, malt syrup, or malt syrup powder, extracts of malt, fluid or not, or any other malt product suitable for the brewing of beer, tires in whole or in part of rubber for automotive 35  
 vehicles of all kinds, including trailers or other wheeled attachments used in connection with any of the said vehicles and inner tubes for use in any such tires, shall be deemed to have come into force on the twenty-second day of March, 1933, and in so far as it applies to materials enumerated in 40  
 Customs Tariff Items 135, 135a, 135b, 139, 140 and invert sugar and syrup, shall be deemed to have come into force on the twenty-sixth day of April, 1933, and to have applied to all goods therein mentioned, imported or taken out of warehouse for consumption on such dates, respectively, 45  
 and to have applied to goods previously imported for consumption for which no entry for consumption was made before such respective dates.

APPENDIX CONTAINING THE EXISTING SCHEDULES TO THE  
SPECIAL WAR REVENUE ACT, WHICH ARE AMENDED OR  
REPEALED BY SECTIONS 25, 26, 27, 28 AND 29 OF THIS  
BILL.

SCHEDULE I.

Automobiles adapted or adaptable for passenger use:—

- (a) valued at not more than  
twelve hundred dollars each.....five per cent;
- (b) valued at more than twelve  
hundred dollars each, on  
the value of twelve hun-  
dred dollars.....five per cent;  
on the value in excess of  
twelve hundred dollars.....ten per cent.

Provided that the tax shall not apply to automobiles entered as settlers' effects; and further that it shall not apply to automobiles specified in item (a) of this Schedule,—

(i) when such automobiles are imported into Canada from any British country the goods of which are admitted to the benefit of the British Preferential Tariff, if at least fifty per cent of the cost of producing the finished automobile has been incurred in such British country; or

(ii) when such automobiles are imported into Canada from any foreign country the goods of which when imported into Canada enjoy most-favoured-nation treatment under the provisions of a treaty or convention, if at least fifty per cent of the cost of producing the finished automobile has been incurred in such foreign country; or

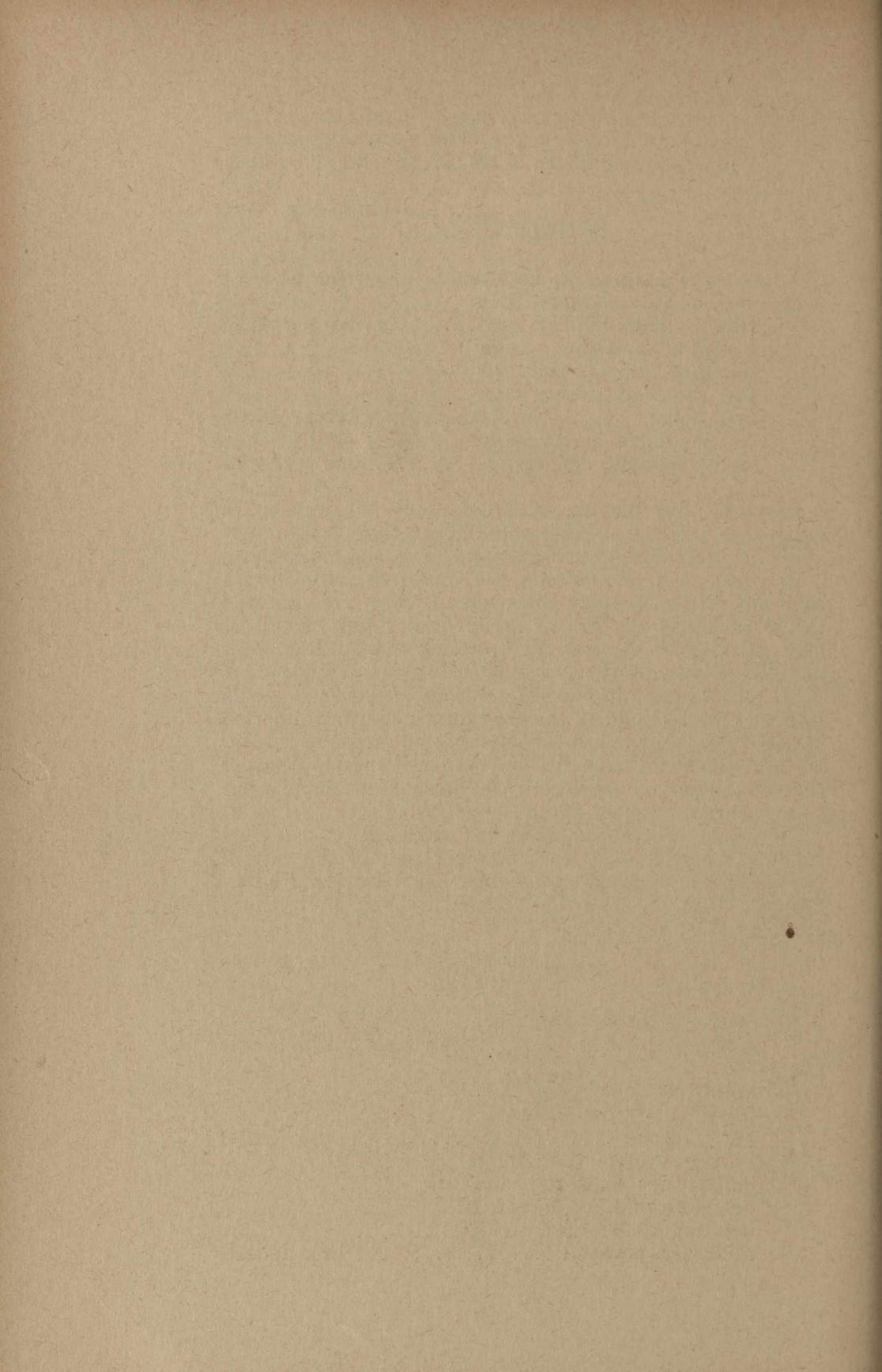
(iii) when such automobiles are produced or manufactured in Canada, if at least fifty per cent of the cost of producing the finished automobile has been incurred in Canada. 1922, c. 47, s. 14 and Sch. I; 1923, c. 70, s. 11; 1927, c. 10, s. 9.

SCHEDULE II.

Ale, beer, porter and stout, per  
gallon.....twelve and one-half cents

Cigars:—

- (a) valued at not more than  
forty dollars per thousand,  
per thousand .....fifty cents;
- (b) valued at more than forty  
dollars per thousand and  
not more than one hundred  
and ten dollars per thou-  
sand, per thousand.....three dollars;



- (c) valued at more than one hundred and ten dollars per thousand and not more than one hundred and fifty dollars, per thousand, per thousand..... seven dollars;
- (d) valued at more than one hundred and fifty dollars per thousand and not more than two hundred dollars per thousand, per thousand..... ten dollars;
- (e) valued at more than two hundred dollars per thousand per thousand..... sixteen dollars.

Provided that the value on imported cigars shall be the duty paid value as defined in section 79 of this Act; the value on cigars manufactured in Canada shall include the amount of excise duty payable thereon. 1922, c. 47, s. 14 and Sch II; 1927, c. 10, s. 7.

### SCHEDULE III

Bread, not to include rolls, buns or similar goods, whether sweetened or not; flour, including self-raising flour; oatmeal, rolled oats, cornmeal and rolled wheat, when in packages exceeding five pounds each in weight; buckwheat meal and pea meal; pearl barley; split peas; barley meal; pot barley; animals living; live poultry; meats and poultry, fresh; milk, including butter-milk, condensed milk, evaporated milk and powdered milk; cream; butter; cheese; lard, when produced in Canada; eggs; vegetables, fruits, grains and seeds in their natural state; shorts; bran and middlings when for use as cattle, hog, poultry or other stock feed, or when sold for human consumption in packages exceeding five pounds each in weight; alfalfa meal; oil cake; oil cake meal; grains mixed or crushed for cattle or poultry feed; hay; straw; hops, when produced in Canada; nursery stock; vegetable plants; other farm produce sold by the individual farmer of his own production; bees; honey; sugar; molasses; corn syrup; maple syrup and sugar cane syrup; salt, when manufactured or produced in Canada; ice; fish and products thereof; ores of metals of all kinds; fuel of all kinds; gold and silver in ingots, blocks, bars, drops, sheets or plates unmanufactured; British and Canadian coin and foreign gold coin; logs and round unmanufactured timber; split fence posts; fence posts, railroad ties, pulpwood, tan bark, and other articles the product of the forest, when produced and sold by the individual settler or farmer; newspapers and quarterly, monthly, bimonthly and semi-monthly magazines and weekly literary papers unbound; materials



for use only in the construction, equipment and repair of ships; ships licensed to engage in the Canadian coasting trade; calcium carbide; radium; electricity; gas manufactured from coal, calcium carbide or oil for illuminating or heating purposes; artificial limbs, and parts thereof; artificial eyes; donations of clothing and books for charitable purposes; settlers' effects; War Veterans' badges; memorials or monuments erected in memory of soldiers who fell in the Great War; articles for the use of the Governor General; articles imported for the personal or official use of the British High Commissioner, Ministers of Foreign Countries, Consuls General who are natives or citizens of the country they represent and who are not engaged in any other business or profession; bibles, missals, prayer books, psalm and hymn books, religious tracts, and Sunday school lesson pictures; manila fibre for use only in the manufacture of rope not exceeding one and one-half inches in circumference for the fisheries; boats *bona fide* purchased by individual fishermen for their own personal use in the fisheries; articles and materials used in the manufacture of boats *bona fide* built for individual fishermen for their own personal use in the fisheries; sinkers, and floats including trawl kegs, when for use exclusively in the fisheries, not including these articles for sportsmen's purposes; fibre for use only in the manufacture of binder twine; fertilizers; dried beet pulp; manuscript; raw furs; wool not further prepared than washed; drain tiles for agricultural purposes; printed text-books authorized by the Department of Education of any province in Canada and phonograph records so authorized for instruction in the English and the French language, and materials used exclusively in the manufacture or production thereof; insulin; calf, cattle, hog, fox or poultry feed; rice, cleaned; macaroni and vermicelli; meats, salted or smoked; carbolic or heavy oil, to be used only in creosoting logs and round unmanufactured timber; cream separators and parts thereof; cars and other similar appliances for use exclusively at a mine or a quarry for mining or quarrying; articles and materials to be used exclusively in the manufacture of cars and other similar appliances for use exclusively at a mine or a quarry for mining or quarrying; articles and materials to be used exclusively in the manufacture of cream separators and parts thereof; materials, not to include plant equipment, consumed in process of manufacture or production, which enter directly into the cost of goods subject to the consumption or sales tax, manufactured or produced by a licensed manufacturer or producer; articles and materials, not to include permanent equipment, which enter into the cost of manufacture or production of goods manufactured or produced by a licensed manufacturer or producer; wrought, seamless, or lap-welded iron or steel tubing, less



than four inches in diameter, threaded and coupled, or not, when used only in oil wells, and materials used in the manufacture of such tubing; machinery and apparatus used only in the pumping of crude oil out of wells, and articles and materials used in the manufacture of such machinery or apparatus. Usual coverings to be used exclusively for covering goods not subject to the consumption or sales tax; materials to be used exclusively in the manufacture of usual coverings to be used for covering goods not subject to the consumption or sales tax.

Woollen rolls or wool yarn milled for a producer of wool from such wool supplied by him for his own use; cotton duck and cotton sail twine to be used only in the manufacture of equipment for ships or vessels; official stationery imported by His Majesty's Trade Commissioners in Canada from His Majesty's Stationery Office in England; crushed stone, produced or manufactured by any municipality exclusively for use in building or maintaining its roads or sidewalks, and not for sale, and sand, gravel, rubble and field stone; lasts for boots and shoes including rubber footwear and patterns and dies for boots and shoes including rubber foot-wear; apples, dried, desiccated or evaporated; articles and materials for the sole use of any *bona fide* public hospital certified to be such by the Department of National Health, when purchased in good faith for use exclusively by the said hospital and not for resale; preparations for use exclusively as gopher poison; bakers' cake and pies when produced by any one manufacturer or producer to the value of not more than five thousand dollars in any one calendar year.

GOODS ENUMERATED IN CUSTOMS TARIFF ITEMS:

- 40. Salt for use of the sea or gulf fisheries;
- 64. Sago and tapioca;
- 173. Books, embossed, and grooved cards for the blind; and books for the instruction of the deaf and dumb and blind; maps and charts for the use of schools for the blind;
- 175. Books not printed or reprinted in Canada, which are included and used as text-books in the curriculum of any university, college or school in Canada; books specially imported for the *bona fide* use of incorporated mechanics' institutes, public libraries, libraries of universities, colleges and schools, or for the library of any incorporated medical, law, literary, scientific, or art association or society, and being the property of the organized authorities of such library, and not in any case the property of individuals—the whole under regulations prescribed by the Minister,—provided that importers of books who have sold the same for the purpose mentioned in this item, shall, upon proof of sale and delivery for such purpose, be entitled to a refund of any duty paid thereon;



209b. Nicotine sulphate;

219a. Non-alcoholic preparations or chemicals for disinfecting, dipping or spraying, n.o.p.;

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;

Dry preparations used for the same purposes as goods enumerated in Items 219a and 219c;

281. Fire brick, containing not less than ninety per cent of silica; magnesite fire brick or chrome fire brick; other fire brick valued at not less than one hundred dollars per one thousand, rectangular shaped, the dimensions of each not to exceed one hundred and twenty-five cubic inches, for use exclusively in the construction or repair of a furnace, kiln or other equipment of a manufacturing establishment;

281a. Fire brick, n.o.p., for use exclusively in the construction or repair of a furnace, kiln, or other equipment of a manufacturing establishment;

352a. Bells, when imported for use in churches only;

391a. Castings, of iron or steel: being ingot moulds for use in the production of steel;

406. Coil chain, coil chain links, including repair links, and chain shackles, of iron or steel;

409a. Milking machines and attachments therefor; centrifugal machines for testing butterfat, milk or cream; complete parts of all the foregoing;

409b. Cultivators, harrows, seed-drills, horse-rakes, horse-hoes, scufflers, manure spreaders, garden seeders, weeders, and complete parts of all the foregoing;

409c. Ploughs; farm, field, lawn or garden rollers; soil packers; complete parts of all the foregoing;

409d. Mowing machines, harvesters, either self-binding or without binders, binding attachments, reapers, harvesters in combination with threshing machine separators including the motive power incorporated therein, and complete parts of all the foregoing;

409e. (i) Spraying and dusting machines and attachments therefor, including hand sprayers; apparatus specially designed for sterilizing bulbs; pressure testing apparatus for determining maturity of fruit; pruning hooks; pruning shears, animal dehorning instruments; and complete parts of all the foregoing;

(ii) Fruit and vegetable grading, washing and wiping machines and complete parts therefor;

409f. Hay loaders, hay tedders, potato planters, potato diggers, fodder or feed cutters, ensilage cutters, grain crushers and grain or hay grinders for farm purposes only, post hole diggers, snaths, stumping machines and all other agricultural implements or agricultural machinery, n.o.p., and complete parts of all the foregoing;



409g. Incubators for hatching eggs, brooders for rearing young fowl, and complete parts of all the foregoing;

409i. Scythes, sickles or reaping hooks, hay or straw knives, edging knives, hoes, pronged forks, rakes, n.o.p.;

409j. Fanning mills; peaviners; corn husking machines; threshing machine separators, including wind stackers, baggers, weighers and self-feeders therefor; complete parts of all the foregoing;

409k. Windmills and complete parts thereof, not including shafting;

409n. Portable engines with boilers, in combination, for farm purposes; horse powers and traction engines for farm purposes, n.o.p.; and complete parts of all the foregoing;

409o. Equipment for generating electric power for farm purposes only, viz.: engine, gas tank, generator, storage battery, and switchboard; and complete parts of all the foregoing;

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;

410c. Machinery and apparatus and complete parts thereof for use exclusively in producing unrefined oil from shales, not to include motive power, of a class or kind not made in Canada;

410d. Well-drilling machinery and apparatus, and complete parts thereof, of a class or kind not made in Canada, and seamless iron or steel tubing over eight inches in diameter, for use exclusively in drilling for water, natural gas or oil, and in prospecting for minerals, but not to include motive power; including goods enumerated in this item of a class or kind made in Canada;

410e. Well-drilling machinery and apparatus and complete parts thereof, and rope twenty-one hundred feet and over in length, capable of drilling wells of two thousand feet and over in depth, of four inches and over in diameter, and of raising and lowering casing over four inches in diameter for such wells, for use exclusively in drilling for water, natural gas and oil, and in prospecting for minerals, not to include motive power;

410f. Machinery and appliances of iron or steel, of a class or kind not made in Canada, and elevators, and machinery of floating dredges, for use exclusively in alluvial gold mining;



410g. Articles for use exclusively in the metallurgy or smelting of iron, viz.: machinery and apparatus for sintering or nodulizing iron ore, concentrated or not, or flue dust; machinery and apparatus for use exclusively in the construction, equipment and repairs of blast furnaces for smelting iron ore, such machinery and apparatus to include hot blast stoves and burners, blast piping and valves connecting the blowing engines with the furnace, scale cars, charging and hoisting apparatus, blast furnace gas piping, cleaners and washers; and integral parts of all the foregoing, but not to include wrought iron pipe or valves 10½ inches and under in diameter, nor structural iron work;

410k. Machinery and apparatus, of a class or kind not made in Canada, for use exclusively in handling ore and other materials to be charged into the blast furnace, from the dock, car or stock pile, at the smelting works;

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;

410m. Diamond drills and core drills, not including motive power, and electrically operated rotary coal drills, of a class or kind not made in Canada, and integral parts of the foregoing, for use exclusively in mining operations;

410n. Diamond drills and core drills, not including motive power, and electrically operated rotary coal drills, n.o.p., and integral parts of the foregoing, for use exclusively in mining operations;

410o. Coal cutting machines, n.o.p.; coal heading machines; electric or magnetic machines for concentrating or separating iron ores; automatic scales for use with conveyors; and integral parts of all the foregoing, for use exclusively in mining or metallurgical operations;

410p. Sundry articles of metal as follows, for use exclusively in mining and metallurgical operations, viz.: furnaces for the smelting of ores; converting apparatus for metallurgical processes in metals; machinery for the extraction of precious metals by the chlorination or cyanide processes, not to include pumps, vacuum pumps or compressors; blast furnace blowing engines for the production of pig iron; and integral parts of all the foregoing;

410q. Pumps and vacuum pumps, and complete parts thereof, for use exclusively in the extraction of precious metals by the chlorination or cyanide processes;

410s. Amalgam safes; automatic ore samplers; automatic feeders; retorts; mercury pumps; pyrometers; bullion furnaces; amalgam cleaners; and integral parts of all the foregoing, for use exclusively in mining or metallurgical operations;



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;

411. Machinery for use in sawing lumber, up to but not including the operation of planing, and complete parts thereof, not to include motive power, when for use exclusively in saw mills (for the purpose of this item motive power is defined as equipment for driving the machinery of the saw mill);

411a. Machinery, logging cars, cranes, blocks and tackle, wire rope, but not including wire rope to be used for guy ropes or in braking logs going down grade, and complete parts of all the foregoing, for use exclusively in the operation of logging, such operation to include the removal of the log from stump to skidway, log dump or common or other carrier;

411b. Cylinder stave saws, wheel type stave jointers, crozing and champhering machinery, when for use exclusively in making staves;

431. Shovels and spades, of iron or steel, n.o.p.;

431a. Axes;

439c. Farm wagons, farm sleds, logging wagons, logging sleds, and complete parts thereof;

439d. Freight wagons, drays, sleighs, n.o.p., and complete parts thereof;

440k. Engines and complete parts thereof, to be used exclusively in the propulsion of boats or in hoisting nets and lines used in such boats *bona fide* owned by individual fishermen for their own use in the fisheries, under regulations prescribed by the Minister;

442. Articles which enter into the cost of manufacture of the goods enumerated in tariff items 409a, 409b, 409c, 409d, 409e, 409f, 409g, 409j, 490o, and 439c, when imported by manufacturers for use exclusively in the manufacture in their own factories of the goods enumerated in tariff items 409a, 409b, 409c, 409d, 409e, 409f, 409g, 409j, 409o and 439c, under regulations prescribed by the Minister;

442a. Notwithstanding the provisions of tariff item 442, materials or commodities as hereunder defined or described, when imported by manufactures for use exclusively in the manufacture, in their own factories, of the goods enumerated in tariff items 409a, 409b, 409c, 409d, 409e, 409f, 409g, 409j, 409o, and 439c, under regulations prescribed by the Minister:—

(1) Pig iron;

(2) Bars or rods, of iron or steel, hot rolled;

464. Steel dies, of a class or kind not made in Canada, valued at not less than one thousand dollars each, for use exclusively in stamping metal sheets or metal plates: Pro-



vided that such dies shall be exported from Canada under Customs supervision within three months from the date of import entry;

476. Surgical and dental instruments of any material; surgical needles; X-ray apparatus; surgical operating tables for use in hospitals; microscopes valued at not less than \$50 each by retail; and complete parts of all the foregoing;

476a. Glassware and other scientific apparatus for laboratory work in public hospitals; apparatus for sterilizing purposes, including bedpan washers and sterilizers but not including washing or laundry machines; all for the use of any public hospital, under regulations prescribed by the Minister;

480. Crutches or specially constructed staffs for cripples;

538. Binder twine or twine for harvest binders;

663b. Articles which enter into the cost of the manufacture of fertilizers, when imported for use exclusively in the manufacture of fertilizers;

666. Nitro-glycerine, giant powder, nitro and other explosives;

667. Blasting and mining powder;

682. Fish hooks, for deep-sea or lake fishing, not smaller in size than number 2·0; bank, cod, pollock and mackerel fish lines; and mackerel, herring, salmon, seal, seine, mullet, net and trawl twine in hanks or coil, barked or not—in variety of sizes and threads—including gilling thread in balls, and head ropes for fishing nets; marline, and net morsels of cotton, hemp or flax; and fishing nets or seines, and manila rope, not exceeding one and one-half inches in circumference, when used exclusively for the fisheries, not to include hooks, lines, nets or ropes commonly used for sportsmen's purposes;

692. Coins, cabinets of; collections of medals and collections of postage stamps; medals of gold, silver or copper, and other metallic articles actually bestowed as trophies or prizes and received and accepted as honorary distinctions, and cups or other metallic prizes (not usual merchantable commodities), won in *bona fide* competitions;

695a. Paintings in oil or water colours, and pastels, valued at not less than twenty dollars each; paintings and sculptures by artists domiciled in Canada but residing temporarily abroad for purposes of study, under regulations by the Minister;

696. Philosophical and scientific apparatus, utensils, instruments, and preparations, including boxes and bottles containing the same; maps, photographic reproductions, casts as models, etchings, lithographic prints or charts; mechanical equipment of a class or kind not made in Canada. All articles in this item, when specially imported in good faith for the use and by order of any society or institution incorporated or established solely for religious, philosoph-



ical, educational, scientific or literary purposes, or for the encouragement of the fine arts, or for the use and by order of any public hospital, college, academy, school or seminary of learning in Canada, and not for sale, under regulations prescribed by the Minister;

700. Animals and articles brought into Canada temporarily and for a period not exceeding three months, for the purpose of exhibition or of competition for prizes offered by any agricultural or other association: Provided a bond shall be first given in accordance with regulations prescribed by the Minister, with the condition that the full duty to which such animals or articles would otherwise be liable shall be paid in case of their sale in Canada, or if not re-exported within the time specified in such bond;

701. Menageries, horses, cattle, carriages and harness of, under regulations prescribed by the Minister;

702. Carriages for travellers, and carriages laden with merchandise, not to include circus troupes or hawkers, under regulations prescribed by the Minister;

703. Travellers' baggage, under regulations prescribed by the Minister;

704. Apparel, wearing and other personal and household effects, not merchandise, of British subjects dying abroad, but domiciled in Canada; books, pictures, family plate or furniture, personal effects and heirlooms left by bequest;

1017. Lap-welded tubing of iron or steel, not less than four inches in diameter, threaded and coupled or not, when used in casing water, oil and natural gas wells, or for the transmission of natural gas under high pressure from gas wells to points of distribution;

#### UNENUMERATED:

Iron or steel pipe, not butt or lap-welded, and wirebound wooden pipe, not less than thirty inches in internal diameter, for use in alluvial gold mining; including articles and materials used exclusively or consumed in the manufacture of the said pipe.

#### ARTICLES AND MATERIALS TO BE USED EXCLUSIVELY IN THE MANUFACTURE OF GOODS ENUMERATED IN CUSTOMS

##### TARIFF ITEMS:

219a, 219c,—Dry preparations used for the same purposes as goods enumerated in Items 219a and 219c, 281, 281a, 391a, 406a, 406b, 409a, 409b, 409c, 409d, 409e, 409f, 409g, 409i, 409j, 409k, 409n, 409o, 410b, 410d, including goods enumerated in this item of a class or kind made in Canada; 410e, 410f, 410g, 410k, 410l, 410m, 410n, 410o, 410p, 410q, 410s, 410z, 411, 411a, 411b, 431, 431a, 439c,



439d, 440k, 442, 442a, 476, 476a, 480, 538, 663, 663a, 663b, 666, 667, 696, tubing enumerated in Customs Tariff Item 1017;

MATERIALS, NOT TO INCLUDE PLANT EQUIPMENT, CONSUMED  
IN PROCESS OF MANUFACTURE OR PRODUCTION,  
WHICH ENTER DIRECTLY INTO THE  
COST OF GOODS ENUMERATED  
IN CUSTOMS TARIFF ITEMS:

281, 281a, 391a, 406a, 406b, 409a, 409b, 409c, 409d, 409e, 409f, 409g, 409i, 409j, 409k, 409n, 409o, 410b, 410d, including goods enumerated in this item of a class or kind made in Canada; 410e, 410f, 410g, 410k, 410l, 410m, 410n, 410o, 410p, 410q, 410s, 410z, 411, 411a, 411b, 431, 431a, 439c, 439d, 440k, 442a, 476, 476a, 480, 538, 663, 663a, 666, 667, 696, tubing enumerated in Customs Tariff Item 1017. 1932, c. 54, s. 14.

SCHEDULE IV.

Boots and shoes, including rubber footwear;

Creosoted railroad ties;

Printing paper for use exclusively in producing newspapers and quarterly, monthly, bimonthly and semi-monthly magazines, weekly literary papers unbound, bibles, missals, prayer books, psalm and hymn books, religious tracts and Sunday school lesson pictures;

All articles manufactured or produced by the labour of the blind in institutions in Canada established for their care or under the control or direction of such institutions;

Moist mince meat;

Yeast.

THE GOODS ENUMERATED IN CUSTOMS TARIFF ITEMS AS FOLLOWS WHEN PRODUCED OR MANUFACTURED IN CANADA:

89. Vegetables, prepared, in air-tight cans or other air-tight containers;

(a) Beans, baked or otherwise prepared;

(b) Corn and tomatoes;

(c) Peas;

(d) N.O.P.;

90. Vegetables, prepared or preserved:

(d) Pastes, hash and all similar products, composed of vegetables and meat or fish, or both, n.o.p.;

105. Fruit pulp, with sugar or not, n.o.p., and fruits, crushed or frozen;

105d. Jellies, jams, marmalades, preserves, fruit butters and condensed mince meats;



106. Fruits, prepared, in air-tight cans or other air-tight containers:

- (a) Apricots, peaches and pears;
- (b) Pineapples;
- (c) N.O.P. 1932, c. 54, s. 15.

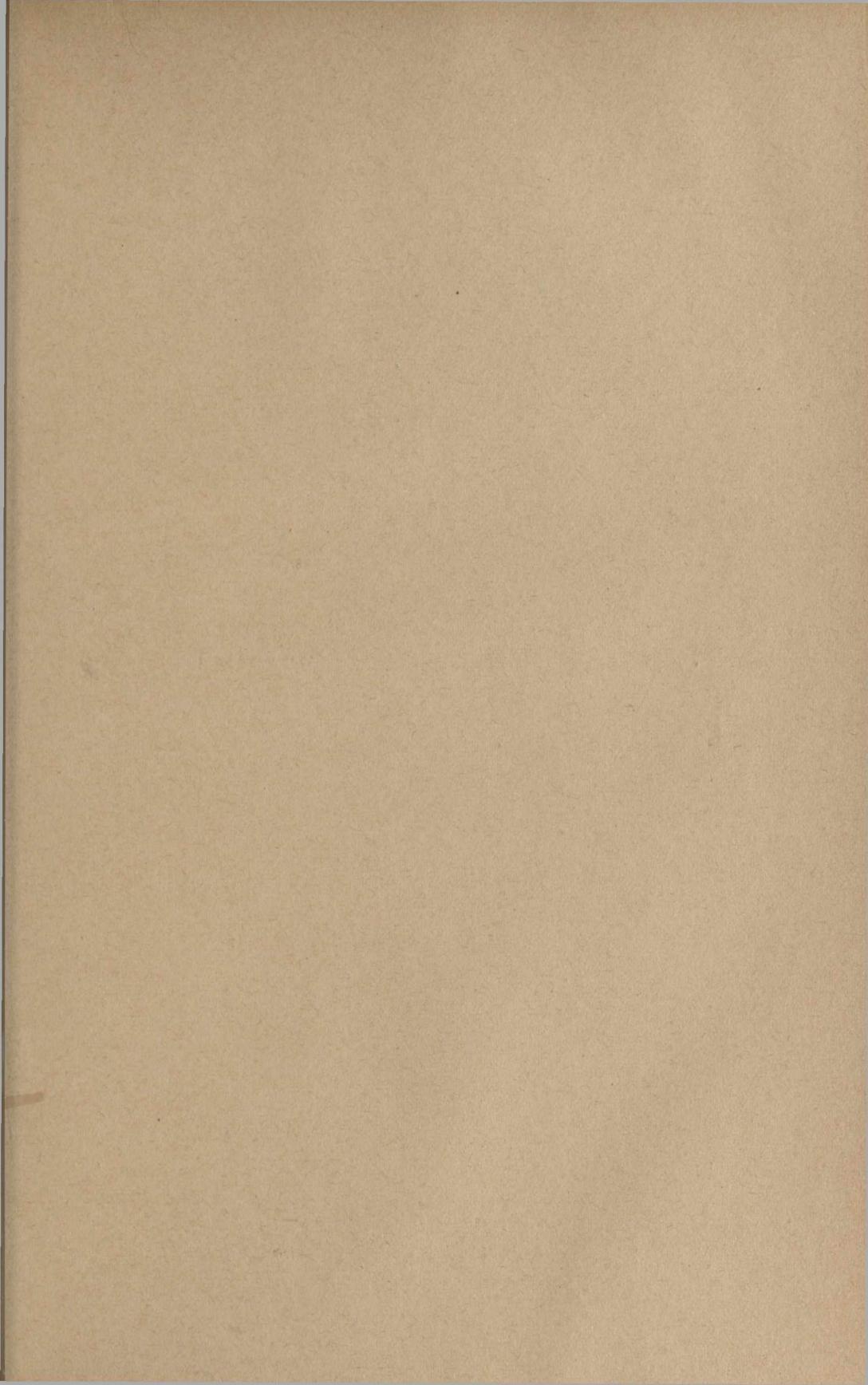
#### SCHEDULE V.

Articles on which other excise taxes are imposed on importation by Part XI of this Act; raw leaf tobacco when imported by licensed tobacco or cigar manufacturers; material for the manufacture of binder twine for export, when imported by the manufacturers thereof; British and Canadian coin and foreign gold coin, bullion and unmanufactured gold; fish and other products of the fisheries of Newfoundland; fish caught by fishermen in vessels registered in Canada or owned by any person domiciled in Canada, and the products thereof carried from the fisheries in such vessels; donations of clothing for charitable purposes; animals for the improvement of stock; boards, planks and deals of fir, spruce, pine, hemlock or larch, in the rough, or not further manufactured than planed or dressed on one side, when imported from a country which admits free of duty similar lumber imported from Canada; goods enumerated in Customs Tariff Items 700, 702, 703, 704, 705, 705a, 706, 707, 708 and 709. 1932, c. 54, s. 16.











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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 96.**

An Act to amend the Income War Tax Act.

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First reading, May 5, 1933.

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The MINISTER OF FINANCE.

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OTTAWA  
J. O. PATENAUDE, ACTING KING'S PRINTER  
1933

THE HOUSE OF COMMONS OF CANADA.

BILL 96.

An Act to amend the Income War Tax Act.

R.S., c. 97;  
1928, cc. 12,  
30;  
1930, c. 24;  
1931, c. 35;  
1932, cc. 43,  
44;  
1932-33, cc.  
14, 15.

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

1. The First Schedule of the *Income War Tax Act*, chapter ninety-seven of the Revised Statutes of Canada, 1927, as amended by sections one, two and three of chapter forty-three of the statutes of 1932, is repealed and the following schedule is substituted therefor:—

“FIRST SCHEDULE.

Rates applic-  
able to all  
individuals.

A. Rates of Tax Applicable to Persons other than Cor-  
porations and Joint Stock Companies.

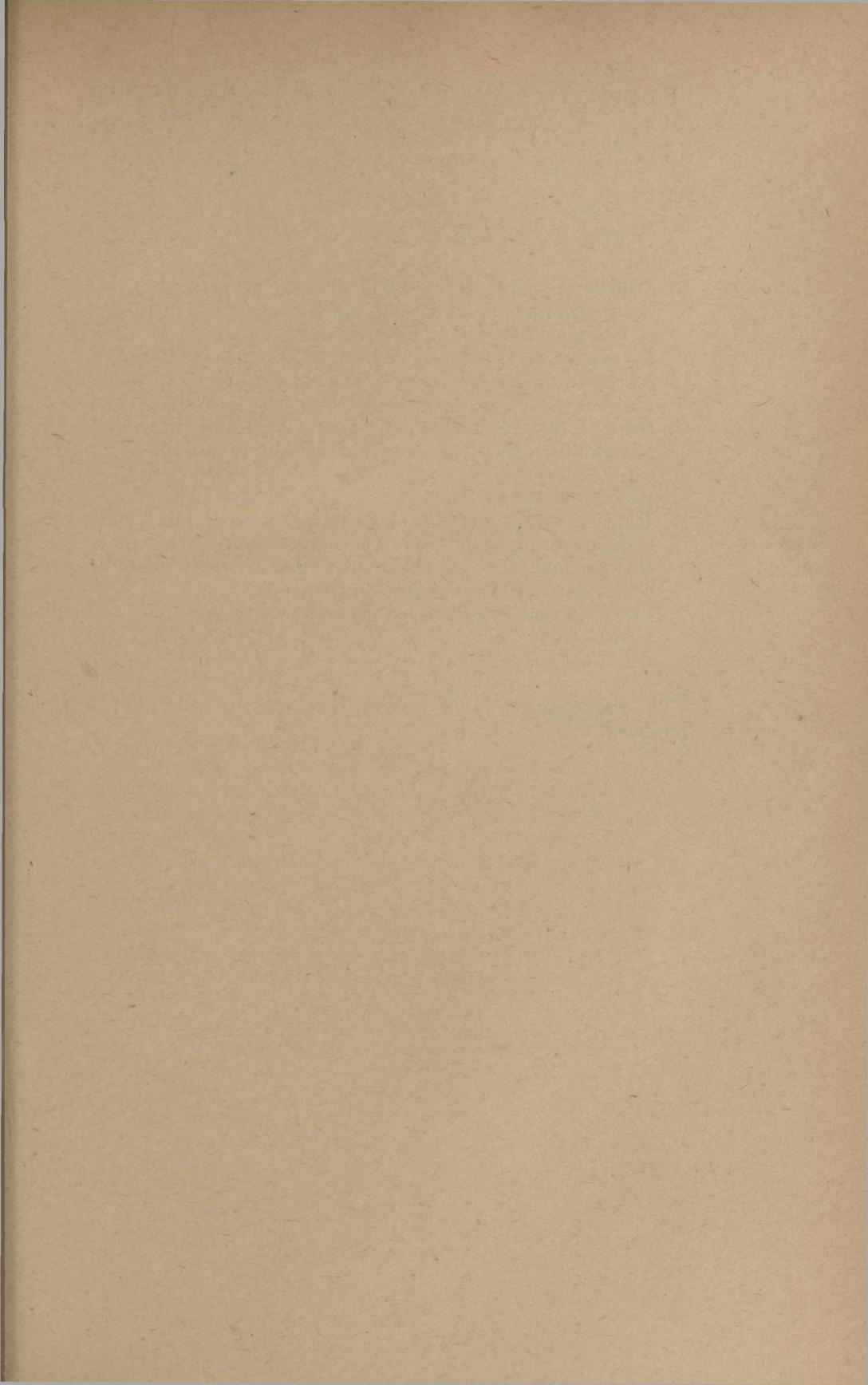
10

- On the first \$1,000 of Net Income or any portion thereof in excess of Exemptions  
3 per centum or
- \$ 30 upon Net Income of \$1,000; and 4 per centum upon the amount by which the Income exceeds \$1,000 and does not exceed \$2,000 or
  - \$ 70 upon Net Income of \$2,000; and 5 per centum upon the amount by which the Income exceeds \$2,000 and does not exceed \$3,000 or
  - \$ 120 upon Net Income of \$3,000; and 6 per centum upon the amount by which the Income exceeds \$3,000 and does not exceed \$4,000 or
  - \$ 180 upon Net Income of \$4,000; and 7 per centum upon the amount by which the Income exceeds \$4,000 and does not exceed \$5,000 or
  - \$ 250 upon Net Income of \$5,000; and 8 per centum upon the amount by which the Income exceeds \$5,000 and does not exceed \$6,000 or
  - \$ 330 upon Net Income of \$6,000; and 9 per centum upon the amount by which the Income exceeds \$6,000 and does not exceed \$7,000 or
  - \$ 420 upon Net Income of \$7,000; and 10 per centum upon the amount by which the Income exceeds \$7,000 and does not exceed \$8,000 or
  - \$ 520 upon Net Income of \$8,000; and 11 per centum upon the amount by which the Income exceeds \$8,000 and does not exceed \$9,000 or
  - \$ 630 upon Net Income of \$9,000; and 12 per centum upon the amount by which the Income exceeds \$9,000 and does not exceed \$10,000 or
  - \$ 750 upon Net Income of \$10,000; and 13 per centum upon the amount by which the Income exceeds \$10,000 and does not exceed \$11,000 or
  - \$ 880 upon Net Income of \$11,000; and 14 per centum upon the amount by which the Income exceeds \$11,000 and does not exceed \$12,000 or
  - \$ 1,020 upon Net Income of \$12,000; and 15 per centum upon the amount by which the Income exceeds \$12,000 and does not exceed \$13,000 or
  - \$ 1,170 upon Net Income of \$13,000; and 16 per centum upon the amount by which the Income exceeds \$13,000, and does not exceed \$14,000 or

### EXPLANATORY NOTES.

1. Paragraph A of the First Schedule of the Income War Tax Act shows the new rates of tax applicable to persons other than corporations and joint stock companies. Paragraph B reenacts the provision with respect to the additional rate of tax originally enacted in 1932, except that this additional rate will not now be applicable to corporations. Paragraph C:—A company now pays on all of its net income. The rate of tax is increased from 11 per cent to  $12\frac{1}{2}$  per cent; or in the case of a corporation which heretofore had an income in excess of \$5,000.00 and paid the additional rate of 5 per cent on the tax, the rate is increased from 11.55 per cent to  $12\frac{1}{2}$  per cent. Paragraph D:—This paragraph should be read in conjunction with section 13 of the Bill. If companies are to have the privilege of consolidating profit and loss statements of parent and subsidiary companies, wherein the loss of one would be offset against the gain of the other, it is proposed that such corporations shall pay an additional 1 per cent for the privilege.

- § 1,330 upon Net Income of \$14,000; and 17 per centum upon the amount by which the Income exceeds \$14,000 and does not exceed \$15,000 or
- § 1,500 upon Net Income of \$15,000; and 18 per centum upon the amount by which the Income exceeds \$15,000 and does not exceed \$16,000 or
- § 1,680 upon Net Income of \$16,000; and 19 per centum upon the amount by which the Income exceeds \$16,000 and does not exceed \$17,000 or
- § 1,870 upon Net Income of \$17,000; and 20 per centum upon the amount by which the Income exceeds \$17,000 and does not exceed \$18,000 or
- § 2,070 upon Net Income of \$18,000; and 21 per centum upon the amount by which the Income exceeds \$18,000 and does not exceed \$19,000 or
- § 2,280 upon Net Income of \$19,000; and 22 per centum upon the amount by which the Income exceeds \$19,000 and does not exceed \$20,000 or
- § 2,500 upon Net Income of \$20,000; and 23 per centum upon the amount by which the Income exceeds \$20,000 and does not exceed \$25,000 or
- § 3,650 upon Net Income of \$25,000; and 24 per centum upon the amount by which the Income exceeds \$25,000 and does not exceed \$30,000 or
- § 4,850 upon Net Income of \$30,000; and 25 per centum upon the amount by which the Income exceeds \$30,000 and does not exceed \$35,000 or
- § 6,100 upon Net Income of \$35,000; and 26 per centum upon the amount by which the Income exceeds \$35,000 and does not exceed \$40,000 or
- § 7,400 upon Net Income of \$40,000; and 27 per centum upon the amount by which the Income exceeds \$40,000 and does not exceed \$45,000 or
- § 8,750 upon Net Income of \$45,000; and 28 per centum upon the amount by which the Income exceeds \$45,000 and does not exceed \$50,000 or
- § 10,150 upon Net Income of \$50,000; and 29 per centum upon the amount by which the Income exceeds \$50,000 and does not exceed \$55,000 or
- § 11,600 upon Net Income of \$55,000; and 30 per centum upon the amount by which the Income exceeds \$55,000 and does not exceed \$60,000 or
- § 13,100 upon Net Income of \$60,000; and 31 per centum upon the amount by which the Income exceeds \$60,000 and does not exceed \$65,000 or
- § 14,650 upon Net Income of \$65,000; and 32 per centum upon the amount by which the Income exceeds \$65,000 and does not exceed \$70,000 or
- § 16,250 upon Net Income of \$70,000; and 33 per centum upon the amount by which the Income exceeds \$70,000 and does not exceed \$75,000 or
- § 17,900 upon Net Income of \$75,000; and 34 per centum upon the amount by which the Income exceeds \$75,000 and does not exceed \$80,000 or
- § 19,600 upon Net Income of \$80,000; and 35 per centum upon the amount by which the Income exceeds \$80,000 and does not exceed \$85,000 or
- § 21,350 upon Net Income of \$85,000; and 36 per centum upon the amount by which the Income exceeds \$85,000 and does not exceed \$90,000 or
- § 23,150 upon Net Income of \$90,000; and 37 per centum upon the amount by which the Income exceeds \$90,000 and does not exceed \$95,000 or
- § 25,000 upon Net Income of \$95,000; and 38 per centum upon the amount by which the Income exceeds \$95,000 and does not exceed \$100,000 or
- § 26,900 upon Net Income of \$100,000; and 39 per centum upon the amount by which the Income exceeds \$100,000 and does not exceed \$110,000 or
- § 30,800 upon Net Income of \$110,000; and 40 per centum upon the amount by which the Income exceeds \$110,000 and does not exceed \$120,000 or
- § 34,800 upon Net Income of \$120,000; and 41 per centum upon the amount by which the Income exceeds \$120,000 and does not exceed \$130,000 or
- § 38,900 upon Net Income of \$130,000; and 42 per centum upon the amount by which the Income exceeds \$130,000 and does not exceed \$140,000 or
- § 43,100 upon Net Income of \$140,000; and 43 per centum upon the amount by which the Income exceeds \$140,000 and does not exceed \$150,000 or
- § 47,400 upon Net Income of \$150,000; and 44 per centum upon the amount by which the Income exceeds \$150,000 and does not exceed \$175,000 or
- § 58,400 upon Net Income of \$175,000; and 45 per centum upon the amount by which the Income exceeds \$175,000 and does not exceed \$200,000 or
- § 69,650 upon Net Income of \$200,000; and 46 per centum upon the amount by which the Income exceeds \$200,000 and does not exceed \$225,000 or
- § 81,150 upon Net Income of \$225,000; and 47 per centum upon the amount by which the Income exceeds \$225,000 and does not exceed \$250,000 or
- § 92,900 upon Net Income of \$250,000; and 48 per centum upon the amount by which the Income exceeds \$250,000 and does not exceed \$275,000 or
- § 104,900 upon Net Income of \$275,000; and 49 per centum upon the amount by which the Income exceeds \$275,000 and does not exceed \$300,000 or
- § 117,150 upon Net Income of \$300,000; and 50 per centum upon the amount by which the Income exceeds \$300,000 and does not exceed \$325,000 or
- § 129,650 upon Net Income of \$325,000; and 51 per centum upon the amount by which the Income exceeds \$325,000 and does not exceed \$350,000 or



\$142,400 upon Net Income of \$350,000; and 52 per centum upon the amount by which the Income exceeds \$350,000 and does not exceed \$375,000 or  
 \$155,400 upon Net Income of \$375,000; and 53 per centum upon the amount by which the Income exceeds \$375,000 and does not exceed \$400,000 or  
 \$168,650 upon Net Income of \$400,000; and 54 per centum upon the amount by which the Income exceeds \$400,000 and does not exceed \$450,000 or  
 \$195,650 upon Net Income of \$450,000; and 55 per centum upon the amount by which the Income exceeds \$450,000 and does not exceed \$500,000 or  
 \$223,150 upon Net Income of \$500,000; and 56 per centum upon the amount by which the Income exceeds \$500,000.

Additional rate applicable to certain individuals.

B. Additional rate of tax applicable to all persons, other than corporations and joint stock companies, in receipt of income in excess of five thousand dollars.

*In respect of incomes in excess of five thousand dollars (excluding incomes exempt under section four)*

5

five per centum of the amount of the tax as hereinbefore provided for.

Company rate of tax.

C. Rate of tax applicable to corporations and joint stock companies, except as next hereinafter provided.

*On the income of the company*

twelve and one-half per centum.

Rate on consolidated corporation incomes.

D. Rate of tax applicable to corporations and joint stock companies which file a return consolidating their profit 10 or loss with that of their subsidiaries as provided for by subsection three of section thirty-five.

*On the consolidated income of such company and its subsidiaries*

thirteen and one-half per centum."

Householder definition repealed.

2. Paragraph (f) of section two of the said Act is 15 repealed.

2. The exemption for a householder as such is being abolished as it is felt that an individual fortunate enough to be able to maintain a household in which he has no relations who are dependent upon him should no longer have the larger exemption of \$2,000.00 simply because he chooses a particular mode or way of expending his income. However, an individual who maintains a self-contained domestic establishment and who actually supports therein one or more individuals connected with him by blood relationship, marriage or adoption, will continue to enjoy the larger exemption of \$2,000.00, as provision is being made for such cases in section four of the Bill.

Paragraph (f) of section 2 which is being repealed, reads as follows:—

“(f) “householder” means

(i) an individual who at his own and sole expense maintains a self-contained domestic establishment employing therein on full time a housekeeper or servant, or

(ii) an individual who maintains a self-contained domestic establishment and who actually supports and maintains therein one or more individuals connected with him by blood relationship, marriage or adoption;”

Exemption  
of war  
pensions  
repealed.

3. Paragraph (l) of section four of the said Act is repealed.

4. Paragraphs (c), (d), (e) and (i) of subsection one of section five of the said Act, as amended, are repealed, and the following paragraphs are substituted therefor:— 5

“(c) Two thousand dollars in the case of

(i) A married person;

Married  
person.

(ii) A widow or widower with a son or daughter under twenty-one years of age who is dependent upon such parent for support, or if twenty-one years of age or over is likewise dependent on account of mental or physical infirmity; 10

Widow or  
widower  
with depen-  
dent child.

(iii) An individual who maintains a self-contained domestic establishment and who actually supports therein one or more individuals connected with him by blood relationship, marriage or adoption; 15

Person main-  
taining self-  
contained  
domestic  
establish-  
ment and  
supporting  
therein a  
relative.

Other er-  
sons.

“(d) One thousand dollars in the case of all other persons, except corporations; and

“(e) Four hundred dollars for each child or grandchild (except one such child or grandchild on whose account the taxpayer is entitled to exemption under paragraphs (c) (ii) or (c) (iii) hereof) of the taxpayer, under twenty-one years of age and dependent upon the taxpayer for support or twenty-one years of age or over and likewise dependent on account of mental or physical infirmity; 20 25

Dependent  
children and  
grand-  
children.

“(i) The amount not exceeding four hundred dollars actually expended by a taxpayer for the support of each of the following persons (except one such person on whose account the taxpayer is entitled to exemption under paragraph (c) (iii) hereof) who are dependent upon him for support: 30

Dependent  
relatives.

(a) A parent or grandparent dependent on account of mental or physical infirmity;

(b) A brother or sister under twenty-one years of age or twenty-one years of age or over if dependent on account of mental or physical infirmity.” 35

3. Paragraph (l) of section 4 which is being repealed, reads as follows:—

“4. The following incomes shall not be liable to taxation hereunder:—

(l) Any pension granted to any member of His Majesty's military, naval or air forces or to any member of the military, naval or air forces of His Majesty's allies for any disability suffered by the pensioner while serving in any of His Majesty's forces or in the forces of His Majesty's allies during the war that began in August, one thousand nine hundred and fourteen, and any pension granted to any dependent relative of any person who was killed or suffered any disability while serving in the said forces in the said war;”

4. The provisions of the four paragraphs in section 4 of the Bill reduce the exemption from \$2,400.00 to \$2,000.00 and from \$1,200.00 to \$1,000.00. The exemption for dependent children is reduced from \$500.00 to \$400.00 and the exemption for dependent relatives is reduced from \$500.00 to the amount actually expended, with a maximum exemption of \$400.00 for each such dependent relative.

The paragraphs which are being repealed read as follows:

“(c) Twenty-four hundred dollars in the case of a married person or householder or any other person who has dependent upon him any of the following persons:—

(i) A parent or grandparent,

(i) A daughter or sister,

(iii) A son or brother under twenty-one years of age or incapable of self-support on account of mental or physical infirmity;”

“(d) Twelve hundred dollars in the case of other persons, and”

“(e) Five hundred dollars for each child under twenty-one years of age who is dependent upon the taxpayer for support, or if twenty-one years of age or over, is incapable of self-support on account of mental or physical infirmity;”

“(i) For each parent, grandparent, brother or sister, incapable of self-support on account of mental or physical infirmity, who is dependent upon the taxpayer for support, a further exemption of five hundred dollars except in cases wherein exemption (whether of five hundred dollars or twelve hundred dollars) in respect of such persons is already provided for in the Act.”

5. Subsection two of section five of the said Act, as enacted by section seven of chapter forty-three of the statutes of 1932, is repealed and the following is substituted therefor:—

Incomes of husband and wife.

“(2) Where a husband and wife have each a separate income in excess of one thousand dollars, whether taxable or not, each shall receive an exemption of one thousand dollars in lieu of the exemption set forth in paragraph (c) of the next preceding subsection.” 5

6. Section six of the said Act is amended by adding thereto the following paragraph:—

Application of carrying charges.

“(h) Carrying charges of property the income from which is exempt, except to the extent that such carrying charges exceed the exempt income.”

7. Section six is further amended by adding thereto the following subsection:—

Limitation of certain expenses charged against profits.

“(2) The Minister may disallow as an expense the whole or any portion of any salary, bonus, commission or director's fee which in his opinion is in excess of what is reasonable for the services performed.” 20

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

Corporations and joint stock companies.

“(2) Save as herein otherwise provided, corporations and joint stock companies, no matter how created or organized, shall pay a tax upon income at the rate applicable thereto set forth in the First Schedule of this Act.” 25

**5.** This section provides for a reduction of the amount of exemption from \$1,200.00 to \$1,000.00 in the case of a husband and wife having each a separate income. (For paragraph (c) of subsection 1 of section 5 referred to, see section 4, paragraph (c) (i) of this Bill).

**6.** This section provides that the carrying charges of productive property producing income which is exempt from taxation (such as tax free bond interest or dividends received by one company from another) shall be applied first against such exempt income; any excess of such carrying charges may be applied against income other than the income from a taxpayer's chief position, occupation, trade, business or calling.

**7.** This is necessary to prevent what amounts to a fraud in that certain persons have been held out as rendering services to companies when in fact little or no services were performed and the tax liability of the company has been reduced thereby. In addition, companies controlled by non-residents have reduced their tax liability by paying large salaries to non-residents who are not officers or directors or employees rendering services to the Canadian company in Canada. The practice has been extensive enough to warrant an amendment.

**8.** This section eliminates the two thousand dollar exemption heretofore afforded corporations. The subsection being repealed reads as follows:—

“(2) Save as herein otherwise provided, corporations and joint stock companies, no matter how created or organized, shall pay a tax, at the rate applicable thereto set forth in the First Schedule of this Act, upon income exceeding two thousand dollars.”

9. The said Act is further amended by adding immediately after section 9A, as enacted by section one of chapter forty-four of the statutes of 1932, the following section:—

Five per cent tax on residents of Canada.

"9B. (1) In addition to any other tax imposed by this Act an income tax of five per centum is hereby imposed on all persons resident in Canada, except municipalities, or municipal or public bodies which in the opinion of the Minister perform a function of government, in respect of all interest and dividends paid by Canadian debtors, directly or indirectly to such persons, in a currency which is at a premium in terms of Canadian funds. 5

Five per cent tax on non-residents.

(2) In addition to any other tax imposed by this Act an income tax of five per centum is hereby imposed on all persons who are non-residents of Canada in respect of 10

(a) All dividends received from Canadian debtors irrespective of the currency in which the payment is made, and

(b) All interest received from Canadian debtors if payable solely in Canadian funds except the interest from all bonds of or guaranteed by the Dominion of Canada. 20

Collection and remittance.

(3) In the case of bearer coupons or warrants, whether representing interest or dividends, the taxes imposed by this section shall be collected by the encashing agent or debtor who shall withhold five per centum of the obligation and remit the same to the Receiver General of Canada, provided that any encashing agent so withholding and remitting shall be entitled to recover one hundred per centum of the obligation from the debtor. 30

Collection and remittance.

(4) In the case of interest or dividends in respect of fully registered shares, bonds, debentures, mortgages or any other obligations, the taxes imposed by this section shall be collected by the debtor who shall withhold five per centum of the interest or dividend on the obligation and remit the same to the Receiver General of Canada. 35

Exemptions not allowed for five per cent tax.

(5) The exemptions provided by section four of this Act shall not apply in the case of the taxes imposed by this section.

Trust deemed non-resident.

(6) The tax imposed by subsection two hereof shall apply in the case of dividends and interest paid to a trustee resident in Canada if fifty per centum or more of the income of the trust is paid or credited to non-residents of Canada. 40

Determination as to who are residents.

(7) For the purposes of this section the Minister shall have full power to determine the persons who are deemed to be residents of Canada, and in the case of a person who is resident abroad as well as in Canada, what interest and dividends are taxable hereunder. 45

Agent for non-resident person.

(8) Whenever an agent of a non-resident person receives payment of any interest or dividends taxable under this section from which the tax has not been withheld, such 50

9. Section 9B which is added to the *Income War Tax Act* by this section, provides for a tax of 5 per cent on residents of Canada and non-residents of Canada in respect of interest or dividends received from Canadian debtors according to the circumstances set forth.

Subsection 1 of section 9B imposes an income tax of 5 per cent on all residents of Canada in respect of interest and dividends received from Canadian debtors and paid in a currency which is at a premium in terms of Canadian funds. The tax, however, does not apply in respect of Dominion of Canada loans issued free of tax to residents of Canada. Further, the tax will not be imposed on interest or dividends received by the Provinces of Canada or municipalities.

Subsection 2 of section 9B provides for an income tax of 5 per cent on all non-residents in respect of

1. All dividends received from Canadian debtors, and
2. Any interest received from Canadian debtors if such interest is payable solely in Canadian funds, with the exception of interest received from all bonds of or guaranteed by the Dominion of Canada.

Subsections 3 and 4 of section 9B provide for the withholding and collection of the 5 per cent tax at the source or when the bearer coupons or warrants are presented for payment.

Subsection 5 of section 9B provides that the 5 per cent tax shall apply, notwithstanding that the person, association or corporation receiving the dividend or interest may be otherwise exempt from paying the general income tax imposed by the Act.

Subsection 6 of section 9B is declaratory and is necessary by reason of the fact that the five per cent tax imposed on non-residents could be evaded by a non-resident person setting up a trust in Canada to hold his Canadian stocks and bonds and by making provision that the Canadian trustee was to distribute the income annually to such non-resident.

Subsection 7 of section 9B gives the Minister power to determine the persons who are deemed to be residents of Canada and the extent to which they shall be deemed to be resident if in fact they are resident in Canada and also in another country.

Subsection 8 of section 9B provides that the agent in Canada of a non-resident person must withhold the 5 per cent tax in all cases where the tax has not already been withheld at the time the interest or dividends are received by such agent in Canada.

agent shall withhold the tax from his principal and remit the same to the Receiver General of Canada.

Creditor to bear five per cent tax.

(9) Every agreement for payment of interest or dividends in full without allowing any such deduction or withholding shall be void. 5

Penalty for concealment.

(10) Every person resident in Canada who directly or indirectly conceals the fact of such Canadian residence so as to evade the tax imposed by this section shall be liable for double the amount of the tax so imposed and for interest thereon at the rate of ten per centum per annum from the date when the tax should have been paid to the Receiver General of Canada. 10

Exemption of dividends to non-resident parent company.

(11) The tax imposed by subsection two hereof shall not apply in the case of dividends paid to a non-resident company by a Canadian company, all of whose shares (less directors' qualifying shares) are beneficially owned by such non-resident company: Provided that not more than one-quarter of the gross revenue of the Canadian company is derived from interest and dividends." 15

Undistributed profits of corporations.

**10.** Section thirteen of the said Act is repealed and the following section is substituted therefor:— 20

"**13.** In the case of any corporation which has undivided or undistributed profits, if the Minister is of opinion that the accumulation of such profits is in excess of what is reasonably required for the purposes of the business, he may notify the corporation by registered letter of the amount of such accumulation which he considers excessive, and if such amount is not distributed during the fiscal period of the corporation in which notice is given, the shareholders shall be deemed to have received such amount of profits as a dividend on the last day of the said fiscal period and shall be taxable accordingly." 25 30

**11.** Subsection one of section nineteen of the said Act, as enacted by section four of chapter twenty-four of the statutes of 1930, is amended by adding thereto the following:— 35

When surplus distribution not taxable.

"Provided, however, that this subsection shall not apply to the distribution of the property of a private investment holding company whose business is and has been carried on in Canada, whose capital is and has been invested solely in British and foreign securities and interest bearing securities of Canadian debtors and all of whose shares (less directors' qualifying shares) are and have been beneficially owned since its incorporation by a non-resident individual or by such an individual and his wife or any member of his family or by any combination of them." 40 45

Subsection 9 of section 9B is to ensure that the tax is borne by the person entitled to receive the interest or dividends and not by the person who has to pay the interest or dividends.

Subsection 10 of section 9B is to provide a penalty where a Canadian resident sends his bearer coupons abroad to be cashed at a foreign bank without the completion of an ownership certificate disclosing that the coupons are being cashed by or on behalf of a resident of Canada. If the coupon was for interest payable by a Canadian debtor in funds other than Canadian funds, no tax would be imposed on the non-resident, but a tax would be exigible on a Canadian resident if the foreign currency was at a premium in terms of Canadian funds.

Subsection eleven of section 9B exempts from the five per cent tax on non-residents, dividends paid by Canadian commercial companies whose shares are wholly owned by a non-resident parent company.

**10.** This is purely an administrative change in order to render certain a matter which, in practice, has been found to be uncertain in the administration of the section as it stands at present, namely, the period in respect of which the tax should be made to apply. Section 13 which is being repealed reads as follows:—

“**13.** The share of a taxpayer in the undivided or undistributed gains and profits of a corporation shall not be deemed to be taxable income of the taxpayer, unless the Minister is of opinion that the accumulation of such undivided and undistributed gains and profits is made for the purpose of evading the tax, and is in excess of what is reasonably required for the purposes of the business.”

**11.** Subsection one of section 19 reads as follows:—

“**19.** (1) On the winding-up, discontinuance or reorganization of the business of any incorporated company, the distribution in any form of the property of the company shall be deemed to be the payment of a dividend to the extent that the company has on hand undistributed income earned in the taxation period 1930 and subsequent periods.”

**12.** Section twenty-seven of the said Act is amended by adding thereto the following subsections:—

Deductions of twelve and one half per centum on certain payments made to non-residents.

“(3) Every person making any payment by any means whatsoever to a non-resident person on account of anything let, leased or used in Canada, or on account of royalties for anything used or sold in Canada shall deduct from every such payment twelve and one-half per centum thereof. 5

Remittance of the deduction.

(4) The amount so deducted shall be remitted to the Receiver General of Canada at the same time as the payment is made or credited to the non-resident person and shall be accompanied by a statement in the form prescribed by the Minister. 10

Deduction a credit against tax.

(5) The amount of the deduction so withheld at the source under the two next preceding subsections shall be allowed as a credit against any tax payable by the non-resident person. 15

Agent for non-resident person.

(6) Whenever an agent of a non-resident person receives payment on account of anything mentioned in the three next preceding subsections from which the deduction therein mentioned has not been made, such agent shall make such deduction before paying over to his principal and remit the amount thereof to the Receiver General of Canada.” 20

**13.** Section thirty-five of the said Act, as amended by section nine of chapter forty-three of the statutes of 1932, is amended by adding thereto the following subsection:— 25

Consolidated returns of income of corporations.

“(3) A company which owns or controls all of the capital stock (less directors' qualifying shares) of subsidiary companies which carry on the same class of business, may elect within the time and in the manner prescribed by regulations, to file a return in which its profit or loss is consolidated with that of its subsidiaries, in which case the tax provided by paragraph D of the First Schedule of this Act shall apply.” 30

**14.** Section thirty-nine of the said Act is amended by inserting after subsection two thereof the following subsection:— 35

Returns of interest paid on fully registered bonds and debentures.

“(2A) All debtors paying interest on any fully registered bonds or debentures shall make a return of all interest so paid.” 40

**15.** The said Act is further amended by inserting immediately after section thirty-nine thereof the following section:—

Ownership certificates.

“**39A.** (1) For the purpose of ensuring the due collection and payment of taxes imposed by this Act, before any bearer coupon or warrant representing either interest or dividends payable by Canadian, British or foreign debtors or cheque representing dividends or interest payable by 45

**12.** This section is an enabling provision in support of section 27 of the Act, whereby all non-residents since 1923 have been liable for Canadian Income Tax on all rents and royalties. The provisions of the said section 27 as enacted in 1924 and applicable to the 1923 taxation period insofar as they deal with rents and royalties are as follows:—

“**27.** . . . . . or any non-resident person who lets or leases anything used in Canada or who receives a royalty or other similar payment for anything used or sold in Canada, shall be deemed to be carrying on business in Canada and to earn a proportionate part of the income derived therefrom in Canada.”

The difficulty in administering this section has been that although non-residents have been liable for tax on rents and royalties since 1923, in the majority of instances such non-residents apparently have taken every means possible to avoid giving information, filing returns or admitting any liability under the Act, even though they were entitled to credit in their own country with respect to any income tax paid to Canada. By withholding a percentage of the rents and royalties at the source, the non-resident will be anxious to file his return showing his income from Canadian sources, together with any deductions on account of expenses applicable to such Canadian income, in order that the correct amount of his Canadian tax may be determined, as credit against the tax payable will be given for any amounts withheld and adjustments made accordingly.

**13.** As explained in the notes to paragraph D of the First Schedule as enacted by section 1 of this Bill, it is proposed that if companies are to have the privilege of consolidating profit and loss statements of parent and subsidiary companies, wherein the loss of one would be offset against the gain of the other, such corporation shall pay an additional 1 per cent for the privilege.

**14.** This provides for an information return from corporations paying interest on fully registered bonds or debentures similar to the information return now filed in connection with dividends.

**15.** This section provides for obtaining information with respect to the persons cashing bearer coupons under which any interest or dividends are paid to residents of Canada and also with respect to interest and dividend cheques issued by British or foreign debtors but cashed by residents of Canada. The section provides administrative ways and means for obtaining all such information.

British or foreign debtors, is negotiated by or on behalf of a resident of Canada, there shall be completed by or on behalf of such resident an ownership certificate in the form prescribed by the Minister.

Delivery of ownership certificates to Minister.

(2) Such ownership certificate shall be delivered in such manner, at such time and at such place as the Minister may prescribe. If not so delivered, the person in default shall be liable to a penalty of not less than ten dollars for each day of default, with a maximum penalty of fifty dollars. 5 10

Extension of operation to non-residents.

(3) The Minister may by regulations extend the operation of this section to bearer coupons or warrants negotiated by or on behalf of non-resident persons."

**16.** The said Act is further amended by adding thereto the following sections:—

Penalty for failure to collect or withhold.

"**84.** Any person who fails to collect or withhold any sum of money as required by this Act or regulations made thereunder, shall be liable for the amount which should have been collected or withheld together with interest at the rate of ten per centum per annum. 15 20

Penalty for failure to remit.

(2) Any person who fails to remit any sum of money collected or withheld as required by this Act, or at such time as the Minister may in special cases prescribe, shall in addition to being liable for such sum of money so collected or withheld, be liable to a penalty of ten per centum of the said sum together with interest at the rate of ten per centum per annum. 25

Penalty for failure to complete ownership certificate.

"**85.** A resident of Canada who fails to issue and deliver an ownership certificate as required by this Act or regulations made thereunder, and any encashing agent or debtor who cashes a coupon or warrant for which an ownership certificate has not been completed, shall be liable to a penalty of not less than five dollars for each such offence. 30

No action against person collecting or withholding.

"**86.** No action shall lie against any person for withholding or deducting any sum of money as required by this Act or regulations made thereunder. 35

Receipt of Minister.

"**87.** The receipt of the Minister for any sum of money collected, withheld or deducted by any person as required by this Act or regulations made thereunder shall constitute a good and sufficient discharge of the liability of any debtor to his creditor with respect thereto to the extent of the amount referred to in the receipt." 40

Interest on increase of tax.

**17.** Interest on the increase of tax imposed by sections one, eight and thirteen of this Act on corporations for the fiscal period ending in 1932, shall commence to run from the thirtieth day of April, 1933. 45

**16.** Section 84:—This section provides penalties for failure to collect or withhold any sum of money as required by the Act and also for failure to remit any sum collected or withheld.

Section 85:—This section provides a penalty in the case of any person failing to complete an ownership certificate as required by the Act and also a penalty for the encashing agent or debtor who cashes a coupon for which an ownership certificate has not been completed.

Section 86:—This section gives protection to any person withholding any money in accordance with the provisions of the *Income War Tax Act*.

Section 87:—This section provides that the receipt of the Minister for any sum of money collected by any person as required by the Act when forwarded to the creditor shall constitute a good and sufficient discharge of the liability of the debtor to the extent of the amount referred to in the receipt.

**17.** Owing to the fact that the increased corporation rate of tax applies to corporations whose fiscal periods ended at any time during the calendar year 1932, and whose tax became payable four months after the close of such fiscal periods, it is proposed that interest shall not commence to run on the increase of tax provided for under sections 1, 8 and 13 of this Bill until the 30th day of April, 1933.

Date effective, periods affected.

**18.** Sections one, two, four, five, six, seven, eight and thirteen of this Act shall be applicable to income of the 1932 taxation period and fiscal periods ending therein and of all subsequent periods.

Section 12.

**19.** Section twelve of this Act shall be deemed to have come into force on the twenty-second day of March, 1933, and shall be applicable to all payments made on and after the said date. 5

Section 14.

**20.** Section fourteen of this Act shall be applicable to income of the 1933 taxation period and fiscal periods ending therein and of all subsequent periods. 10

Sections 9B, 39A, 84-87.

**21.** Sections **9B**, **39A**, eighty-four, eighty-five, eighty-six and eighty-seven as enacted by sections nine, fifteen and sixteen respectively of this Act, shall be deemed to have come into force on the first day of April, 1933, and shall be applicable to all payments due and payable on or after the said date, except in the case of coupons or cheques of British or foreign debtors in which case section **39A** of the *Income War Tax Act* shall be deemed to apply to all such coupons or cheques cashed on or after the said first day of April, 1933. 15 20

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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 97.**

An Act to authorize the Governor in Council to agree to extend by proclamation the duration of the Trade Agreement made between Canada and New Zealand, dated the twenty-third day of April, one thousand nine hundred and thirty-two, as approved by chapter thirty-four of the Statutes of 1932, entitled An Act respecting a certain Trade Agreement between Canada and New Zealand.

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First reading, May 8, 1933.

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The PRIME MINISTER.

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OTTAWA  
J. O. PATENAUDE, ACTING KING'S PRINTER

THE HOUSE OF COMMONS OF CANADA.

**BILL 97.**

An Act to authorize the Governor in Council to agree to extend by proclamation the duration of the Trade Agreement made between Canada and New Zealand, dated the twenty-third day of April, one thousand nine hundred and thirty-two, as approved by chapter thirty-four of the Statutes of 1932, entitled An Act respecting a certain Trade Agreement between Canada and New Zealand.

1932, c 34.

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

Power to extend duration of agreement.

**1.** The Governor in Council may, by proclamation, extend the duration of the trade agreement made between the Dominion of Canada and the Dominion of New Zealand, dated the twenty-third day of April, one thousand nine hundred and thirty-two, and approved by Parliament by chapter thirty-four of the Statutes of 1932, and which came into force by proclamation of the Governor in Council on the twenty-fourth day of May, 1932, for such period beyond the twenty-fourth day of May, 1933, being the date of the termination thereof, as may be agreed upon between His Majesty's Government in the Dominion of Canada and His Majesty's Government in the Dominion of New Zealand.

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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33.

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THE HOUSE OF COMMONS OF CANADA.

**BILL 98.**

An Act to amend the Post Office Act.

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First reading, May 9, 1933.

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The PRIME MINISTER.

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OTTAWA  
J. O. PATENAUDE, ACTING KING'S PRINTER

THE HOUSE OF COMMONS OF CANADA.

**BILL 98.**

An Act to amend the Post Office Act.

R.S., c. 161;  
1931, c. 45.

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

**1.** Subsection three of section twenty-three of the *Post Office Act*, chapter one hundred and sixty-one of the Revised Statutes of Canada, 1927, as enacted by chapter forty-five of the statutes of 1931, is repealed and the following is substituted therefor:—

“(3) Newspapers and periodicals which are required to be transmitted for a greater distance than is mentioned in the last preceding subsection, or the publication of which is of greater frequency than once a week, and the newspapers and periodicals described in the immediately preceding subsection, upon any copies in excess of the circulation of two thousand five hundred copies, shall be subject to postage at the rate of one and one-half cents on and after the first day of July one thousand nine hundred and thirty-one, for each pound weight or any fraction of a pound weight, and such postage shall be prepaid by postage stamps or otherwise as the Postmaster General from time to time directs; provided that such of the said newspapers and periodicals as have a circulation of not more than ten thousand copies per issue shall remain subject to postage at the rate of one cent for each pound weight or any fraction of a pound weight as heretofore; provided further that such of the said newspapers and periodicals as are devoted to religion, the sciences, or agriculture, shall remain subject to postage at the rate of one cent for each pound weight or any fraction of a pound weight as heretofore; provided further that the advertising portion of the said newspapers and periodicals

Postage  
rates on  
newspapers.

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EXPLANATORY NOTES.

1. Subsection 3 of section 23, as enacted by chapter 45 of the statutes of 1931, is to be re-enacted without change, except that the proviso underlined in the text of the Bill is added thereto.

The effect of the proviso will be as follows:—

- (A) Free circulation.....No change
- (B) Newspapers and periodicals when the space devoted to advertisements does not exceed fifty per centum.....No change
- (C) Newspapers and periodicals when the space devoted to advertisements exceeds fifty per centum:
  - (a) Portion devoted to matter other than advertising.....No change
  - (b) Advertising portion:.....4 cents per pound

The rate of 4 cents per pound is established instead of 1 cent or 1½ cents per pound as heretofore.

Postage  
rates  
based on  
advertising  
contents.

when the space devoted to advertisements exceeds fifty per centum of the total space, shall be subject to postage at the rate of four cents for each pound weight or any fraction of a pound weight."

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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 99.**

An Act to amend The Canadian Radio Broadcasting  
Act, 1932.

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First reading, May 10, 1933.

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The PRIME MINISTER.

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OTTAWA  
J. O. PATENAUDE, ACTING KING'S PRINTER

THE HOUSE OF COMMONS OF CANADA.

**BILL 99.**

An Act to amend The Canadian Radio Broadcasting Act, 1932.

1932, c. 51.

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

**1.** Section four of *The Canadian Radio Broadcasting Act, 1932*, is repealed and the following is substituted therefor:— 5

Appointment and salaries of officers and employees.

“**4.** The Commission may employ such technical, professional and other officers, clerks and employees or other persons as the Commission may deem necessary or desirable, and such persons shall receive such salaries or remuneration as may be fixed by the Commission.” 10

**2.** Paragraphs (b) and (c) of section nine of the said Act are repealed, and the following paragraphs are substituted therefor:—

Powers of Commission.

“(b) Subject to the approval of the Governor in Council, acquire existing private stations either by lease or by purchase; 15

“(c) Subject to the approval of the Governor in Council, construct such new stations as may be required.”

**3.** Subsection one of section fourteen of the said Act is repealed and the following is substituted therefor:— 20

Expenditure of moneys.

“**14.** (1) The Commission may expend for the purposes of this Act the moneys appropriated by Parliament for such purposes, together with such sums of money as may be received by the Commission from any business carried on by it under this Act.” 25

## EXPLANATORY NOTES.

**1.** The Canadian Radio Broadcasting Commission is an independent body appointed by Parliament to control and regulate all broadcasting in Canada. It is essential that the Commission should have wide powers with regard to the selection of suitable employees for this work. The Civil Service Commission has not in the past been accustomed to employing personnel of the type required by the Commission, and it is not considered that the Civil Service Act is a suitable vehicle through which the Commission should obtain its employees, either technical or clerical.

Section 4 to be repealed reads as follows:—

"4. The Commission may employ such technical, professional and other officers, and clerks and employees as may be necessary. Such officers, clerks and employees shall be appointed pursuant to the *Civil Service Act*."

**2.** The existing paragraphs (b) and (c) of section 9 read as follows:—

"(b) acquire existing private stations either by lease or, subject to the approval of Parliament, by purchase;

(c) subject to the approval of Parliament, construct such new stations as may be required."

The words "subject to the approval of Parliament," underlined above, are to be struck out, and these powers are made subject to the approval of the Governor in Council.

**3.** The only change in subsection 1 of section 14 is the addition of the underlined words in the text of the Bill.

4. Subsection two of section fourteen of the said Act is repealed and the following is substituted therefor:—

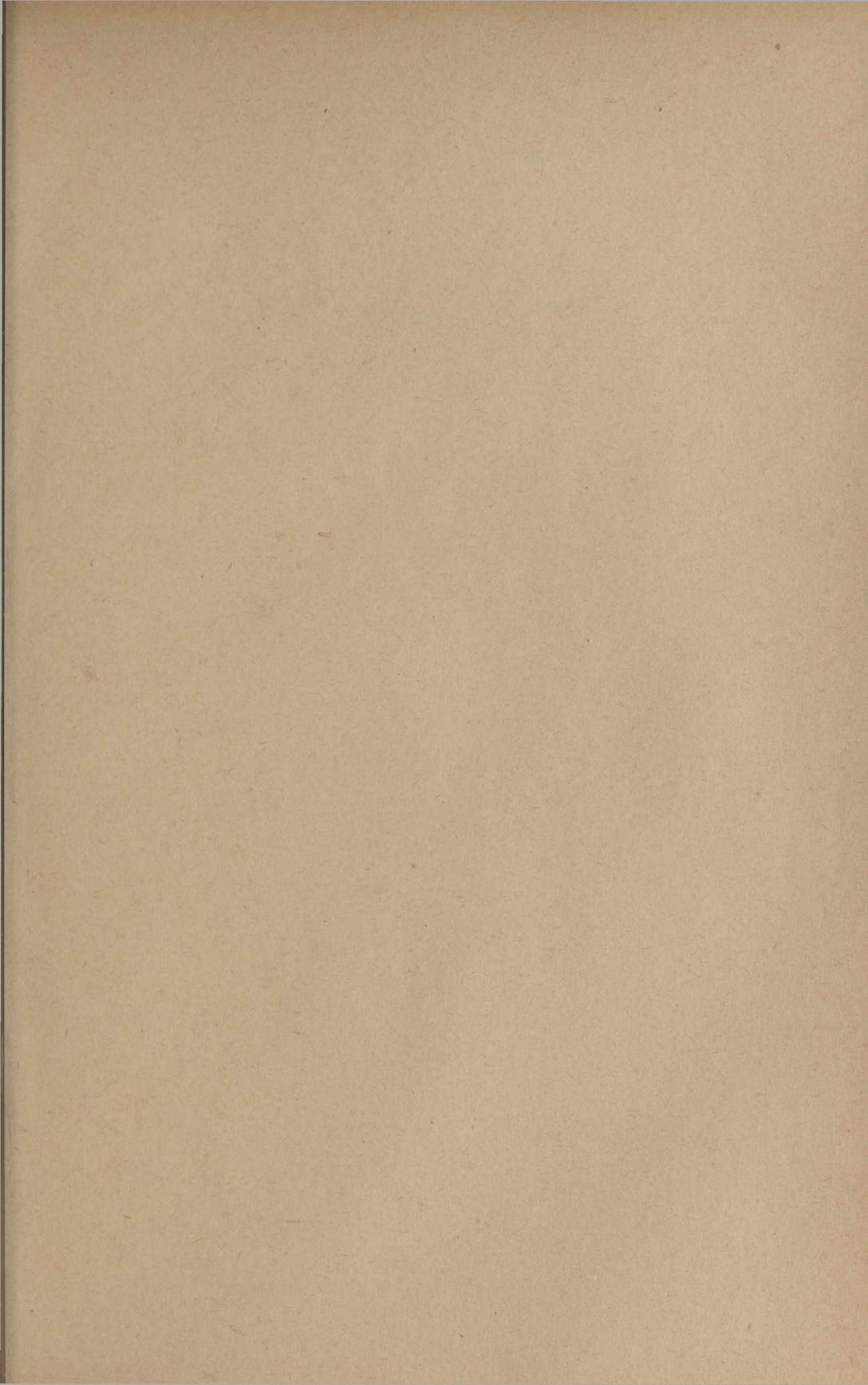
Limitation  
of appropriation.

“(2) The moneys appropriated for such purposes shall not exceed the estimated revenue from receiving licences, private commercial broadcasting licences and amateur 5  
broadcasting licences and from the business of the Commission under this Act.

Provided that if at the end of any fiscal year there is a balance of appropriated moneys unexpended or if the revenue from the sources mentioned in the preceding sub- 10  
section exceeds the amount appropriated, Parliament may appropriate any such balance and excess in addition to any appropriation permitted hereunder.”

4. The only change in subsection 2 of section 14 is the insertion of the underlined word "and" in the text of the Bill in place of the word "or."







100.

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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 100.**

An Act to amend The Tariff Board Act.

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First reading, May 10, 1933.

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The PRIME MINISTER.

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OTTAWA  
J. O. PATENAUDE, ACTING KING'S PRINTER

THE HOUSE OF COMMONS OF CANADA.

**BILL 100.**

An Act to amend The Tariff Board Act.

1931, c. 55.

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

**1.** Subsections one and two of section eight of *The Tariff Board Act*, chapter fifty-five of the statutes of 1931, are repealed, and the following are substituted therefor:— 5

Pensions.

“**S.** (1) Every member who has served on the Board for a period of at least ten years may be granted an annuity for the term of his natural life equal to one-fourth of the annual salary received by him during such period, and if 10 he has served for any period less than ten years but more than five years, he may be granted an annuity equal to one-fifth of the annual salary received by him during such period: Provided, however, that if a member who has served for a period of ten years is, on completion of such 15 period, of the age of sixty-four years or over, he may be granted an annuity equal to one-half of the annual salary of such member.”

Salaries of members of the Board.

“(2) The chairman of the Board shall be paid an annual salary of fifteen thousand dollars, and the other two members 20 shall each be paid an annual salary of ten thousand dollars.”

Date of coming into force.

**2.** This Act shall take effect as from the sixth day of February, 1933.

EXPLANATORY NOTES.

S. (1) The existing subsection which is to be amended reads as follows:—

“S. (1) Every member who has served on the Board for a period of at least ten years may be granted an annuity for the term of his natural life equal to one-fourth of the annual salary received by him during such period, and if he has served for any period less than ten years but more than five years, he may be granted an annuity equal to one-fifth of the annual salary received by him during such period.”

The underlined words in the text of the Bill are to be added.

S. (2) The existing subsection which is to be amended reads as follows:—

“(2) The chairman of the Board shall be paid an annual salary of *twelve* thousand dollars, and the other two members shall each be paid an annual salary of ten thousand dollars.”

The word “twelve” in italics above is to be struck out, and the underlined word “fifteen” in the text of the Bill is to be inserted therefor.



Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 102.**

An Act respecting a certain patent of Genter Thickener  
Company.

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First reading, May 11, 1933.

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(PRIVATE BILL.)

Mr. CHEVRIER.

THE HOUSE OF COMMONS OF CANADA.

**BILL 102.**

An Act respecting a certain patent of Genter Thickener Company.

Preamble.

WHEREAS Genter Thickener Company, a corporation organized and existing under the laws of the State of Delaware, one of the United States of America, hereinafter called "the petitioner," has by its petition represented that Letters Patent Number 209,565 for new and useful improvements in apparatus for thickening mixtures was granted on the fifteenth day of March, 1921, under the provisions of the *Patent Act*, chapter sixty-nine of the Revised Statutes of Canada, 1906, to the inventor Albert Legrand Genter and The General Engineering Company of Salt Lake City, Utah, assignee of a half interest therein; that the said patent was so issued subject to the payment of renewal fees at the end of six years from the date of issue and was assigned by the said Albert Legrand Genter and The General Engineering Company to the petitioner by assignment dated the first day of April, 1926, recorded in the Patent Office under Number 131,225; that the solicitors for the petitioner, the owner of the said patent, did not notify the petitioner as to the date upon which the said renewal fees became due on the said patent, and that by reason of the non-payment of the said renewal fees the said patent expired at the end of the fifteenth day of March, 1927; and whereas by its petition the petitioner has prayed that it may be enacted as hereinafter set forth and it is expedient to grant the prayer of the said petition; Therefore His Majesty by and with the advice and consent of the Senate and House of Commons of Canada enacts as follows:—

R.S., 1906,  
c. 69.

Extension of  
time for  
application  
to revive  
patent.

1. If the said Genter Thickener Company, or its assignee or other legal representative makes, within three months after the date of the passing of this Act, an application to the Commissioner of Patents for an order restoring and reviving the patent mentioned in the preamble to this Act



R.S., c. 150.

notwithstanding failure to pay renewal fees as aforesaid, the provisions of section forty-seven of the *Patent Act*, chapter one hundred and fifty of the Revised Statutes, 1927, except the two years' limitation of time for such application contained in that section, shall apply to such patent and, complying with those provisions, the Commissioner of Patents may make either an order restoring and reviving such patent or an order dismissing the application. 5

Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 103.**

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

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First reading, May 11, 1933.

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The MINISTER OF FINANCE.

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OTTAWA  
J. O. PATENAUDE, ACTING KING'S PRINTER

THE HOUSE OF COMMONS OF CANADA.

**BILL 103.**

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

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

Short  
title.

**1.** This Act may be cited as *The Loan Act, 1933*.

Loan  
authorized.

**2.** The Governor in Council may, in addition to the 5  
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, by the issue and sale  
or pledge of securities of Canada, in such form, for such 10  
separate sums, at such rate of interest and upon such other  
terms and conditions as the Governor in Council may  
approve, such sum or sums of money as may be required,  
not to exceed in the whole the sum of seven hundred and 15  
fifty million dollars, for paying or redeeming the whole  
or any portion of loans or obligations of Canada, and also  
for purchasing and withdrawing from circulation from  
time to time unmatured securities of Canada, and for public  
works and general purposes.

Charge  
upon Con-  
solidated  
Revenue  
Fund.

**3.** The principal raised by way of loan under this Act 20  
and the interest thereon shall be a charge upon and payable  
out of the Consolidated Revenue Fund.





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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 107.**

An Act respecting a certain Trade Agreement between  
Canada and France.

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First reading, May 12, 1933.

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The SECRETARY OF STATE.

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OTTAWA  
J. O. PATENAUDE, ACTING KING'S PRINTER

THE HOUSE OF COMMONS OF CANADA.

**BILL 107.**

An Act respecting a certain Trade Agreement between  
Canada and France.

**H**IS 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-France Trade Agreement Act, 1933.*

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Trade agreement approved.

**2.** The Trade Agreement between Canada and France set out 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.

Rates of duty on natural and manufactured products.

**3.** After the said Agreement is brought into force and so long as it remains in force, the natural and manufactured products mentioned in the said Agreement, originating in and coming from the French customs territory, the French colonies and countries under French protectorates and territories under French mandate, imported into the Dominion of Canada in the manner provided in the said Agreement, shall be admitted to the Dominion of Canada at the rates of duties provided in the said Agreement.

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Orders in Council authorized.

**4.** The Governor in Council may, notwithstanding the provisions of any law in force in Canada, make such appointments, establish such offices, 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 Agreement.

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When Act comes into force.

**5.** This Act shall come into force on a day to be fixed by proclamation of the Governor in Council.

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## SCHEDULE.

## TRADE AGREEMENT BETWEEN CANADA AND FRANCE.

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 French Republic, pending the conclusion of a Commercial Convention regulating in a more complete manner the Customs and Tariff relations between Canada and France, have resolved to conclude a provisional Agreement and, for that purpose, have appointed as their respective plenipotentiaries:

His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, for the Dominion of Canada:

The Right Honourable RICHARD BEDFORD BENNETT, Prime Minister, President of the Privy Council and Secretary of State for External Affairs;

The Honourable CHARLES HAZLITT CAHAN,  
Secretary of State of Canada;

The President of the French Republic:

Monsieur MARC CHARLES ARSÈNE HENRY,  
Envoy Extraordinary and Minister Plenipotentiary of the French Republic in Canada, Officer of the National Order of the Legion of Honour;

Who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed upon the following provisions:

## ARTICLE 1.

The natural or manufactured products, originating in and coming from Canada, enumerated in Schedule A to this Agreement, shall enjoy, on their importation into French Customs Territory, the French Minimum Tariff, that is to say the most favoured foreign nation treatment.

The natural or manufactured products, originating in and coming from Canada, enumerated in Schedule A to this Agreement, enjoying the French Minimum Tariff, are entitled to the lowest rates which France accords or may accord to the same or similar products of any other foreign country.



The natural or manufactured products, originating in and coming from Canada, enumerated in Schedule B to this Agreement, shall enjoy, on their importation into French Customs Territory, the percentages of discount from the French General Tariff, enumerated in said Schedule B.

#### ARTICLE 2.

The natural or manufactured products, originating in and coming from the French Customs Territory, enumerated in Schedule C to this Agreement, shall enjoy, on their importation into Canada, the rates of the Canadian Intermediate Tariff, it being understood, however, that, of the amount of duty to be paid, under the said tariff, the importer shall have the benefit of the percentages of discount indicated in the said Schedule.

The other natural or manufactured products enumerated in Schedule D to this Agreement, originating in and coming from the French Customs Territory, shall be admitted, on their importation into Canada, at the Intermediate Tariff rates.

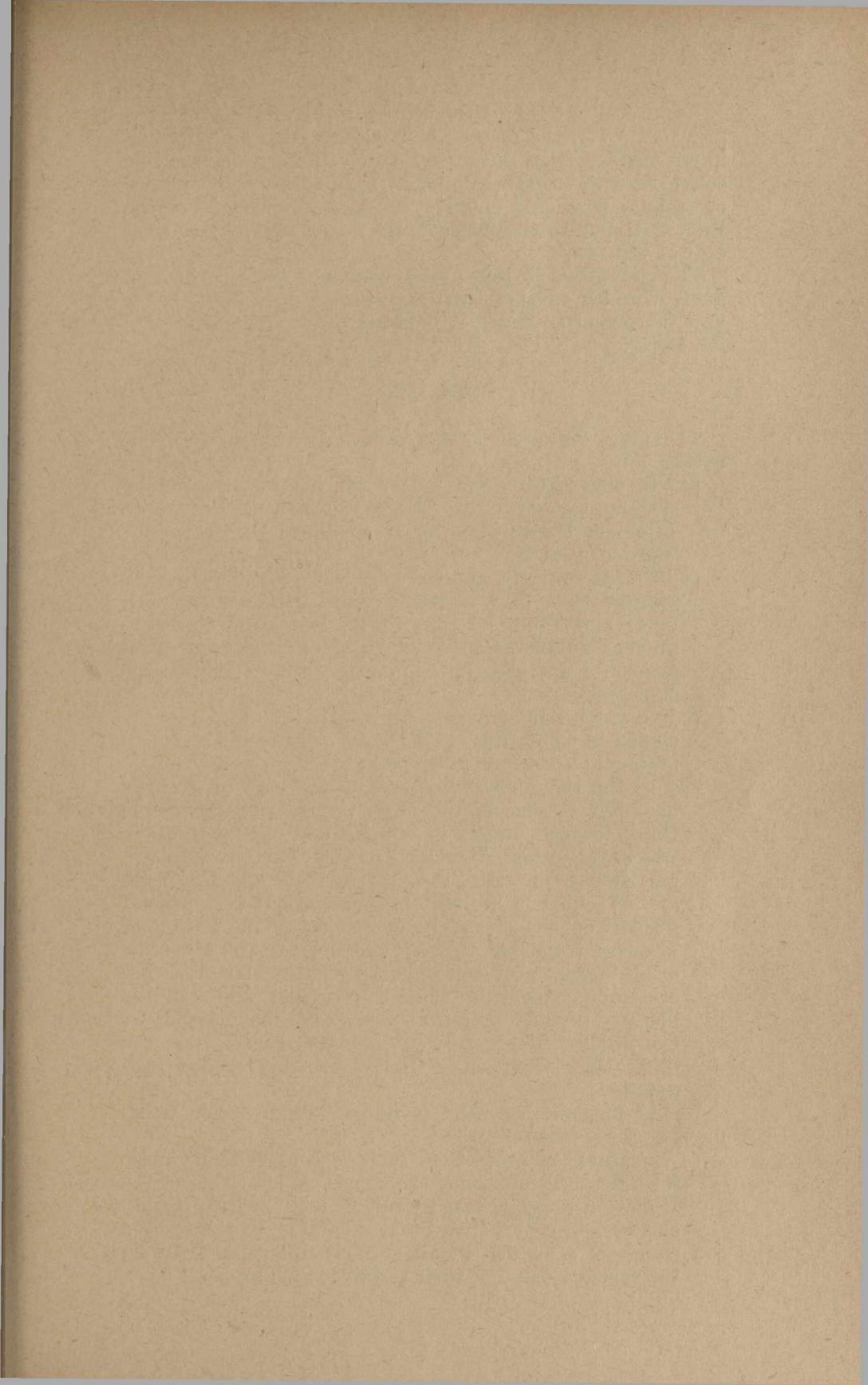
The natural or manufactured products, originating in and coming from the French Customs Territory, enumerated in Schedules C and D to this Agreement, shall enjoy any other more favourable tariff rates which Canada may accord to the same or similar products of any other foreign country.

#### ARTICLE 3.

The natural or manufactured products, originating in and coming from Canada, enumerated in Schedules A and B to this Agreement, and the natural or manufactured products originating in and coming from French Customs Territory, enumerated in Schedules C and D to this Agreement shall, on their importation into the territory of the other Party, enjoy the most favourable rates accorded to any foreign country, that may arise from modifications made in the Tariff classification as a result of administrative or legislative action or of conventions entered into with other countries.

#### ARTICLE 4.

To enjoy the benefit of the tariff advantages provided for in the foregoing articles, the products originating in and coming from Canada shall be conveyed direct from a Canadian port into a French port without transshipment in any country that does not enjoy the said tariff advantages.



Reciprocally, to enjoy the benefit of the tariff advantages provided for in the foregoing articles, products originating in and coming from the French Customs Territory shall be conveyed without transshipment from a port of this territory or from a port of a country enjoying the benefit of the Preferential or Intermediate Tariff into a sea, lake or river port of Canada.

The provisions of this Article shall not exempt the products of either country from any surtaxe d'entrepot that is now, or hereafter may be, imposed on products imported indirectly.

#### ARTICLE 5.

The most favoured foreign nation treatment does not extend to:

- (a) favours already granted or which may hereafter be granted by one of the High Contracting Parties to adjoining States in order to facilitate the traffic for frontier districts;
- (b) favours already granted or which may hereafter be granted to a third State in order to adjust its own taxes and those of that State, and particularly to prevent double taxation or to assure reciprocal legal protection and assistance in matters of fiscal obligations or penalties;
- (c) to particular arrangements concluded or to be concluded in conformity with the resolutions of the International Conference of Stresa;
- (d) to the rights and privileges which may be granted hereafter by one of the High Contracting Parties to third foreign States in multilateral conventions in which the other High Contracting Party would not participate, provided that these rights and privileges are embodied in multilateral conventions of a general purport conceived under the auspices of the League of Nations, registered thereby and open to the accession of all States; provided that these rights and privileges are embodied only in these conventions, and that the benefits derived therefrom assure to the other High Contracting Party new advantages; lastly, that the other High Contracting Party does not accord reciprocity.

In like manner, the most favoured foreign nation treatment does not interfere with:

- (e) measures of protection, such as compensation taxes for differences of money exchanges, which either of the High Contracting Parties would be justified in imposing, as the case may be, in order equitably to correct the effects of a sudden break in the equilibrium between the relative value of their respective currencies;



- (f) measures directed against all forms of dumping, provided that they are applied in the same degree and under the same conditions to all other foreign countries in regard to which like causes arise.

#### ARTICLE 6.

The High Contracting Parties undertake not to interfere with the course of trade by any prohibitions or restrictions of importation or exportation.

They, however, reserve the right to enact prohibitions or restrictions or other measures of the nature of those enumerated below, under the sole condition that there shall be no arbitrary discrimination against the other party as compared with any other foreign country where the same conditions exist.

- (a) Prohibitions or restrictions relative to public security or order.
- (b) Prohibitions or restrictions enacted for moral or humanitarian causes.
- (c) Prohibitions or restrictions enacted with a view to protecting public health and assuring protection of animals and plants.
- (d) Prohibitions or restrictions prescribed with a view to extending to foreign products the same treatment or treatment of the same nature as that established within the country in relation to production, trade, transport or consumption of similar national products, or measures designed to extend to products destined for exportation, a treatment similar to that established within the country in relation to the same products in the domestic trade.
- (e) Prohibitions and restrictions concerning traffic in arms, munitions and war materials, or, in exceptional circumstances, all other military stores.
- (f) All necessary measures to face exceptional or abnormal circumstances and to assure the protection of the economic and financial interests of the country. The duration of these measures shall be limited to the duration of the causes of the circumstances which have brought them into effect.

#### ARTICLE 7.

The natural or manufactured products of the territory of either of the High Contracting Parties, exported to the territories of the other, shall not be subjected to other or higher duties or charges than those paid on the exportation of similar articles of any other foreign country.



Drawbacks on the exportation of articles from the territories of either of the High Contracting Parties to the territories of the other shall not be higher than the amount of the import, excise, sales, turnover, interior consumption or town duties or taxes collected upon the said articles or the materials entering into their manufacture.

#### ARTICLE 8.

The internal taxes which are levied in the territory of one of the High Contracting Parties for the benefit of any authority on the production, circulation, conditioning, offering for sale, sale or consumption of natural or manufactured products, shall not, under any pretext, affect the goods of the other Party after importation to a higher degree or in more onerous conditions than similar national products.

#### ARTICLE 9.

Either of the High Contracting Parties may require that goods imported into its territory and coming from the territory of the other, shall be accompanied by a certificate of origin delivered in conformity with the laws of the country of origin; provided, however, that the presentation of a certificate of origin shall be obligatory in the case of importation of pharmaceutical specialties, toilet articles and articles of perfumery. Such certificate shall be issued or delivered by the competent authority in the country of origin and shall be visaed by the Consular or other authority of the country of destination.

#### ARTICLE 10.

To the extent that the importation of goods into the territory of one of the High Contracting Parties is dependent upon special technical conditions in relation to the composition of these goods, their degree of purity, their hygienic conditions, their place of origin or any other condition of like character, the customs authorities of the country into which these goods are imported shall accept the certificates issued by a competent authority of the exporting country.

It is, however, agreed, with regard to products for human and animal consumption, that the analysis of these products shall be made according to the official methods in use in the country which delivers the certificate.

These certificates shall exempt the goods to which they refer from the production of the certificate of origin referred to in the foregoing Article if they contain the particulars required by the said Article concerning the origin of the goods.



They shall be visaed under the same conditions as the certificates of origin. The customs authorities of the importing country, however, shall not require the diplomatic or consular legalization of the certificates on which the signature is accompanied by the official seal of the office or authority which shall have delivered these documents, on condition that these authorities are able to verify the authenticity of the signature by comparing it with the facsimiles communicated by the Government of the country from which the goods are forwarded.

In case of doubt as to the accuracy of the said certificates, the High Contracting Parties reserve the right to make any additional verification which they may consider necessary.

With regard to the importation of cattle, meat, prepared meats and other animal products, the provisions of this Article shall be applicable only after previous agreement upon this special matter.

#### ARTICLE 11.

Each of the High Contracting Parties agrees to protect within its territorial limits, the natural or manufactured products of the other Party against all forms of dishonest competition, particularly with regard to the use, for commercial purposes, of false indications relative to the place of origin, nature, kind or substantial qualities of goods.

Each of the High Contracting Parties agrees to insure within its territorial limits, respect for the appellations of origin of wine, agricultural or other products of the other Party, which shall have been registered by the latter with the competent services of the other Party.

There shall only be accepted for registration, under the conditions of the present Article, names which are recognized and protected as appellations of origin which have not become public property within the territory of the Party which gives notice thereof.

Appellations of origin shall be registered without charge by each of the High Contracting Parties with the competent services of the other Party.

Appellations of origin thus registered shall not, in any case, be used commercially for the purpose of describing goods other than those which have a definite right to such names.

This prohibition shall apply to every form of competition contrary to honest usages in industrial and commercial matters and of such a nature as to create a confusion with the products of a competitor.



## ARTICLE 12

Whenever one of the High Contracting Parties imposes ad valorem duties on goods imported from the territories of the other, the computation of the value shall be made according to laws and regulations in force in its territory.

In matters of valuation, each of the High Contracting Parties undertakes to apply its own laws and regulations in such a manner as to make no discrimination whatever against the goods of the other and to extend to them the benefit of the most favoured foreign nation treatment.

The High Contracting Parties reserve the liberty for their nationals to produce invoices, orders, contracts and other documents relating to the goods in order that the true value for duty shall be fixed, without these documents, however, being compulsorily binding upon the decision of the Customs Service.

## ARTICLE 13.

For the purpose of Article 12, the High Contracting Parties undertake to take such measures as will permit of:

- (a) the avoidance as far as possible of any uncertainty regarding the amount of Customs duties and other fiscal charges payable on the importation of goods;
- (b) the reduction to a minimum of causes of delay and of disagreement;
- (c) the provision of machinery for the prompt and impartial settlement of disputes arising out of the application of Customs duties.

## ARTICLE 14.

The natural or manufactured products, originating in and coming from Canada, enumerated in Schedule A to this Agreement, on their importation into French colonies, which are called "assimilées," that is, which have in principle the same customs tariff as France, shall enjoy the minimum tariff whether this tariff is the French tariff or a special tariff.

The natural or manufactured products, originating in and coming from Canada, enumerated in Schedule B to this Agreement, shall, on their importation into the above colonies, enjoy the percentages of discount from the General tariff enumerated in the said Schedule B, whether this tariff is the French tariff or a special tariff.

In French colonies described as "non assimilées," that is, which have a special customs tariff, as well as in countries under French protectorate, the natural or manufactured products, originating in and coming from Canada, enumerated in Schedules A and B to this Agreement, shall enjoy the lowest customs tariff.



The natural or manufactured products, originating in and coming from French colonies "assimilées" and "non assimilées," countries under French protectorate and territories under French mandate, enumerated in Schedule C to this Agreement, on their importation into Canada shall be subject to the duties of the Canadian Intermediate Tariff, provided, however, that on the amount of the duty computed under the said tariff, the importer shall be entitled to the percentages of discount enumerated in the said Schedule.

The other natural or manufactured products, enumerated in Schedule D to this Agreement, originating in and coming from French colonies, "assimilées" and "non assimilées," countries under French protectorate and territories under French mandate, shall be admitted, on their importation into Canada at the Intermediate Tariff rates.

The natural or manufactured products, originating in and coming from French colonies, "assimilées" and "non assimilées," countries under French protectorate and territories under French mandate, enumerated in Schedules C and D to this Agreement, shall enjoy any other more favourable tariff rate which Canada may accord to the same or similar products of any other foreign power.

#### ARTICLE 15.

The provisions of Articles 3, 4, 7, 8, 9, 10, 12 and 13 apply to French colonies.

#### ARTICLE 16.

The present Agreement shall be ratified and the ratifications shall be exchanged at Ottawa as soon as possible.

It shall come into force on the date which the High Contracting Parties shall fix by joint agreement.

#### ARTICLE 17.

The present agreement is concluded for one year from the date of its coming into force and may be rescinded by three months' notice before the date of its termination.

It may be extended by tacit consent, each of the High Contracting Parties reserving the right to rescind it at any time to take effect three months thereafter.

IN WITNESS WHEREOF the respective plenipotentiaries, duly authorized, have signed the present Agreement unto which they have affixed their seals.

Done in duplicate in English and in French, at Ottawa, on the twelfth day of May, in the year of our Lord, one thousand nine hundred and thirty-three.

CHARLES ARSENE HENRY (Seal).

R. B. BENNETT (Seal)

C. H. CAHAN (Seal)



## SCHEDULE A.

## CANADIAN PRODUCTS SUBJECT ON THEIR IMPORTATION INTO THE FRENCH CUSTOMS TERRITORY TO THE DUTIES OF THE FRENCH MINIMUM TARIFF

Numbers of French Customs Tariff			
Ex	16A	Fresh and chilled meat:	
		Mutton and beef.....	Minimum tariff
Ex	16B	Frozen meat:	
		Mutton and beef.....	Minimum tariff
Ex	17	Meat salted, or in brine, in the raw state, not prepared, other than lard and brisket and including ham.....	Minimum tariff
	17bis	Meat, prepared, in the raw state, smoked, boned, rolled or merely stoved.....	Minimum tariff
	17ter	Pork butchers' products.....	Minimum tariff
	19	Meat, preserved in tins.....	Minimum tariff
	20bis	Guts.....	Minimum tariff
	20ter	Meat, smoke dried, for feeding animals, in powder or other form.....	Minimum tariff
	21	Hides, raw, green or dry, large or small.....	Minimum tariff
	22	Peltries, raw.....	Minimum tariff
Ex	24	Horse hair, raw.....	Minimum tariff
Ex	25	Animal hair, raw.....	Minimum tariff
	30	Animal greases and fats.....	Minimum tariff
	31	Margarine, oleomargarine, edible fats and similar substances.....	Minimum tariff
	35ter	Milk, condensed, without sugar.....	Minimum tariff
Ex	36	Cheese: soft, fresh or refined, semi-hard and other.....	Minimum tariff
	37	Butter, fresh, melted or salted.....	Minimum tariff
	38	Honey.....	Minimum tariff
	45	Fish, fresh.....	Minimum tariff
	46	Fish, dried, salted or smoked.....	Minimum tariff
Ex	47*	Fish of the salmonoid family, preserved "au naturel," marinated or otherwise prepared.....	Minimum tariff
		N.B. as long as the Bill to modify the Customs tariff of the above products has not been put into force, these products shall be submitted to a rate equal to the general tariff with a reduction of 72%.	
	49*	LOBSTERS, fresh, preserved or prepared.....	Minimum tariff within the limits of 3,000 quintals per annum.
	51	Fish fats.....	Minimum tariff
	52	Spermaceti.....	Minimum tariff
	53	Roe of cod and mackerel.....	Minimum tariff
	66	Bones and hoofs of cattle, rough.....	Minimum tariff
	67	Cattle horns, rough, prepared or in sheets.....	Minimum tariff
	68	Wheat, spelt, meslin, grains and flours.....	Minimum tariff
	76bis	Millet.....	Minimum tariff
	84A	Apples and pears, fresh.....	Minimum tariff
	85	Apples and pears, dried or drained.....	Minimum tariff
	86	Table and other fruits, candied or preserved.....	Minimum tariff
	89	Seeds for sowing.....	Minimum tariff
Ex	91	Maple Sugar.....	Minimum tariff
Ex	93	Maple Syrup.....	Minimum tariff
	93bis	Confectionery, sugared.....	Minimum tariff
	95	Preserves, jellies, marmalades, compotes and purées of fruits and similar products containing sugar or honey.....	Minimum tariff
	98bis	Confectionery containing cocoa, cocoa butter or chocolate.....	Minimum tariff
Ex	109	Tobacco in leaves or stalks.....	Minimum tariff
Ex	110A	Linseed oil.....	Minimum tariff
	117	Balsam.....	Minimum tariff
Ex	126	Roots with the exception of marshmallow or althea, gentian and valerian.....	Minimum tariff
	126ter	Barks and peels.....	Minimum tariff
	128	Woods, common: in rough logs not squared, with or without bark, of any length, and with a circumference of more than 60 centimeters at the thickest end.....	Minimum tariff
	128bis	Squared or sawn common wood.....	Minimum tariff

\*See Note annexed to Schedule A (infra).



## SCHEDULE A—Continued.

Numbers of French Customs Tariff			
	129	Paving blocks, cut in pieces.....	Minimum tariff
	130	Stave wood.....	Minimum tariff
	132	Hoop wood and prepared poles.....	Minimum tariff
	135bis	Resinous woods in logs, with or without the bark, of any diameter of a maximum length of 2½ meters.....	Minimum tariff
	136bis	Wood straw or wood wool.....	Minimum tariff
	137	Other common wood.....	Minimum tariff
Ex	141	Absorbent cotton and cellulose cotton wool.....	Minimum tariff
Ex	158	Vegetables: fresh, salted or pickled, preserved, dried.....	Minimum tariff
	160	Hops.....	Minimum tariff
Ex	164	Fodder.....	Minimum tariff
	165	Bran from any kind of cereal.....	Minimum tariff
	167	Rags.....	Minimum tariff
Ex	168	Wood pulp, chemical, dry, bleached, treated with bi-sulphite or soda for the manufacture of artificial silk and derivatives (viscose, acetate, cuprocellulose and collodion), on condition of proving within a period of three months that the pulp has entered the manufactories, under guarantee of clearance to be discharged by "les contributions indirectes".....	Minimum tariff
	172bis B	Apple and pear juice.....	Minimum tariff
	174ter	Apples and pears in pulp.....	Minimum tariff
	178bis	Abrasives, natural and artificial.....	Minimum tariff
	178ter A	Abrasive cloths.....	Minimum tariff
	178ter B	Saws of carborundum and similar products, with or without other material.....	Minimum tariff
	178quat A	Grindstones, whetstones and sharpening stones.....	Minimum tariff
	178quat B	Grinding or polishing wheels and other of abrasive composition, even with metal hoops.....	Minimum tariff
	179ter B	Stones and earths for artistic and manufacturing purposes, not otherwise mentioned in the tariff.....	Minimum tariff
	185	Cement.....	Minimum tariff except in Indo-China
	190	Coal.....	Minimum tariff
	192	Mineral tar, from the distillation of coal.....	Minimum tariff
Ex	201	Silver.....	Minimum tariff
	203	Aluminium, ore.....	Minimum tariff
	205 bis F & G	Ferro alloys or ferro-metallic alloys.....	Minimum tariff
	205bis I	Rare elements, etc.....	Minimum tariff
	217	Axles for automobiles, of iron or steel.....	Minimum tariff
	219	Waste, scrap iron and fragments of old manufactures which can be used only for re-smelting.....	Minimum tariff
	221	Copper, pure or alloyed with zinc, tin, aluminium or manganese.....	Minimum tariff
	222*	Lead.....	Minimum tariff*
	224*	Zinc.....	Minimum tariff*
	225	Nickel.....	Minimum tariff
	229	Cadmium, rough.....	Minimum tariff
	232	Cobalt ore.....	Minimum tariff
	233	Ores not specified in the tariff.....	Minimum tariff
	02bis	Arsenate of lead.....	Minimum tariff
Ex	020	Sulphate of ammonia, mixed or not with nitrate of ammonia, destined for agricultural purposes.....	Minimum tariff
	0117	Impure oxides of cobalt, residues from the treatment of argentiferous ores, containing less than 50 per cent of cobalt.....	Minimum tariff
	0148	Oxides of nickel.....	Minimum tariff
	0165sex	Residual products from the manufacture of paper pulp.....	Minimum tariff
	0171	Radium and radium bearing products.....	Minimum tariff
	0180J	Coal tar pitch.....	Minimum tariff
	298	Varnishes and varnish paints.....	Minimum tariff
	300	Blacks.....	Minimum tariff
	302	Wares of compound or charred carbon.....	Minimum tariff
	307	Talc, pulverized.....	Minimum tariff
	314	Prepared spices.....	Minimum tariff
	318	Starch.....	Minimum tariff

\*AD 222 and 224.—The application of the Minimum tariff shall be postponed for products enumerated under Nos. 222 (lead) and 224 (zinc) until after the rates provided for by the said tariff have been increased but it should be clearly understood that the increase of the rates must be such that the burden of the rates will be modified in an appreciable manner.



## SCHEDULE A—Continued.

Numbers of French Customs Tariff		
Ex 347bis A	Electrical ware of porcelain faience, stoneware white or coloured, pottery, glass, crystal, etc., without parts of metal or other materials; bell-shaped insulators, having a diameter of more than 90 mm; all other weighing more than 10 gr.....	Minimum tariff
Ex 347bis B	With part or ornamentations or moulded or malleable cast iron, iron, steel, sheet iron or steel, copper, lead, tin, zinc pure or alloyed in nickel or nickelled metal, in aluminium, bell-shaped insulators having a diameter of more than 90 mm; all other articles weighing more than 10 gr.....	Minimum tariff
359	Bottles, phials and flasks, ordinary, full or empty.....	Minimum tariff
361bis	Other electrical apparatus (lamp valves).....	Minimum tariff
361ter	Photographic plates, sensitized.....	Minimum tariff
367	Glazed yarns, twine and cordage, of hemp, linen, ramie, jute, phormium, tenax, abaca, or other unspecified vegetable fibres, pure or mixed.....	Minimum tariff
421bis	Ribbons, inked or impregnated with colour for typewriting and calculating machines, and checking and duplicating apparatus.....	Minimum tariff
459P	Knitted goods of silk and artificial silk, also mixed together or associated with other textiles.....	Minimum tariff
460quat	Sacks of hemp, linen, cotton or other tissues except jute.....	Minimum tariff
460sex	Other made up articles.....	Minimum tariff
461quat A	Photographic paper.....	Minimum tariff
461quat B	Photographic films.....	Minimum tariff
Ex 462 B	Fancy board metallised.....	Minimum tariff
463	Board, cut or shaped.....	Minimum tariff
463bis	Vulcanized fibre and similar products.....	Minimum tariff
464	Board made up as boxes, or otherwise covered with white or coloured paper, ordinary.....	Minimum tariff
465	Articles of cardboard or pulp, moulded, compressed, etc.....	Minimum tariff
469	Engravings, facsimile engravings, etc., including commercial advertisements.....	Minimum tariff
469quat	Rolls or bands for cinematographs.....	Minimum tariff
470	Printed matter of all kinds unspecified.....	Minimum tariff
476 A	Leather, undressed, other than sole.....	Minimum tariff
476 B	Leather, sole, undressed.....	Minimum tariff
476 C	Waste pieces of hides and skins tanned by any process.....	Minimum tariff
476bis	Leather, dressed, varnished, chamoyed, or parchmented....	Minimum tariff
476ter	Leather, dressed, other.....	Minimum tariff
477bis	Artificial leather with a base of balata, rubber or other similar substance.....	Minimum tariff
Ex 479	Uppers or tops for footwear and cut out soles, heels, stiffners and other parts not specially mentioned.....	Minimum tariff
480	Top boots.....	Minimum tariff
481	Footwear of leather.....	Minimum tariff
482 A	Footwear of tissues or felts other than silk or artificial silk...	Minimum tariff
482bis	Slippers of any kind.....	Minimum tariff
483	Footwear of fur or trimmed with fur.....	Minimum tariff
489bis	Belting of leather (transmission).....	Minimum tariff
493	Peltries, prepared or in sewn pieces.....	Minimum tariff
494	Peltries worked or made up.....	Minimum tariff
504bis	Alarm and other clocks except small clocks.....	Minimum tariff
510 A	Steam engines, stationery and marine without boilers, steam pumps, various air and gas compressors and all motors not elsewhere specified in the tariff.....	Minimum tariff
510 D	Internal combustion or explosion engines.....	Minimum tariff
512 C	Agricultural and other tractors.....	Minimum tariff
522	Agricultural and horticultural machines (not including engines).....	Minimum tariff
	<p>N.B.—Detached parts which are imported for repairs and upkeep of Canadian agricultural machines with the exception of cream separators, which are mentioned in the French Customs tariff under Nos. 532, 533, and 533bis A (with exception of cocks, valves, and brass-work), shall enjoy according to their nature the rights provided for under the Minimum Tariff and these various numbers as well as the facilities provided for similar imports coming from abroad in conformity with the provisions of the foot note under Article 522.</p>	



## SCHEDULE A—Continued.

Numbers of French Customs Tariff		
Ex 523	Sewing machines with the exception of tables, table leaves, benches of wood, etc.	Minimum tariff
524 A	Dynamo-electric machines and industrial electric transformers.	Minimum tariff
524 B	Dynamo-electric machines for motor vehicles of all kinds, combined with ignition apparatus for explosion motors, or others.	Minimum tariff
524bis A	Ignition apparatus for explosion motors of all kinds.	Minimum tariff
524bis B	Apparatus for cutting off, regulating, protecting and distributing electric current, including electric distribution tables.	Minimum tariff
524bis G	Wireless telegraph and telephone apparatus, except valves imported separately.	Minimum tariff
524bis K	Electrical heating apparatus including electric stoves.	Minimum tariff
524bis M	Electric and electro-technical apparatus for domestic use and small electric mechanical appliances.	Minimum tariff
524bis N	Electrical and electro-technical apparatus not elsewhere mentioned containing coils of insulated metal wire.	Minimum tariff
525bis A	Flour milling machines and rolling mills.	Minimum tariff
525bis C	Lifting apparatus, including hoist lifts and their cables, balances, weighbridges and presses not elsewhere mentioned.	Minimum tariff
525bis D	Transmission pulleys.	Minimum tariff
525ter	Writing machines (typewriters), calculating machines, automatic registers and similar apparatus and their component parts.	Minimum tariff
Ex 525oct C	Machines and apparatus not elsewhere mentioned up to 7,500 kilos per unit.	Minimum tariff
526quinq B	Large receptacles of iron and steel, posts, pylons, masts and similar articles of sheet iron and steel.	Minimum tariff
527bis	Refrigerating apparatus.	Minimum tariff
532	Component parts of machines, transmission parts, in grey iron (not including malleable), machined, filed and adjusted.	Minimum tariff
533 A	Component parts of machines, of steeling and break apparatus and of transmission, in iron or steel, forged, pressed (stamped) or cast, including malleable iron, machined.	Minimum tariff
533oct	Frames and carcasses of dynamos and electric motors, armature crosses, covers of electrical collectors, solid poles of dynamos and alternators, of iron and steel wrought or swaged, of moulded iron or steel, of malleable cast iron, of stamped or welded plate.	Minimum tariff
535	Component parts of copper or of copper alloyed with any metal, other than aluminium bronze with more than 20 per cent of aluminium, cast, moulded, wrought.	Minimum tariff
535bis A	Component parts of machines, transmission parts, not specified.	Minimum tariff
536	Component parts for electric work.	Minimum tariff
537	Tools, of cast iron, iron or steel, with or without handles.	Minimum tariff
562bis B	Gall and similar jointed chains of iron, malleable cast iron, steel, cast steel or steel pig.	Minimum tariff
568	Household wares and unspecified articles of iron and steel.	Minimum tariff
Ex 577	Articles for table use, furnishing, etc., including plates and wares for the table.	Minimum tariff
Ex 604	Church organs with additional cylinders for these instruments	Minimum tariff
Ex 605	Component parts of pianos, upright and grand; organs, harmoniums, instruments with free metal reeds, with one stop or more; church organs; and pianos, ordinary, furnished with pneumatic or other apparatus which will make them play mechanically with the aid of perforated board or paper, whatever be the motive power, internal or external.	Minimum tariff
Ex 614	Bicycles and parts.	Minimum tariff
Ex 614bis 2°	Accessories and detached parts for velocipedes, bars with rubber tyre, lamps and attached parts. Engines and detached parts, articulated chains, other pieces of common metal, worked, adjusted or assembled of other material combined or not with metal finished or not.	Minimum tariff
614ter A	Automobiles and trucks.	Minimum tariff
614ter B	Automobile parts and accessories.	Minimum tariff
614ter C	Automobile head lights and lamps, complete or not.	Minimum tariff
Ex 618bis	Pleasure yachts and boats (river) of wood.	Minimum tariff
620C	Elastic tissues, including glued ribbons, and all elastic articles woven, plaited or knitted.	Minimum tariff
620G	Hardened rubber or ebonite.	Minimum tariff



SCHEDULE A—*Concluded.*

Numbers of French Customs Tariff	—	—
620H	Covers, inner tubes or pneumatic tires.....	Minimum tariff
620I	Treads, solid tires for carriage wheels.....	Minimum tariff
620J	Covers, inner tubes or tires for cycle wheels.....	Minimum tariff
620M	Footwarmers, pillows, cushions, gas bags, hat shapes, diaphragms of rubber or rubbered tissue, with or without other material.....	Minimum tariff
620O	Rubber hygienic goods, viz.: Protectors, nipples, comforters, bathing and other caps, tobacco pouches, pyjama cases, sponges, sponge bags, ice bags, tubes, and other articles of soft rubber used for hygiene purposes, laboratories and hydrotherapy, other than clothing and clothing accessories and than medical and surgical instruments.....	Minimum tariff
Ex 620bis	Treads and cords, plaits, cloth and other articles, in asbestos, whether or not combined with other material.....	Minimum tariff
Ex 623bis	Felted cloths for paper making.....	Minimum tariff
636	Pencil cases, fountain pens, etc.....	Minimum tariff
Ex 644	Brushmakers' wares, fine, other articles including shaving brushes.....	Minimum tariff
Ex 644bis	Brushes for painting or drawing other than of pig or boar bristle, of horse-hair or vegetable material; feather brooms and feather dusters.....	Minimum tariff
646 2A	Skis of all kinds, sticks for skis, hockey sticks, quoits, sleighs, bobsleighs, javelins.....	Minimum tariff
646 2E	Articles not specified elsewhere including exercisers, ice or roller skates, etc.....	Minimum tariff
647bis	Corsets, corselet belts, brassieres, stays, with or without buttons or busks, whaleboned or not, ornamented or not with lace or embroidery, with or without laces.....	Minimum tariff
Ex 648	Wood prepared for matches.....	Minimum tariff

N.B.—The Minimum Tariff shall be applied to materials of all kinds used for the packing of all the goods enumerated in the present Schedule provided that these materials be, according to the customs regulations, cleared separately from the Customs.

## NOTES ANNEXED TO SCHEDULE A.

## ADDENDA NOS. 47 AND 49 OF FRENCH CUSTOMS TARIFF.

IMPORTATION INTO FRANCE OF CANNED SALMONIDS,  
LOBSTERS AND SPINY LOBSTERS.

From the putting into force of the Commercial Agreement, canned salmonoids coming under Ex No. 47 of the French Customs Tariff, exported from Canada will be admitted on French Customs Territory at a rate corresponding to the General Tariff reduced by 72 per cent, the rate thus obtained representing a duty of 84 francs per 100 kilogs. gross.

On the other hand, it is the intention of the French Government, which has presented a Bill to that effect in the Chamber of Deputies, to amend its customs legislation



in such manner as to increase by 84 francs per 100 kilos gross the Minimum Tariff on canned salmonoids. The French Government, nevertheless, reserves the right to modify this new tariff at any future date.

In case the importation into France of canned lobsters and spiny lobsters is submitted to quotas the French Government reserves the right to submit the importation of the above category originating in Canada to the régime of licences of importation which may be applied to similar goods from other sources.

On the other hand, from the putting into force of the said Agreement, canned lobsters and spiny lobsters coming under No. 49 of the French Customs Tariff, will enjoy the Minimum Tariff to the limit of an annual contingent of 3,000 quintals.

Canned salmonoids together with canned lobsters and spiny lobsters imported from Canada shall be accompanied by special certificates of origin delivered in Canada by a representative of Federal or provincial authorities, duly appointed to this effect. These special certificates of origin shall be visaed by the French Consular authorities in Canada (Consul, Vice-Consul or Consular agent).

Merchandise not accompanied by the above certificates shall be submitted to the rate of the General Tariff.

The quantities exported shall be controlled by the officers appointed to deliver the permits, who shall advise accordingly the Federal Department of Fisheries which department will keep a register of the quantities exported and will take all necessary measures to ensure that the quotas provided are not exceeded.

With regard to canned salmonoids, it is understood that special certificates of origin shall be delivered until September 25th, 1933, up to a quantity of 25,000 quintals. After the 1st October a new quota shall be fixed, agreed upon by both Governments.

#### ADDENDA No. 68 OF FRENCH CUSTOMS TARIFF.

The Canadian products enumerated in Schedule A under number 68 of the French Customs Tariff shall enjoy the Minimum Tariff for the duration of the present Agreement which is fixed for one year.

Not later than March, 1934, the two Governments will examine together the conditions under which it may be possible to extend the concession above mentioned.



## SCHEDULE B.

CANADIAN PRODUCTS ENJOYING ON THEIR IMPORTATION INTO FRENCH CUSTOMS TERRITORY THE PERCENTAGES OF DISCOUNT FROM THE FRENCH GENERAL TARIFF INDICATED BELOW

Numbers of French Customs Tariff		Percentage of discount from the French General Tariff
	Bullocks, including buffaloes.....	40%
	Cows.....	40%
	Bulls.....	40%
	Young bullocks, young bulls and heifers.....	40%
	Calves.....	36%
Ex 115	Gums, turpentine, resins, colophony, pine tar, cakes of resin, pitch and all other indigenous resinous products.....	46.9%
172ter	Beer.....	58.45%
		except in Indo-China
	Other oxides of cobalt.....	50%
Ex 0118	Electrical ware of porcelain, faience, stoneware, white or coloured, pottery, glass crystal, etc.:	
Ex 347bis B	(a) without parts of metal or other materials: bell-shaped insulators, having a diameter of 90mm. or less.....	73%
	other articles weighing 10 grs. or less.....	66.25%
	(b) with parts or ornamentations, of moulded or malleable cast iron, wrought iron, steel, sheet iron or steel, copper, lead, tin or zinc pure or alloyed: bell-shaped insulators, having a diameter of 90mm. or less.....	73%
	other articles weighing 10 grs. or less.....	65.24%
	with parts or ornamentations of nickel or nickelled metal; bell-shaped insulators, having a diameter of 90mm. or less.....	73%
	other articles weighing 10 grs. or less.....	66.25%
	with parts or ornamentations of aluminium; bell-shaped insulators, having a diameter of 90mm. or less.....	73%
	other articles weighing 10 grs. or less.....	66.25%
Ex 461bis	Wall-papers (other than linocrusta and the like) and borders of wall-papers other than velvete, coated with metal, stamped, varnished, imitation leather.....	67.26%
Ex 462	Board in sheets, boards, rolls or reels: (a) rough board of natural colour pulp, or on base of new pulp, including glazed board for pressing cloth (press-pan).....	65.85%
	(b) fancy board other than metallised.....	69.4%
	(c) prepared board and imitation felts treated with bitumen, coal tar, or tar, coated with asphalt, etc.....	68.13%
Ex 484	Gloves.....	44.45%
Ex 492	Clothing of all kinds, without parts of fur, lined or not with tissue.....	62%
Ex 525oct C	Machines and apparatus not elsewhere mentioned or classified in the Tariff (including embroidering machines) weighing each:	
	25,000 kilogs. or more.....	66.25%
	15,000 to 25,000 kilogs. exclusive.....	68.85%
	10,000 to 15,000 kilogs. exclusive.....	71.07%
	7,500 to 10,000 kilogs. exclusive.....	73%
557	Stoves, heaters, kitcheners, fireplaces and cookers, wholly of cast iron and detached parts of these apparatus, ornamented or not, neither polished, tinned nor decorated with enamel or varnish.....	67%
	The same, of cast iron and sheet or of sheet, detached parts of such apparatus, ornamented, or not, not polished or tinned, nor decorated with enamel or varnish.....	63.77%
	The same, containing parts of cast iron or sheet, polished, tinned, lacquered or decorated with enamel of one colour.....	67%
	The same, containing parts of cast iron or sheet, furnished with impressions, designs or decorated with gold, or with enamel in several colours.....	66.42%



SCHEDULE B—*Concluded.*

Numbers of French Customs Tariff.	—	Percentage of discount from the French General Tariff.
Ex 558	Wares of iron and steel: barriers for level crossings.....	17%
	other parts, other than beams with broad flanges, even if mitred and drilled with lobes.....	66-67%
562bis A	Chains of iron, steel, malleable cast iron, cast steel or steel pig, the links having the thickness of: 18 mm. and more.....	64-5%
	5 to 18 mm. exclusive.....	54-36%
	less than 5 mm. including small chains of iron or steel wire of any thickness.....	64-5%
Ex 567	Iron or steel pipes and tubes: close-jointed; with an internal diameter of 9 mm. and more.....	62-5%
	with an internal diameter of less than 9 mm.....	62-5%
	butt-welded: with an internal diameter of more than 35 mm. and up to 100 mm.....	62-5%
	with an internal diameter of 35 mm. or less.....	62-5%
	lapwelded tubes of any diameter, and tubes of an internal diameter of more than 100 mm. welded by any process..	66-67%
567bis	worms.....	62-5%
	Pressed or weldless tubes and worms, shell rings of boilers, of iron or steel.....	62-5%
Ex 614bis 2°	Accessories and detached parts of velocipedes: wheel rims and bars for rims, of steel or iron.....	52%
	straight bars, including those with folded and brazed edge. other, without rubber tyres.....	52%
	saddles and tool bags.....	69-24%
	bells with mounts.....	73-34%
	other pieces or articles, of common metal, rough or only roughed out: joints.....	41-67%
	pedals and others.....	56-25%
Ex 620bis	Asbestos wares: paper or board; in sheets (cut or not) of rectangular form.....	70-87%
	shaped, cut, of other than rectangular form, strengthened or not with thread, cloth or metal pieces.....	65-5%
620ter	Mica in sheets or plates, articles of mica, etc.: mica in stranded size or shape, weighing up to 5 grs. each..	63-55%
	others.....	63-25%
644	Brushmakers' wares, common, mounted with wood: with vegetable fibres, whalebone threads, etc.....	66-67%
	with animal fibres (other than whalebone), etc.....	68-75%
	with mixed animal and vegetable materials of felt of wool mixed with 25% and more of vegetable materials.....	66-67%
	brushmakers' wares, fine, with mountings of wood, bone, horn, buffalo horn, moulded and lacquered pasteboard, artificial ivory and tortoiseshell, celluloid, hardened rubber, hardened casein, and other similar plastic materials.....	62-77%
Ex 644bis	Brushes and other brushware: brushes for painting or drawing, of pig or boar bristle, horsehair or vegetable materials; with handles of common wood, not painted, dyed, varnished or waxed, with or without a metal ring, even if nickelled.....	52%
	others.....	52%
	whisks for clothing, etc.; without fitting.....	62-5%
	with fitting.....	62-5%
	brushes for cleaning lamp glasses.....	62-36%
	boot and shoe brushes, consisting of a felt pad glued on wood: when the felt is of vegetable material.....	62-5%
	when the felts is of hair or horsehair.....	62-5%
	when the felt is of mixed materials, animal and vege- table.....	61-12%

NOTE.—The Minimum Tariff shall be applied to materials of all kinds used for the packing of all the goods enumerated in the present Schedule provided that these materials are, according to the customs regulations, cleared separately from the Customs.



## SCHEDULE C.

FRENCH PRODUCTS SUBJECT ON THEIR IMPORTATION INTO CANADA TO THE INTERMEDIATE TARIFF RATES LESS DISCOUNTS AS HEREINAFTER INDICATED BASED UPON PERCENTAGES OF THE RATES PAYABLE BY VIRTUE OF SAID INTERMEDIATE TARIFF OR SUBJECT TO THE SAME RATES AS THE BRITISH PREFERENTIAL TARIFF.

Numbers of Canadian Customs Tariff.		
Ex 8	Pâtés de foie gras, foies gras, preserved, in tins or otherwise, lark pâtés.	Intermediate tariff less a discount of 20 p.c.
15	Beeswax.....	Intermediate tariff less a discount of 10 p.c.
Ex 17	Cheese: Roquefort, Camembert, Pont l'Evêque, bleu d'Auvergne, Munster.	Intermediate tariff less a discount of 10 p.c.
63	Rice, cleaned. When in packages weighing two pounds each, or less, the weight of such packages to be included in the weight for duty.	Intermediate tariff less a discount of 20 p.c.
71b	Clover seed, including alfalfa seed.....	Intermediate tariff less a discount of 25 p.c.
72	Field and garden seeds not specified as free, valued at not less than five dollars per pound, n.o.p., in packages weighing not less than one ounce each.	Intermediate tariff less a discount of 10 p.c.
72a	Aromatic seeds which are not edible and are in a crude state, and not advanced in value or condition by grinding or refining or by any other process of manufacture, viz.:—Anise, anise star, caraway, cardamon, coriander, cumin, fennel and fenugreek.	Intermediate tariff less a discount of 10 p.c.
72c	Seed of the sugar beet, for agricultural purposes.....	Intermediate tariff less a discount of 10 p.c.
72d	Millet and rape seed.....	Intermediate tariff less a discount of 10 p.c.
72e	Bent grass seed.....	Intermediate tariff less a discount of 10 p.c.
73	Field seeds, n.o.p., when in packages weighing more than one pound each.	Intermediate tariff less a discount of 10 p.c.
74	Seeds, viz.:—Beet (excepting sugar beet), mangel, parsley, parsnip and turnip, when in packages weighing more than one pound each.	Intermediate tariff less a discount of 10 p.c.
75	Seeds, viz.:—Cabbage, radish, cucumber, leek, lettuce, carrot, borecole or kale, when in packages weighing more than one pound each.	Intermediate tariff less a discount of 10 p.c.
76	Seeds, viz.:—Cauliflower, onion, pepper and tomato, when in packages weighing more than one pound each.	Intermediate tariff less a discount of 10 p.c.
76a	Root, garden and other seeds, n.o.p., when in packages weighing more than one pound each.	Intermediate tariff less a discount of 10 p.c.
76b	Seeds, viz.:—Field, root, garden and other seeds, when in packages weighing one pound, each, or less.	Intermediate tariff less a discount of 10 p.c.
76d	Seeds, viz.:—Canary, mustard, celery and sunflower, when in packages weighing more than one pound each, imported for use exclusively in manufacturing or blending operations.	Intermediate tariff less a discount of 10 p.c.
78	Florist stock, viz.:—Palms, ferns, rubber plants (Ficus), Gladiolus, Cannas, dahlias and poenias.	Intermediate tariff less a discount of 20 p.c.
Ex 85	Mushrooms, canned, the weight of the packages to be included in the weight for duty.	Intermediate tariff less a discount of 20 p.c.
99d	Dates, dried, unpitted, in bulk.....	Intermediate tariff less a discount of 10 p.c.
99e	Dates, n.o.p., the weight of the package to be included in the weight for duty.	Intermediate tariff less a discount of 10 p.c.
99f	Figs, dried. When in packages weighing two pounds, each, or less, the weight of such packages to be included in the weight for duty.	Intermediate tariff less a discount of 10 p.c.
105e	Fruits and peels, crystallized, glace, candied or drained; cherries or other fruits of crème de menthe, maraschino or other flavour.	Intermediate tariff less a discount of 10 p.c.



## SCHEDULE C—Continued.

Numbers of Canadian Customs Tariff.		
114	Nuts, shelled, n.o.p.	Intermediate tariff less a discount of 10 p.c.
Ex 120	<p>Sardines, cooked in oil and preserved in oil, accompanied by a Certificate issued by a Chamber of Commerce or other official authorized body, certifying that the sardines, preserved in oil, have been prepared after being cooked in oil in sealed tin containers, the weight of the tin container to be included in the weight for duty;</p> <p>(a) When weighing over twenty ounces and not over thirty-six ounces each.</p> <p>(b) When weighing over twelve ounces and not over twenty ounces each.</p> <p>(c) When weighing over eight ounces and not over twelve ounces each.</p> <p>(d) When weighing eight ounces each or less.</p>	<p>Intermediate tariff less a discount of 20 p.c.</p>
Ex 141	Candied sweets, sugar-plums and gums.	Intermediate tariff less a discount of 10 p.c. of the ad valorem duty.
Ex 169	Books, viz.:—Novels or works of fiction, or literature of a similar character, printed in France and in the French language, unbound or paper bound or in sheets, but not to include Christmas annuals or publications commonly known as juvenile and toy books; when authorized by Order in Council.	Same rate as British preferential tariff.
Ex 170	Freight rates for railways, and telegraph rates, printed in France and in the French language bound in book or pamphlet form, and timetables of railways outside of Canada; when authorized by Order in Council.	Same rate as British preferential tariff.
Ex 171	Books, printed, periodicals and pamphlets, or parts thereof, printed in France and in the French language, n.o.p., not to include blank account books, copy books, or books to be written or drawn upon; when authorized by Order in Council.	Same rate as British preferential tariff.
180	Photographs, chromos, chrome types, arto types, oleographs, paintings, drawings, pictures, decalcomania transfers of all kinds, engravings or prints or proofs therefrom, and similar works of art, n.o.p.; blue-prints, building plans, maps and charts, n.o.p.	Intermediate tariff less a discount of 10 p.c.
Ex 181a	Pictorial post cards, greeting cards and similar artistic cards or folders when printed in France and in the French language.	Intermediate tariff less a discount of 10 p.c. of the ad valorem duty.
Ex 182	Music bound or in sheets printed in France and in the French language.	Same rate as British preferential tariff.
Ex 197	Cigarette paper in rolls.	Intermediate tariff less a discount of 10 p.c.
Ex 199	Cigarette papers in tubes or booklets.	Intermediate tariff less a discount of 10 p.c.
Ex 220	<p>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.:—</p> <p>(a) When dry.</p> <p>(b) Liquid, when containing not more than two and one-half per centum of proof spirit.</p>	<p>Intermediate tariff less a discount of 10 p.c.</p> <p>Intermediate tariff less a discount of 10 p.c. of the ad valorem duty.</p>
228	Soap powders, powdered soap, mineral soap, and soap, n.o.p.	Intermediate tariff less a discount of 10 p.c.



## SCHEDULE C—Continued.

Numbers of Canadian Customs Tariff.	—	—
237	Celluloid, moulded for handles of knives and forks, not bored or otherwise manufactured; moulded celluloid balls and cylinders, coated with tinfoil or not, but not finished or further manufactured, and celluloid blanks for lamp shades and for combs.	Intermediate tariff less a discount of 10 p.c.
252	Shoe blacking, shoemakers' ink; shoe, harness and leather dressing, and knife and other polish or composition, n.o.p.	Intermediate tariff less a discount of 10 p.c.
262	Olive oil, n.o.p.	Intermediate tariff less a discount of 15 p.c.
316a	Incandescent lamp bulbs and glass tubing for use in the manufacture of incandescent lamps and mantle stocking for gas light.	Intermediate tariff less a discount of 10 p.c.
326a	Articles of glass, not plate or sheet, designed to be cut or mounted; and manufactures of glass, n.o.p.	Intermediate tariff less a discount of 10 p.c.
327	Spectacles, eyeglasses, and ground or finished spectacles or eyeglass lenses.	Intermediate tariff less a discount of 10 p.c.
352	Brass and copper nails, tacks, rivets and burrs or washers; bells and gongs, n.o.p.; and manufactures of brass or copper, n.o.p.	Intermediate tariff less a discount of 10 p.c.
357	Britannia metal, nickel silver, Nevada and German silver, manufactures of, not plated, n.o.p.	Intermediate tariff less a discount of 15 p.c.
362	Articles consisting wholly or in part of sterling or other silverware, nickel-plated ware, gilt or electro-plated ware, n.o.p.; manufactures of gold and silver, n.o.p.	Intermediate tariff less a discount of 10 p.c.
396	Pipe, cast, of iron or steel, valued at not more than five cents per pound.	Intermediate tariff less a discount of 10 p.c.
409e	Spraying and dusting machines and attachments therefor, including hand sprayers; apparatus specially designed for sterilizing bulbs; pressure testing apparatus for determining maturity of fruit; pruning hooks; pruning shears; animal dehorning instruments; and complete parts of all the foregoing.	Intermediate tariff less a discount of 10 p.c.
Ex 409i	Scythes and sickles.	Intermediate tariff less a discount of 10 p.c.
430	Nuts and bolts with or without threads, washers, rivets, of iron or steel, coated, or not; nut and bolt blanks, of iron or steel.	Intermediate tariff less a discount of 10 p.c. of the ad valorem rate.
430a	Hinges and butts, of iron or steel, coated or not; hinge and and butt blanks, of iron or steel.	Intermediate tariff less a discount of 10 p.c. of the ad valorem rate.
440l	Aircraft and complete parts thereof, not including engines, under regulations prescribed by the Minister.	Intermediate tariff less a discount of 10 p.c.
440m	Engines and complete parts thereof, when imported for use in the equipment of aircraft.	Intermediate tariff less a discount of 10 p.c.
440n	Complete parts for repair of engines enumerated in tariff item 440m.	Intermediate tariff less a discount of 10 p.c.
Ex 445f	Carbon brushes for dynamos.	Intermediate tariff less a discount of 10 p.c.
Ex 445g	Carbon brushes for motors.	Intermediate tariff less a discount of 10 p.c.
461	Safes, including doors; doors and door frames for vaults; scales, balances, weighing beams and strength testing machines of all kinds, n.o.p.	Intermediate tariff less a discount of 10 p.c.
462	Philosophical, photographic, mathematical and optical instruments, n.o.p., speedometers, cyclometers and pedometers and tape lines of any material, n.o.p., complete parts of all the foregoing.	Intermediate tariff less a discount of 10 p.c.
Ex 476	Surgical instruments of any material, X-ray apparatus, microscopes destined to hospitals and for medical use, when authorized by Order in Council.	Same rate as British preferential tariff.
476a	Glassware and other scientific apparatus for laboratory work in public hospitals; surgical operating tables and complete parts thereof; apparatus for sterilizing purposes, including bedpan washers and sterilizers but not including washing or laundry machines; all for the use of any public hospital, under regulations prescribed by the Minister.	Same rate as British preferential tariff.



## SCHEDULE C—Continued.

Numbers of Canadian Customs Tariff.			
494	Manufactures of corkwood or cork bark, n.o.p., including strips shives, shells and washers of cork.	Intermediate tariff less a discount of 10 p.c.	
495	Corks, manufactured from corkwood, over three-fourths of an inch in diameter measured at the larger end.	Intermediate tariff less a discount of 10 p.c.	
519	House, office, cabinet or store furniture of wood, iron, or other material, in parts or finished.	Intermediate tariff less a discount of 10 p.c.	
Ex	535a	Fibres of raphia.....	Intermediate tariff less a discount of 10 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.	Intermediate tariff less a discount of 10 p.c.	
545	Lace and embroideries, wholly of flax, or of hemp, or of flax, hemp and cotton, not coloured, imported by manufacturers for use exclusively in the manufacture of clothing in their own factories.	Intermediate tariff less a discount of 10 p.c.	
546	Articles made from fabrics, finished or unfinished, and all textile manufactures, wholly of jute, n.o.p.; fabrics, wholly of jute, coated or impregnated.	Intermediate tariff less a discount of 10 p.c.	
Ex	549	The hair of the camel, alpaca, goat, when authorized by Order in Council.	Intermediate tariff less a discount of 20 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.	Intermediate tariff less a discount of 10 p.c. of the ad valorem duty.	
560b	Woven fabrics, wholly of silk, twenty-six inches in width or less, n.o.p.	Intermediate tariff less a discount of 10 p.c.	
560d	Woven fabrics with cut pile, generally known as velvets and plushes, with pile wholly of silk or artificial silk, but not containing wool, exceeding twenty-four inches in width.	Intermediate tariff less a discount of 10 p.c.	
560e	Woven fabrics with cut pile, generally known as velvets and plushes, with pile wholly of silk or artificial silk, but not containing wool, twenty-four inches in width or less, n.o.p.	Intermediate tariff less a discount of 25 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.	Intermediate tariff less a discount of 10 p.c. of the ad valorem duty.	
562	Woven fabrics not exceeding twelve inches in width generally known as "ribbons" whether with cut pile or not, wholly or in part of silk but not containing wool.	Intermediate tariff less a discount of 15 p.c.	
562a	Woven fabrics not exceeding twelve inches in width, generally known as "ribbons," whether with cut pile or cut, wholly or in part of artificial silk or similar synthetic fibres produced by chemical processes, but not containing silk nor wool.	Intermediate tariff less a discount of 15 p.c.	
564	Woven fabrics, of a kind not made in Canada, wholly, or in chief part, by weight, of silk or artificial silk, or both, imported in the web in lengths of not less than five yards each by manufacturers of neckties, scarves, or mufflers, for use exclusively in the manufacture of such articles in their own factories.	Intermediate tariff less a discount of 10 p.c.	
564b	Woven fabrics, of a kind not made in Canada, wholly or in chief part by weight of silk or artificial silk, or both, imported in the web in lengths of not less than ten yards each by manufacturers of umbrellas for use in the manufacture of umbrellas in their own factories.	Intermediate tariff less a discount of 10 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.	Intermediate tariff less a discount of 10 p.c.	
567b	Church vestments of any material.....	Intermediate tariff less a discount of 10 p.c.	
Ex	569	Berets.....	Intermediate tariff less a discount of 10 p.c.
574a	Webbing, with strands of rubber interwoven, or braided therein, not exceeding twelve inches in width, n.o.p.; round elastic braid.	Intermediate tariff less a discount of 10 p.c.	



SCHEDULE C—*Concluded.*

Numbers of Canadian Customs Tariff.	—	—
597	Pianofortes and organs. . . . . Provided, that when imported under the Intermediate or the General Tariff, the duty shall be not less than \$75 each.	Intermediate tariff less a discount of 10 p.c. of the ad valorem duty.
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.	Intermediate tariff less a discount of 10 p.c. of the ad valorem duty.
603	Fur skins, wholly or partially dressed, n.o.p. . . . .	Intermediate tariff less a discount of 10 p.c.
608	Leather not further finished than tanned, and skins, n.o.p.	Intermediate tariff less a discount of 10 p.c.
613	Manufactures of leather, including manufactures of raw-hide, n.o.p.	Intermediate tariff less a discount of 20 p.c.
618	Rubber cement and all manufactures of india-rubber and gutta percha, n.o.p.	Intermediate tariff less a discount of 10 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, flybooks and parts thereof.	Intermediate tariff less a discount of 10 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.	Intermediate tariff less a discount of 10 p.c.
628	Braces or suspenders, and finished parts thereof. . . . .	Intermediate tariff less a discount of 10 p.c.
629	Umbrellas, parasols and sunshades of all kinds and materials.	Intermediate tariff less a discount of 10 p.c.
634	Feathers and manufactures of feathers, n.o.p., artificial feathers, fruits, grains, leaves and flowers suitable for ornamenting hats.	Intermediate tariff less a discount of 15 p.c.
649	Shoe buttons, n.o.p. . . . .	Intermediate tariff less a discount of 10 p.c.
Ex 653	Brushes mounted in shell, ivory, or mother-of-pearl, gilded, nickel-plated or silver-plated metals, bone, horn, in artificial ivory or shell, in plastic materials.	Intermediate tariff less a discount of 10 p.c.
Ex 656	Tobacco pipes of all kinds, pipe mounts, cigar and cigarette holders, and smokers' sets and cases therefor.	Intermediate tariff less a discount of 10 p.c.
657a	Cinematograph or moving picture films, positives, made in France and speaking the French language, one and one-eighth of an inch in width and over, per lineal foot.	Same rate as British preferential tariff.
691a	Missels, bénitiers, scapulars, chapelets and rosaries and religious medals and crosses of any material.	Free.
Ex 710	Coverings, inside and outside, used in covering or holding goods imported therewith, shall be subject to the following provisions, viz.: Usual coverings containing goods, not machinery, subject to any ad valorem duty, when not included in the invoice value of the goods they contain and subject to the provisions expressed in item 710 (c), (d), (e) and (f).	Intermediate tariff less a discount of 10 p.c.
Ex 711	Mineral and medicinal waters from the springs of: Vichy, Contrexeville, Evian, Vittel, Vals, Perrier, St. Galmier.	Intermediate tariff less a discount of 20 p.c.
Ex 711	All other goods not enumerated in Schedule A to the Canadian Customs Tariff as subject to any other rate of duty, and not otherwise declared free of duty, and not being goods the importation whereof is by law prohibited. Provided that duty shall not be deemed to be provided for by this item upon dutiable goods mentioned as "n.o.p." in any preceding tariff item. Provided further that when the component material of chief value in any non-enumerated article consists of dutiable material enumerated in said Schedule A as bearing a higher rate of duty than is specified in this tariff item, such non-enumerated article shall be subject to the highest duty which would be chargeable thereon if it were composed wholly of the component material thereof of chief value, such "component material of chief value" being that component material which shall exceed in value any other single component material in its conditions as found in the article.	Intermediate tariff less a discount of 10 p.c.



## SCHEDULE D

FRENCH PRODUCTS ENJOYING THE BENEFIT OF THE  
CANADIAN INTERMEDIATE TARIFF.

GROUP 1: Animals, agricultural products, fish and provisions. 8, 9, 9a, 10, 12a, 13, 14, 16a and b, 17, from 18 to 31, from 34 to 38, 39 and 39a, from 40 to 46, 47 and 48, 50, 51, 53, 57 and 59, 61 and 62, 62a, from 64 to 68a, 69a, from 70 to 71, 71a, 71c and d, 77 and 77a, from 79 to 84, 85, from 87 to 91, 92a, b, d, e, f, g, h, i, from 94 to 99b, 99g, from 100 to 102, from 103 to 105d, 106, 108, 109, 115, 120, 121, 123, from 124 to 128 and 133.

GROUP 2: Sugar, molasses and manufactures thereof. The whole Group except 135b, 137 and that part of 141 which is indicated in Schedule C.

GROUP 3: Tobacco and manufactures thereof. The whole Group.

GROUP 4: Spirits, wines and other beverages. From 146 to 154, 156, 156a, from 158 to 163, 165, 167, 168.

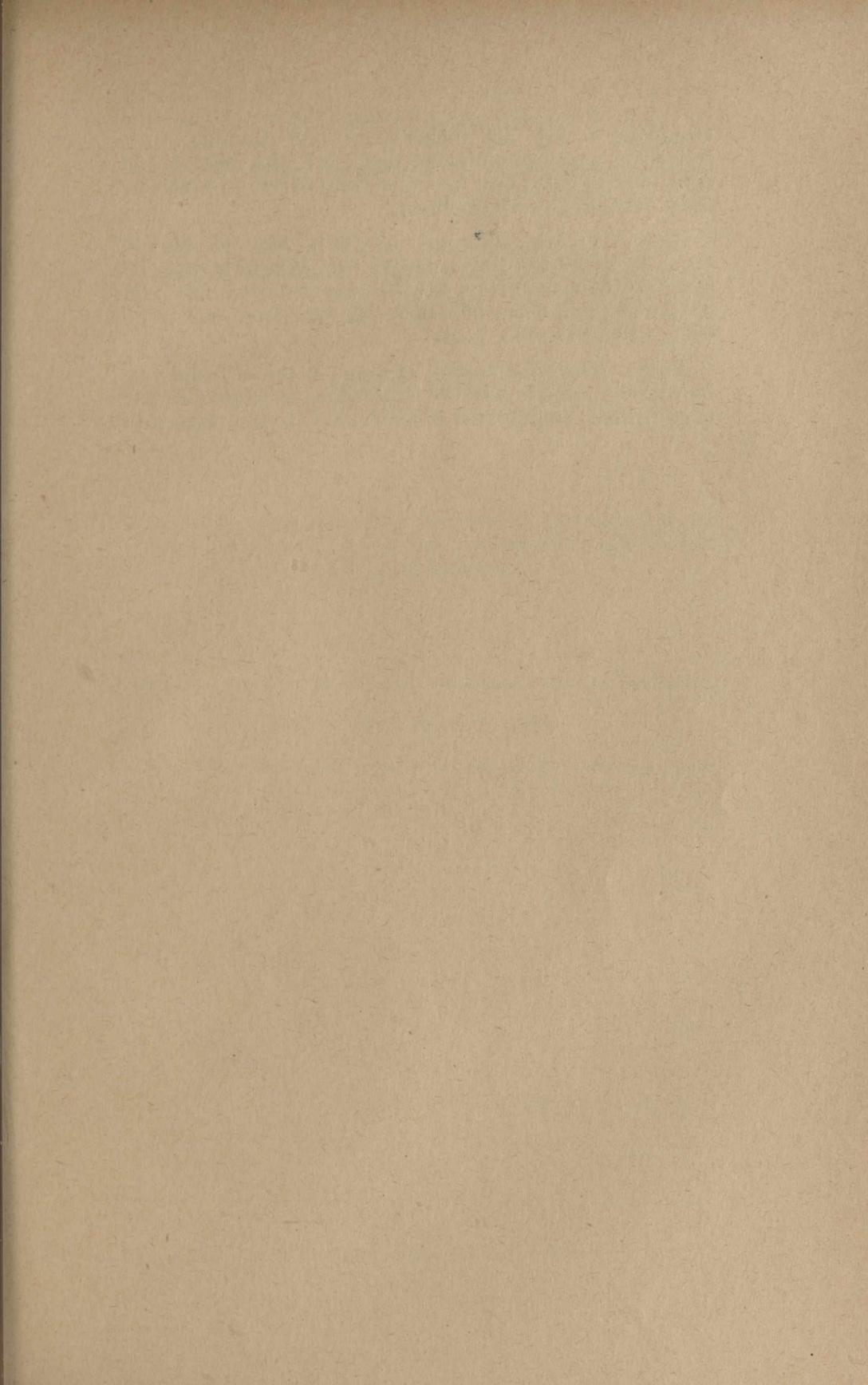
GROUP 5: Pulp, paper and books. 169, 170, 171, 178, 179, 181, 182, 183, 184, 184a, 187, from 188 to 196 inclusive, 197, 197a, 197b, from 198 to 199b inclusive, 201 and 202.

GROUP 6: Chemicals, drugs, oils and paints. 203, 204, 205, 207, from 208 to 219c, from 220 to 226, from 229 to 236a inclusive, 238, 238a, from 240 to 251 inclusive, from 255 to 261 inclusive, from 263 to 264b inclusive, 265a, 274, 276 and 278.

GROUP 7: Earths, earthenware and stoneware. From 281a to 290, 293 and 294, 296b, 296d, from 302 to 315a, from 318 to 326 inclusive, 328, 328a.

GROUP 8: Metals and manufactures thereof. 339, 340, 346, 348a, 348d and 348e, 349, from 350 to 351b, 352a and b, 353 to 356, 356a and b, 358, 361, 362, 365 to 367, 368 to 370, 374, 375, 377 to 395a, 396a, from 397 to 401 inclusive, from 402 to 408 inclusive, 409, 409a, b, c, d, from f to q, from 410 to 429 inclusive, 430c, d, e, f, g, from 431 to 435, from 438 to 439f, 440a, 440c, 440j and k, 441, from 442 to 451 inclusive, from 453 to 455 inclusive, 465, from 467 and 476 inclusive, 476c, 478, 479, 480, 481, 484, 485 and 488.

GROUP 9: Wood and manufactures thereof. 496, 500, 500a, 501, 502a, b and d, 503, 504, 505, from 506 to 518 inclusive, 519a.



GROUP 10: Cotton, flax, hemp, jute and other fibres, and silk, wool, and manufactures thereof. The whole Group up to No. 559 inclusive without prejudice to the provisions appearing in Schedule C, 561, 563, 565, 567, 568, 568a, and b, 569, 569a, b, c, d, e, from 570 to 574 inclusive, 574b, from 575 to 578 inclusive.

GROUP 11: Miscellaneous. 584, 584a, 586, 598, 604, 607, 607a, from 609 to 619a inclusive, 620, 622, 624, 624a, 625, 626, 633, 636, 642, from 647 to 648a inclusive, 650a, 651, 651a, 653, 655, 655a, 656, 659, 662, 663, from 665 to 670, 672a, 680a, 684, 695, 710a.

NOTE.—The enumeration of items in this Schedule shall be without prejudice to the concessions in respect to parts of such items enumerated in Schedule C to this Agreement.

Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA.

**BILL 108.**

An Act respecting a certain Convention between Canada and France concerning the Rights of Nationals and Commercial and Shipping Matters.

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First reading, May 12, 1933.

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The SECRETARY OF STATE.

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OTTAWA  
J. O. PATENAUDE, ACTING KING'S PRINTER

THE HOUSE OF COMMONS OF CANADA.

**BILL 108.**

An Act respecting a certain Convention between Canada and France concerning the Rights of Nationals and Commercial and Shipping Matters.

**H**IS 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-France Convention Act, 1933.* 5

Convention approved.

**2.** The convention between Canada and France concerning the Rights of Nationals and Commercial and Shipping Matters, set out in the Schedule to this Act, is hereby approved.

Suspension of inconsistent laws and regulations.

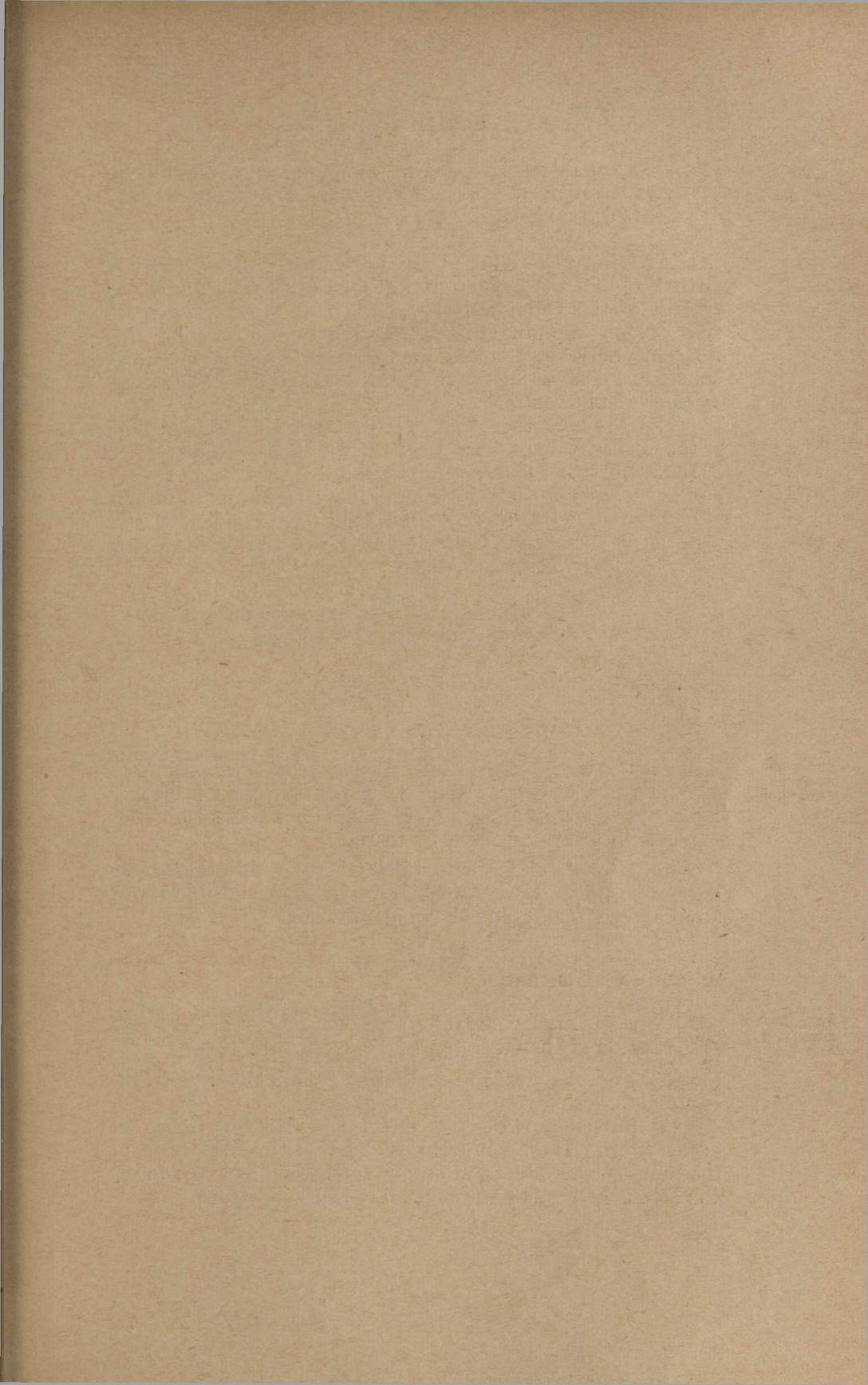
**3.** All laws and regulations inconsistent with this Act and the said Convention shall, to the extent of such inconsistency and in respect only of the said Convention, be suspended during the currency thereof. 10

Orders in Council authorized.

**4.** 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 this Act and said Convention. 15

When Act comes into force.

**5.** This Act shall come into force on a day to be fixed by proclamation of the Governor in Council. 20



## SCHEDULE.

CONVENTION BETWEEN CANADA AND FRANCE CONCERNING  
THE RIGHTS OF NATIONALS AND COMMERCIAL AND  
SHIPPING MATTERS.

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 French Republic, being desirous of developing the relations between Canada and France, have resolved to conclude a convention for that purpose, and have appointed as their plenipotentiaries:

His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, for the Dominion of Canada:

The Right Honourable RICHARD BEDFORD BENNETT, Prime Minister, President of the Privy Council and Secretary of State for External Affairs;

The Honourable CHARLES HAZLITT CAHAN,  
Secretary of State of Canada;

The President of the French Republic:

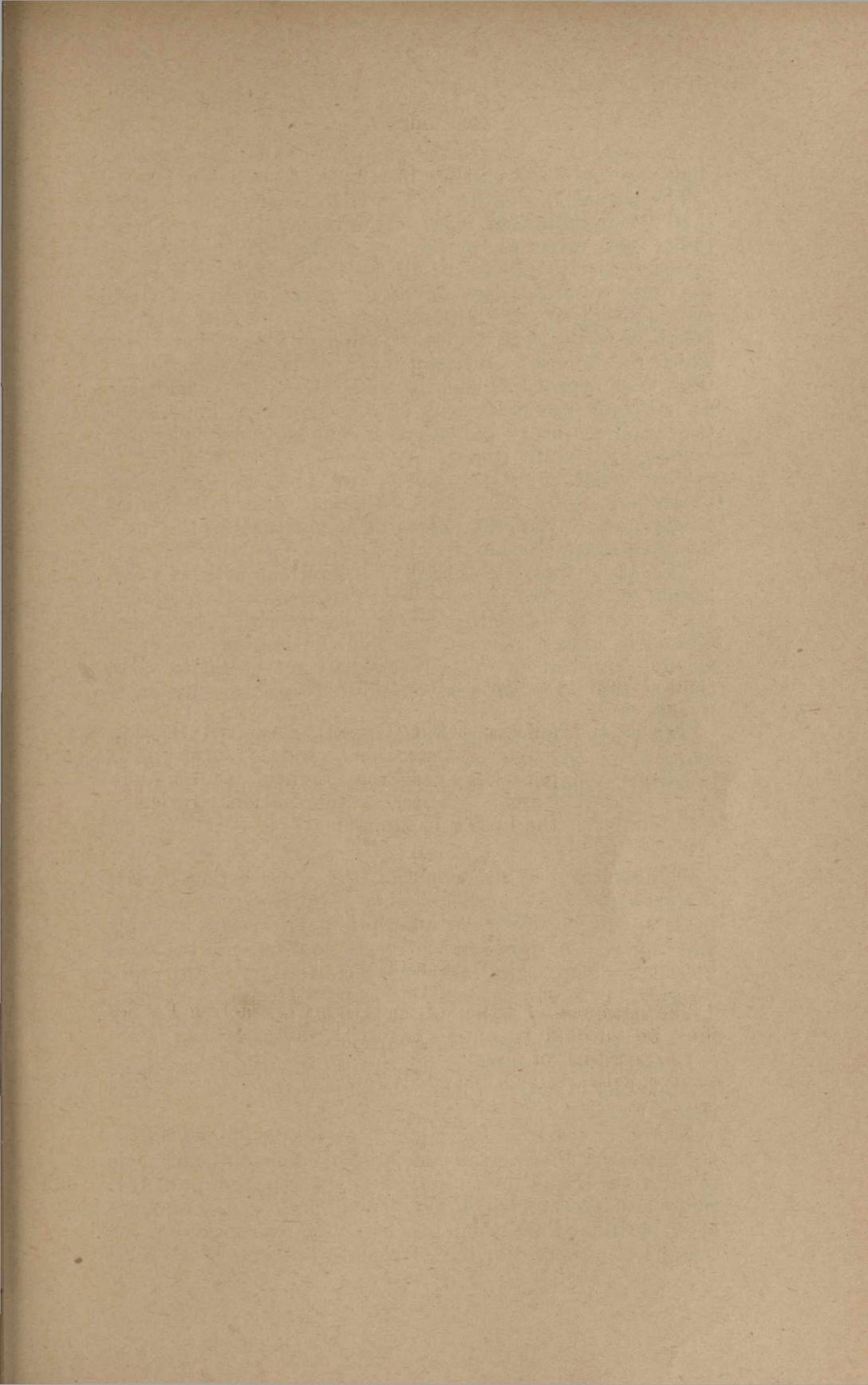
Monsieur MARC CHARLES ARSÈNE HENRY,  
Envoy Extraordinary and Minister Plenipotentiary of the French Republic in Canada, Officer of the National Order of the Legion of Honour;

Who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed upon the following provisions:

## ARTICLE 1.

The nationals of either of the High Contracting Parties shall be entitled to enter, sojourn, travel, and circulate in the territory of the other and depart therefrom in conformity with the laws and regulations applicable to foreigners of the most favoured foreign nation.

This provision shall not affect the existing rights of either of the High Contracting Parties to enact laws in relation to the immigration of foreigners and to define the status of foreign workers and salaried persons.



## ARTICLE 2.

The present Article, to the exclusion of all other Articles, shall regulate fiscal matters in relation to individuals.

The nationals of either of the High Contracting Parties shall not be submitted, in respect of their persons, property, rights and interests, profession, occupation, business or industry and in general in all matters in the territory of the other to rates, taxes, imposts or contributions of whatever description, and without regard to the authority on behalf of which they are levied, other or higher than those which are imposed on nationals in similar circumstances; they shall enjoy particularly under the same conditions as nationals the reductions or exemptions of imposts or taxes and statutory reductions including those which are accorded for family charges.

They shall enjoy the same treatment and the same protection before the fiscal authorities and jurisdictions as nationals of the other Party or as nationals of the most favoured foreign nation.

The above provisions shall not interfere with the collection as the case may be either of taxes called sojourn taxes, or of taxes relating to compliance with police regulations so long as these taxes shall be imposed on other aliens. The rate of these taxes shall not be higher than that of the taxes imposed on the nationals of any other foreign State.

The High Contracting Parties agree to conclude a convention on the subject of fiscal matters in relation to societies or companies and on the subject of double taxation.

## ARTICLE 3.

The nationals of either of the High Contracting Parties in the territory of the other shall be at full liberty to acquire, possess, rent, occupy every description of property, movable and immovable, rights and interests, to dispose of the same by sale, exchange, gift, marriage, testament, or in any other manner, to exercise business, industry, trade and profession, to the same extent as may be permitted by the laws of the other Party to the nationals of any other foreign State.

In matter of requisitions and prestations other than those provided for in Article 4, they shall enjoy the most favoured nation treatment.

Moreover, each of the High Contracting Parties agrees not to impose upon persons, societies or companies, nationals of the other High Contracting Party, in respect of property, rights and interests which they legally possess, any measure of disposition, limitation, restriction or expropriation, for reasons of public utility or of general interest, which shall



not be applicable under the same conditions to its own nationals or societies. The indemnities, to which these measures will give rise, shall be accorded upon the conditions prescribed either for the benefit of nationals, societies or companies of the country, or of nationals, societies or companies of the most favoured foreign nation, at the option of those interested.

#### ARTICLE 4.

The nationals of each of the High Contracting Parties shall be exempted from all compulsory personal military service whatsoever and from all personal military prestations. They shall similarly be exempted from all taxes levied in lieu of such service and prestations. They shall be subject to military requisitions on their property, movable and immovable, under the same conditions as nationals of the other Party, or as the nationals of the most favoured foreign nation, at the option of those interested.

They shall similarly be exempted from all judicial, administrative and municipal functions other than those imposed by the laws relating to juries.

#### ARTICLE 5.

The nationals of each of the High Contracting Parties in the territory of the other shall enjoy free access to the courts of justice, either as plaintiffs or as defendants in all jurisdictional processes established by law, without other conditions, restrictions or taxes than those imposed on nationals with the exception of the "cautio judicatum solvi", and, like them, they shall be at liberty in all causes to have recourse to the services of advocates, attorneys, solicitors or other agents selected from among the persons admitted to the exercise of those professions of legal order by the laws in force in the territory in question.

#### ARTICLE 6.

Merchants and manufacturers, nationals of one of the High Contracting Parties, as well as merchants and manufacturers domiciled and exercising their commerce or industry in the territories of such High Contracting Party, may, in the territories of the other, either personally or by means of commercial travellers, make purchases and collect orders with or without samples, and such merchants, manufacturers and their commercial travellers, while so making purchases and collecting orders, shall, in the matter of taxation, and also in respect of all other facilities and charges, enjoy the most favoured foreign nation treatment.



Articles imported as samples for the purposes above-mentioned shall, in each country, be temporarily admitted free of duty with a reservation that they shall comply with the Customs regulations and other formalities established to assure their re-exportation or the payment of the prescribed Customs duties if not re-exported within the period allowed by law. However, this exemption shall not extend to articles which, owing to their quality or value, cannot be considered as samples, nor to articles which, owing to their nature, could not be identified upon re-exportation. In all cases the determination of the question whether the samples are qualified for admission duty-free rests exclusively with the competent authorities of the place where the importation is effected.

#### ARTICLE 7.

The societies, companies, corporations, civil and commercial, limited liability or other companies, of industry, finance, insurance, transport and other societies of an economic character and for lucrative purposes, constituted in either of the two countries in conformity with the laws of that country and having therein their head office, shall be reciprocally recognized and shall have the right to appear in courts. The legality of their constitutions and their capacity and those of their branches and agencies shall be determined according to their charters and the law of the country where they have been constituted.

The said societies, companies and corporations of either of the High Contracting Parties shall be at liberty, upon the territory of the other Party, in conformity with the laws and regulations of the latter, to establish themselves, to create agencies and branches. They shall enjoy in all respects and in all matters the treatment of the most favoured foreign nation.

It is understood that the foregoing provisions are applicable to societies, companies, and corporations which were constituted before the signature of the present Convention as well as to those which may be constituted subsequently.

#### ARTICLE 8.

Each of the High Contracting Parties shall be at liberty to appoint consul-generals, consuls, vice-consuls and consular agents to reside in the towns and ports of the territory of the other to which such consuls or agents of any other State are admitted. Such consuls-general, consuls, vice-consuls and consular agents, however, shall not enter upon their functions until after they shall have been accepted and admitted in the usual form by the Government to which they are accredited.



The heads of posts, titular or acting, as well as the agents of the consular service, chancellors, attachés or others, on condition of reciprocity, shall enjoy the personal privileges, immunities and exemptions such as are or may be accorded to similar agents of the same class and grade of the most favoured foreign nation.

The High Contracting Parties agree to conclude a convention with a view to determining and defining the powers and functions of these agents.

#### ARTICLE 9.

Goods shipped from the territory of one of the High Contracting Parties with a destination in the territory of the other Party, on the railways of the latter, in relation to conditions and costs of transportation, and to rates and taxes of every description affecting transportation, shall receive as favourable treatment as that which is generally applicable to similar goods in the interior traffic, under the same conditions, for the same directions and for the same distances, and shall enjoy the most favoured foreign nation treatment.

#### ARTICLE 10.

Goods shipped from the territory of one of the High Contracting Parties, in transit through the territory of the other Party, in relation to the conditions and costs of transportation, and to rates and taxes affecting transportation, shall receive as favourable treatment as that which is generally applicable to the transportation of similar goods in traffic with a third State under the same conditions for the same directions and for the same distances.

#### ARTICLE 11.

Each of the High Contracting Parties shall assure to the vessels of the other Party in the maritime ports placed under its sovereignty, authority or protection, and within its territorial waters, the same treatment in every respect as is accorded to its own vessels or to those of the most favoured foreign nation. This equality of treatment, which is extended only to works appertaining to the state or public establishments, applies namely: to freedom of access to the ports, their use, the full enjoyment of the benefits accorded to navigation, the commercial operations of vessels, their cargoes and passengers, facilities of all kinds in relation to allocation of berths, loading and unloading, dues and charges of all kinds levied in the name or



for the account of the Government, public authorities, concessionaries or undertakings of any kind.

The provisions of the preceding paragraph in no way restrict the liberty of the competent authorities of a maritime port to take such measures as they may deem expedient for the proper conduct of the business of the port, provided that these measures comply with the principle of equality of treatment as above defined.

#### ARTICLE 12.

All dues and charges for the use of maritime ports shall be duly published before coming into force.

The same shall apply to the by-laws and regulations of the ports.

In each maritime port the port authorities shall keep open for inspection by all persons concerned a table of the dues and charges in force, as well as a copy of the by-laws and regulations.

#### ARTICLE 13.

The vessels of either of the High Contracting Parties may enter into one or several maritime ports of the other for the purpose of landing the whole or part of their cargoes, goods and passengers brought from abroad, or for the purpose of taking on board the whole or part of their cargoes, goods and passengers for a foreign destination.

The High Contracting Parties agree that the coasting trade, as well as fishing and hunting within territorial waters shall be exempted from the provisions of this Article and remain exclusively under their national laws. The same shall apply to towage, provided that the provisions of Articles 11 and 12 are complied with.

The same shall apply to pilotage; where pilotage is compulsory the charges and services rendered shall be subject to the provisions of Articles 11 and 12.

Each of the High Contracting Parties, however, shall be at liberty to exempt from the obligations of compulsory pilotage such of its nationals as possess the necessary technical qualifications.

Exemption is made from the provisions of the present Convention with regard to:

- (1) The advantages which are or may be accorded to the products of national fishing.
- (2) The advantages which either of the High Contracting Parties may extend to its nationals as a means of facilitating the development of its merchant marine, either as premiums or subsidies for the building or the acquisition of merchant vessels, or premiums or rewards to the merchant marine.



For all matters concerned in this Article, the High Contracting Parties shall reciprocally accord to each other most favoured foreign nation treatment.

#### ARTICLE 14.

Canadian merchant vessels complying with the regulations relative to public order and safety as well as with local laws and regulations, shall enjoy the most favoured foreign nation treatment in the maritime ports of French Colonies.

#### ARTICLE 14 (*bis*).

The provisions of Articles 13 to 19 inclusive, of the present Convention, apply to all national vessels, whether they are owned by one of the High Contracting Parties or by private individuals, or companies or public bodies, nationals of one of the High Contracting Parties.

They do not apply, however, in any way, to warships or vessels performing functions of police or control, nor in general to vessels under any title of public authority, nor any other vessels which are exclusively employed for the purposes of the naval, military or air forces of one of the High Contracting Parties.

In like manner, the present Convention does not apply to fishing vessels.

#### ARTICLE 15.

The nationality of vessels shall be reciprocally determined by each of the High Contracting Parties, according to the national law of the vessel concerned and on the proof furnished in conformity therewith.

The words "vessels of the High Contracting Parties" as used in this convention, in relation to vessels of His Majesty, shall mean vessels registered in Canada.

#### ARTICLE 16.

In the maritime ports of one of the High Contracting Parties, the master of a merchant vessel of the other Party, if through illness or for any other reasons a ship is short of crew, may, in conformity with local laws and regulations, engage the seamen necessary to continue the voyage, it being understood that the engagement shall always be made with the free consent of the seamen and in conformity with the laws of the country to which the ship belongs.



#### ARTICLE 17.

Subject to the application of the respective laws of both countries regulating emigration, the shipping of one of the High Contracting Parties engaged in the transport of passengers and emigrants shall enjoy in the other country the same treatment in every respect as national shipping, or as that of the most favoured foreign nation.

Subject to the same reservation, this equality of treatment shall apply particularly to their agencies, their vessels and to the passengers and emigrants which they carry both on outward and inward voyages, whatever their point of origin or of destination.

#### ARTICLE 18.

It shall be free for any vessel of one of the High Contracting Parties which may be compelled by bad weather or by force majeure to take shelter in a maritime port of the other party, to refit therein, to procure all necessary stores and to put to sea again without paying other dues or charges than those which, in the same circumstances, are paid by national vessels.

If, however, the master of a vessel, which has taken shelter in a maritime port in the circumstances contemplated in the preceding paragraph, is obliged to sell part of his cargo in order to defray expenses, he shall be obliged to comply with the local regulations and tariffs.

#### ARTICLE 19.

If a vessel of one of the High Contracting Parties be stranded or shipwrecked on the coast of the other, both the vessel and her cargo shall enjoy the same favours and exemptions as the laws of the country grant to its own vessels in the same circumstances. The master, the crew and the passengers shall be rendered the same aid and assistance as nationals of the country where the vessel is stranded would be entitled to by law. The vessel and her cargo shall enjoy the same privileges.

The ships or their wrecks, including machinery, rigging, apparatus, furniture, accessories of all kinds and documents salvaged shall be delivered to their owner or to his duly authorized representative, provided a request to that effect is made by him within the limits of time provided for by the local law. The same shall apply to goods salvaged. In case of sale, the proceeds shall be paid to the said owner, after deduction of the costs.



Where the owner or his representative fails to do so, the consular authority of one of the High Contracting Parties of which the owner is a national may claim the delivery of goods salvaged or the proceeds of their sale.

The goods and objects of every description salvaged from such wrecks shall not be subjected to the payment of any Customs duty unless admitted for internal consumption.

#### ARTICLE 20.

If a dispute arises between the High Contracting Parties in regard to the proper interpretation or application of this Convention which cannot be solved by diplomatic means, the matters in dispute shall be submitted to the Permanent Court of International Justice at the Hague, under the conditions and in accordance with the procedure provided by its Statutes.

#### ARTICLE 21.

The present Convention shall be ratified and the ratifications shall be exchanged at Ottawa as soon as possible.

It shall come into force on the date which the High Contracting Parties shall fix by joint agreement.

#### ARTICLE 22.

The present Convention shall remain in force until the expiration of a period of six months after the date on which one of the High Contracting Parties shall have notified the other of his intention to terminate it.

IN WITNESS WHEREOF the respective plenipotentiaries duly authorized, have signed the present Convention unto which they have affixed their seals.

Done in duplicate in English and French at Ottawa on the twelfth day of May in the year of Our Lord one thousand nine hundred and thirty-three.

CHARLES ARSÈNE HENRY (seal)

R. B. BENNETT (seal)

C. H. CAHAN (seal)

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Fourth Session, Seventeenth Parliament, 23 George V, 1932-33

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THE HOUSE OF COMMONS OF CANADA

**BILL 109.**

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1934.

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AS PASSED BY THE HOUSE OF COMMONS,  
16th MAY, 1933.

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OTTAWA  
J. O. PATENAUDE, ACTING KING'S PRINTER

THE HOUSE OF COMMONS OF CANADA.

**BILL 109.**

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1934.

MOST GRACIOUS SOVEREIGN,

Preamble. **W**HEREAS it appears by messages from His Excellency the Right Honourable the Earl of Bessborough, 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-four, 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:—

**1.** This Act may be cited as *The Appropriation Act, No. 5, 1932-33.* 15

Short title.

\$162,202,843.59  
granted for  
1933-34.

**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 sixty-two million, two hundred and two thousand, eight hundred and forty-three dollars and fifty-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-three to the thirty-first day of March, one thousand nine hundred and thirty-four, not otherwise provided for, and being five-sixths of the amount of each of the items to be voted, less deductions, set forth in Schedule A to this Act. 20



\$9,836,970.00  
granted for  
1933-34.

**3.** From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole nine million, eight hundred and thirty-six thousand, nine hundred and seventy dollars towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and thirty-three, to the thirty-first day of March, one thousand nine hundred and thirty-four, not otherwise provided for, and being the amount of each of the several items to be voted set forth in Schedule B to this Act.

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\$2,087,964.56  
granted for  
1933-34.

**4.** From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole two million, eighty-seven thousand, nine hundred and sixty-four dollars and fifty-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-three, to the thirty-first day of March, one thousand nine hundred and thirty-four, not otherwise provided for, set forth in Schedule C to this Act.

15

Power to  
raise loan of  
\$200,000,000  
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 as may be required, not to exceed in the whole the sum of two hundred million dollars, for public works and general purposes.

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Chargeable  
to  
Consolidated  
Revenue  
Fund.

Lapse of  
prior  
borrowing  
powers.

(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.

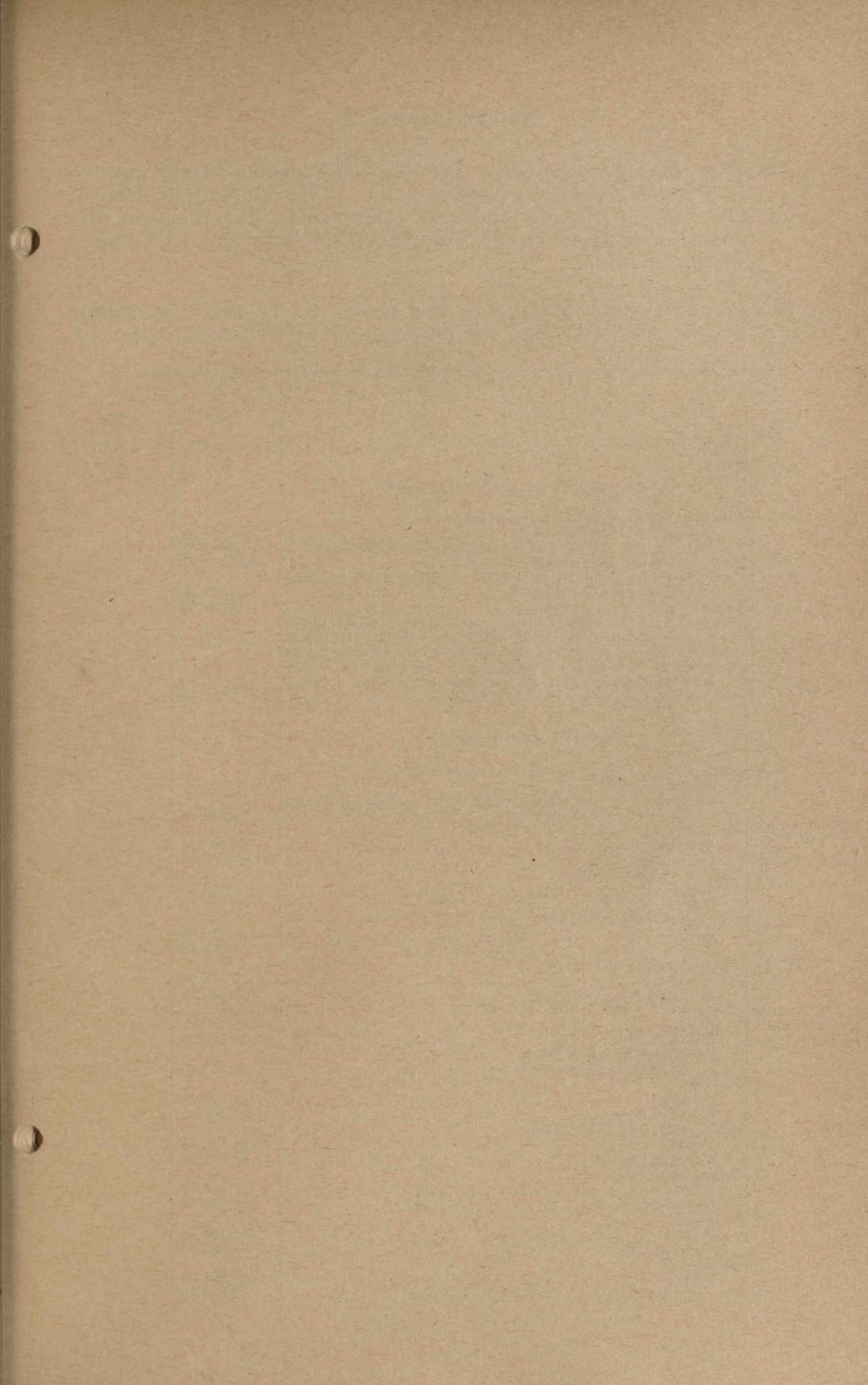
(3) All borrowing powers authorized by section six of chapter fifty-seven of the statutes of 1932 which are outstanding and unused shall expire on the date of the coming into force of this Act.

35

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.

40

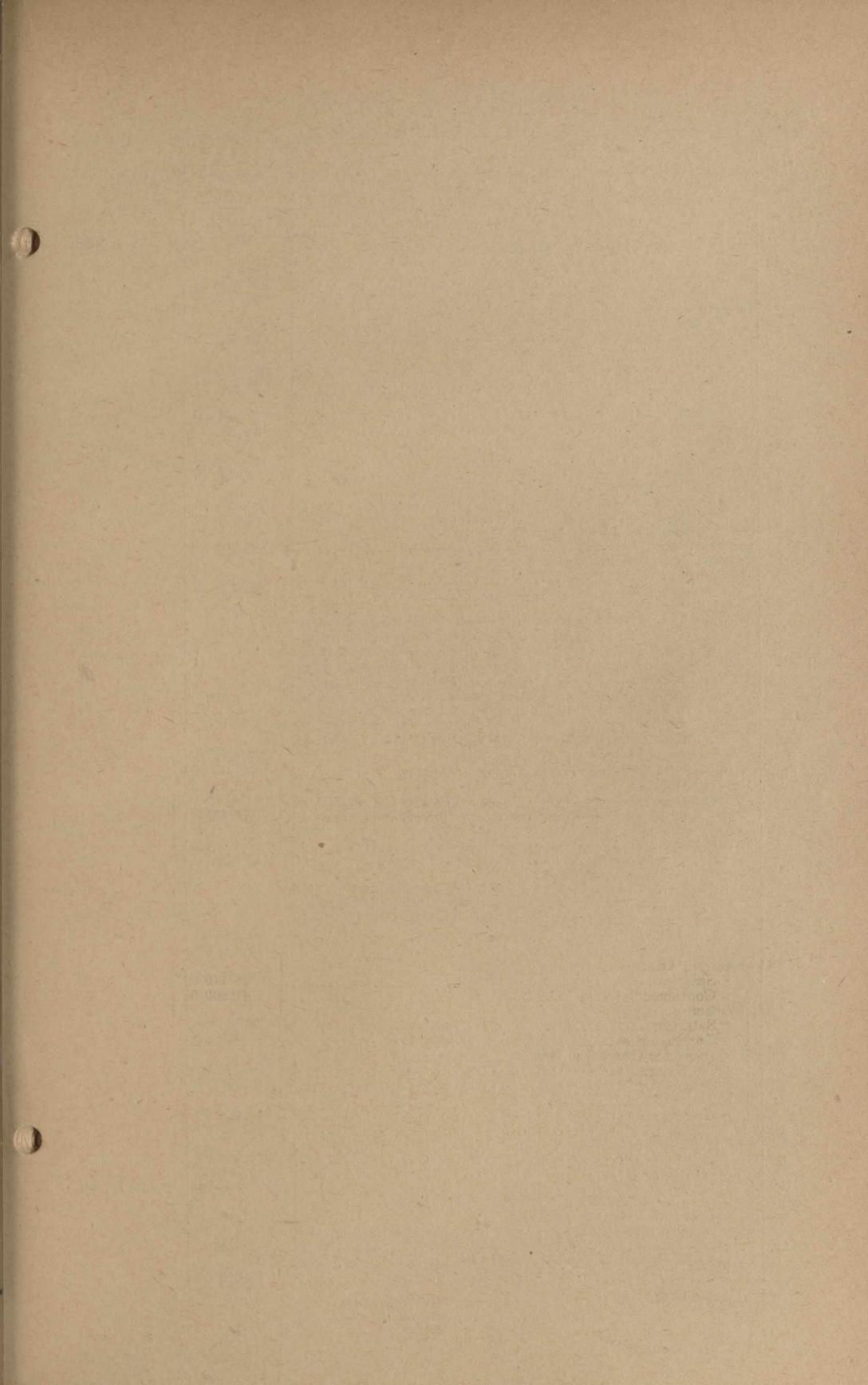


## SCHEDULE A.

Based on the Main Estimates, 1933-34. The amount hereby granted is \$162,202,843.59, being five-sixths of the amount of each of the items in the Estimates as contained in this Schedule, less deduction of \$1,380 in the first item of Resolution No. 32, Salaries, Public Archives.

SUMS granted to His Majesty by this Act for the financial year ending 31st March, 1934, and the purposes for which they are granted.

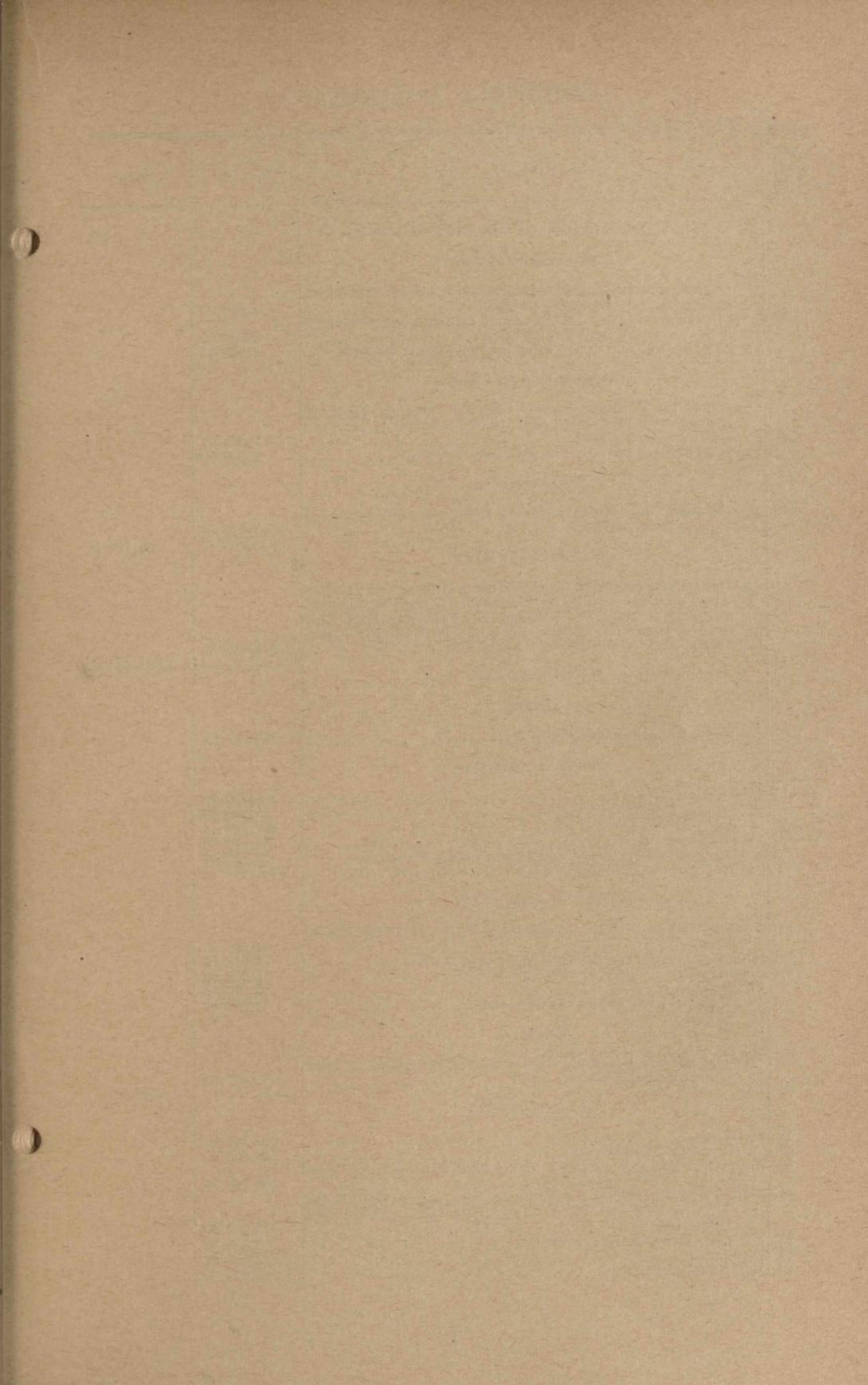
No. of Vote	Service	Amount	Total
	CHARGES OF MANAGEMENT	\$ cts.	\$ cts.
10	Offices of the Assistant Receivers General—		
	Salaries and Contingencies.....	125,396 00	
	Printing, signing, sealing and macerating Dominion Notes....	456,800 00	
	Printing, advertising, inspection, express, etc.....	202,389 00	
	Commission for payment of interest on public debt, purchase of sinking funds, auditing.....	105,000 00	
	English bill stamps, postage, etc.....	2,000 00	
	To provide for temporary clerical work in connection with the transfer and registration of bonds, etc. and the flotation of loans and authority for these purposes to employ a temporary staff, fix their rates of remuneration and otherwise wholly regulate their services without reference to and notwithstanding anything in the Civil Service Act.....	17,496 00	909,081 00
	CIVIL GOVERNMENT		
11	Office of the Secretary to the Governor General—		
	Salaries.....	29,322 00	
	Contingencies, including house allowance of \$1,500 per annum to the Secretary to the Governor General.....	70,500 00	
12	Agriculture—		
	Salaries.....	736,326 00	
	Contingencies.....	98,600 00	
13	Auditor General's Office—		
	Salaries.....	312,570 00	
	Contingencies.....	62,000 00	
14	Civil Service Commission—		
	Salaries.....	196,020 00	
	Contingencies.....	25,000 00	
15	External Affairs—		
	Salaries.....	85,140 00	
	Contingencies.....	61,800 00	
16	Finance—		
	Salaries.....	379,737 00	
	Contingencies.....	32,500 00	
	Inspector General of Banks—		
	Salaries and Contingencies.....	22,000 00	
17	Fisheries—		
	Salaries.....	111,456 00	
	Contingencies.....	30,000 00	
18	Immigration and Colonization—		
	Salaries.....	205,542 00	
	Contingencies.....	22,500 00	
19	Indian Affairs—		
	Salaries.....	117,688 50	
	Contingencies.....	18,000 00	
20	Insurance—		
	Salaries.....	89,460 00	
	Contingencies.....	64,000 00	
21	Interior—		
	Salaries.....	607,639 50	
	Contingencies.....	25,000 00	



## SCHEDULE A—Continued

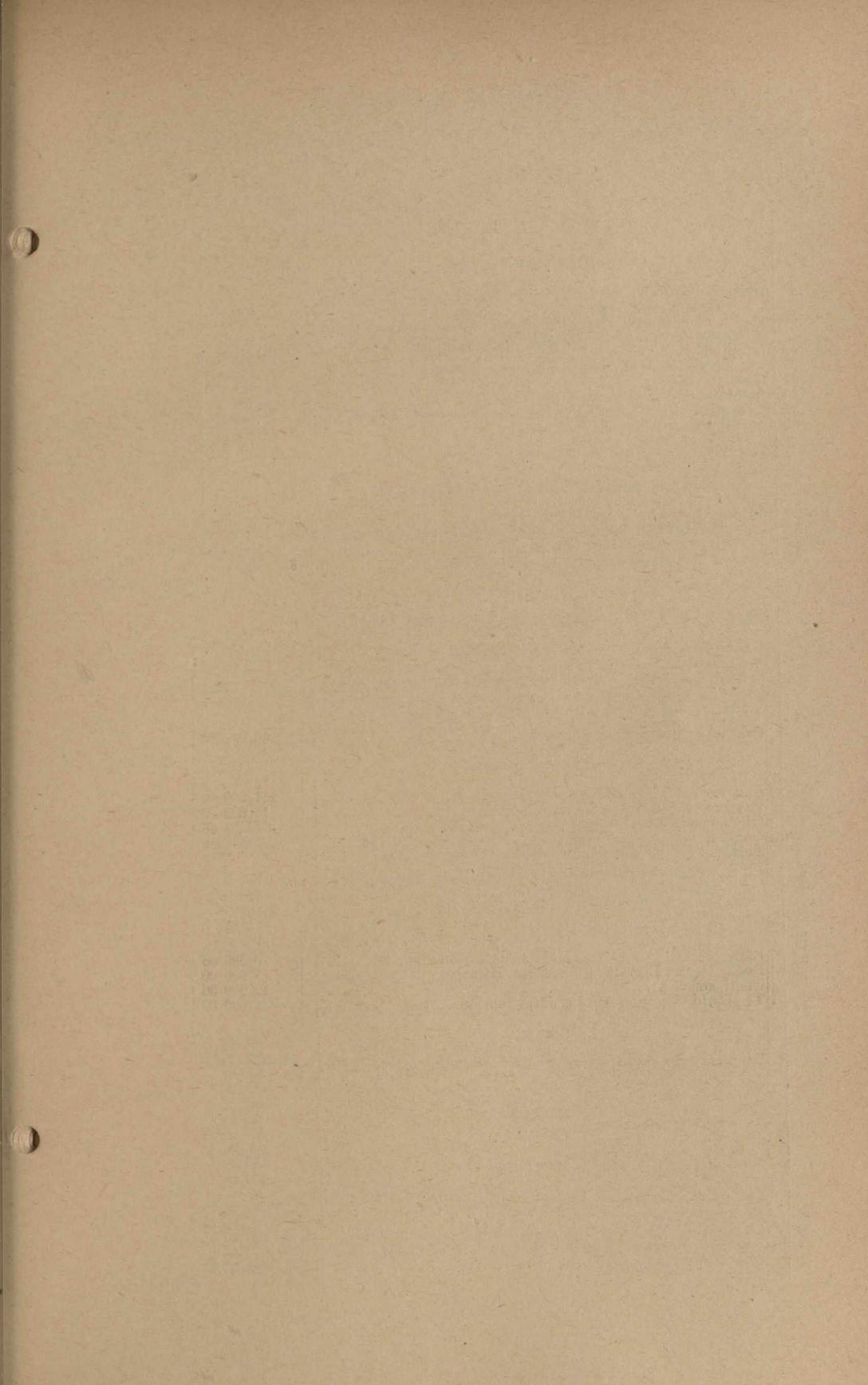
No. of Vote	Service	Amount	Total
		\$ cts.	\$ cts.
CIVIL GOVERNMENT—Concluded			
22	Justice—		
	Salaries.....	208,998 00	
	Contingencies, including the Solicitor General's Office.....	40,000 00	
23	Labour—		
	Salaries.....	201,204 00	
	Contingencies.....	29,000 00	
24	Marine—		
	Salaries.....	301,932 00	
	Contingencies.....	57,500 00	
25	Mines—		
	Salaries.....	523,242 00	
	Contingencies.....	20,000 00	
26	National Defence—		
	Salaries.....	441,378 00	
	Contingencies.....	35,000 00	
27	National Revenue—		
	Salaries.....	865,692 00	
	Contingencies.....	40,000 00	
28	Office of the Prime Minister—		
	Salaries.....	25,830 00	
29	Pensions and National Health—		
	Salaries.....	165,870 00	
	Contingencies.....	40,500 00	
30	Post Office—		
	Salaries, including amount 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; and to pay allowances to typists, Grade 1, employed cutting stencils in accordance with regulations approved by Order in Council; and to provide for continuance in office of G. C. Anderson, as Superintendent of Mail Contracts from April 1, 1933, to March 31, 1934.....	1,213,326 00	
	Contingencies.....	174,840 00	
31	Privy Council—		
	Salaries.....	45,684 00	
	Contingencies.....	7,000 00	
32	Public Archives—		
	Salaries.....	* 89,118 00	
	Contingencies.....	12,000 00	
33	Public Printing and Stationery—		
	Salaries, including \$450 to Fred Cook as Secretary to the Government Printing and Stationery Committee, notwithstanding anything to the contrary in the Civil Service Act.....	50,490 00	
	Contingencies.....	10,500 00	
34	Public Works—		
	Salaries.....	503,186 00	
	Contingencies.....	73,460 00	
35	Railways and Canals—		
	Salaries.....	177,534 00	
	Contingencies.....	27,800 00	
36	Royal Canadian Mounted Police—		
	Salaries.....	19,800 00	
	Contingencies.....	12,340 00	
37	Secretary of State—		
	Salaries.....	300,996 00	
	Contingencies.....	74,960 00	
38	Trade and Commerce—		
	Salaries.....	524,790 00	
	Contingencies.....	40,000 00	
			9,756,771 00
ADMINISTRATION OF JUSTICE			
39	Miscellaneous expenditure, including remuneration to members of the Mounted Police Force (to be expended under Order in Council, and not to exceed \$1,000) for assistance in the Remission Service of the Department of Justice.....	15,000 00	

\* Deduction \$1,380.00.



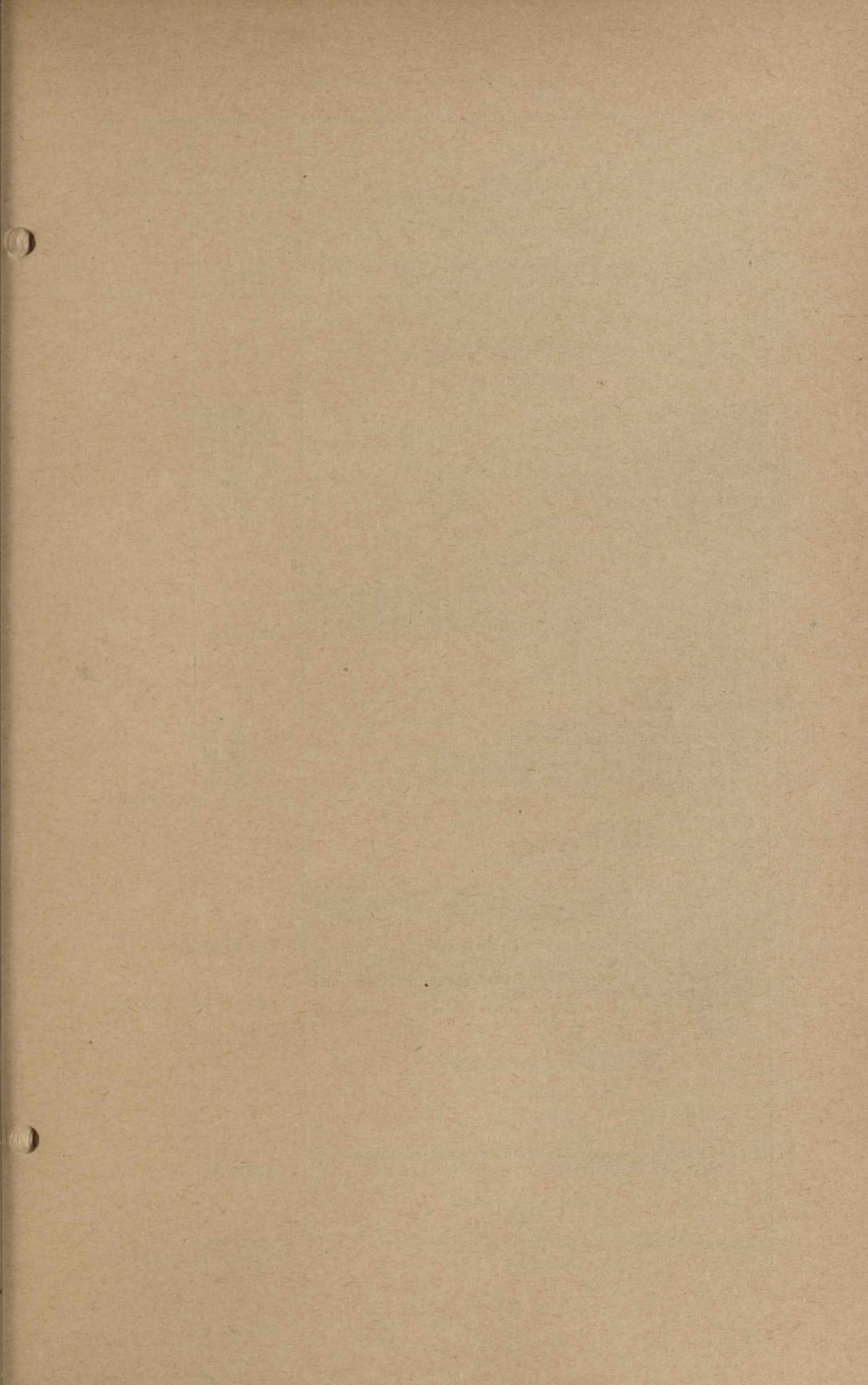
## SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
	<b>ADMINISTRATION OF JUSTICE—Concluded</b>	\$ cts.	\$ cts.
	<i>Supreme Court of Canada</i>		
40	Contingencies and disbursements, including books, magazines, etc., for judges, not exceeding \$350.....	5,500 00	
	Law books and books of reference for Library, and binding of same.....	8,000 00	
	Printing, binding and distributing Supreme Court Reports.....	8,000 00	
	<i>Exchequer Court of Canada</i>		
41	Contingencies—Judges and Court Officials' travelling expenses, remuneration to sheriffs, etc., printing, stationery, etc., and \$150 for judges' books.....	7,500 00	
	Printing, binding and distributing Court Reports.....	3,000 00	
	<i>Yukon Territory</i>		
42	Miscellaneous expenditure, including salaries and allowances of court officers, etc.....	10,000 00	
	<b>PENITENTIARIES</b>		57,000 00
43	Amount required for 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, Piers Island, Saskatchewan and Collin's Bay Penitentiaries.....	2,941,400 00	2,941,400 00
	<b>LEGISLATION</b>		
	<b>SENATE</b>		
44	Salaries and contingent expenses.....	160,922 50	
	<b>HOUSE OF COMMONS</b>		
45	Salaries.....	211,500 00	
	Expenses of committees, etc.....	15,000 00	
	Clerical assistance, etc.....	107,203 50	
	Contingencies.....	46,499 00	
	Publishing debates, including salaries of amanuensis, etc.....	63,000 00	
	Estimates of the Sergeant-at-Arms.....	192,587 25	
	<b>LIBRARY OF PARLIAMENT</b>		
46	Salaries, and to authorize payment of M. C. McCormac from April 1, 1933.....	42,498 00	
	Books for the General Library, including binding.....	15,000 00	
	Books for the Library of American History.....	1,000 00	
	Contingencies.....	12,000 00	
	To provide for the cost of printing reports.....	1,000 00	
	<b>GENERAL</b>		
47	Printing, printing paper and binding, including salaries of staff in distribution office.....	75,000 00	
	<b>AGRICULTURE</b>		943,210 25
48	Dairying.....	246,300 00	
49	Cold Storage Warehouses.....	140,000 00	
50	Fruit, including grant of \$5,000 to Canadian Horticultural Council.....	456,200 00	
51	Seed, feed and fertilizer control, including grants to Seed Fairs, etc., also grant of \$18,900 to the Canadian Seed Growers Association.....	443,200 00	
52	For experiments in fruit products.....	10,000 00	
53	Live stock.....	1,430,000 00	
54	Experimental Farms.....	1,642,000 00	



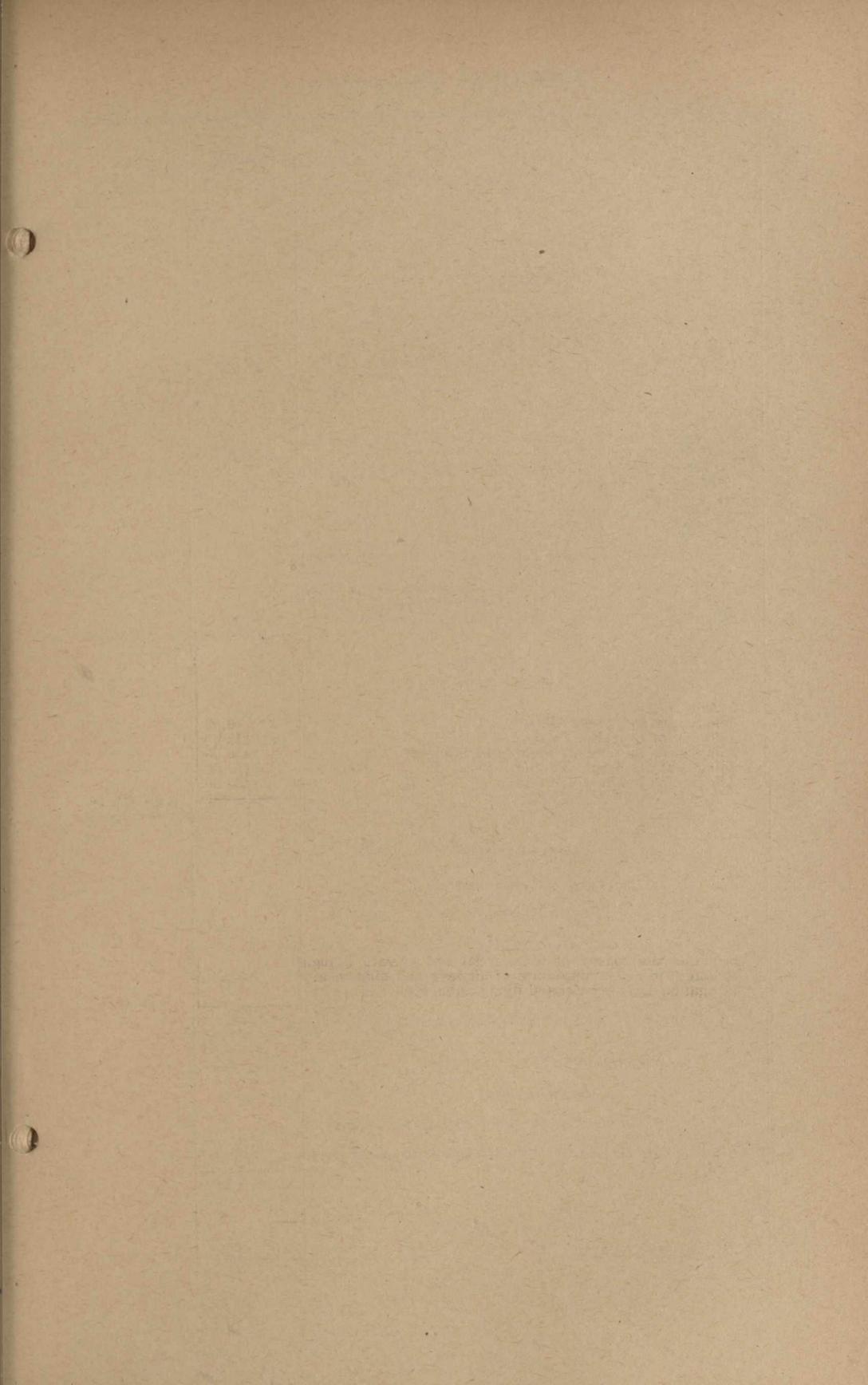
## SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
	AGRICULTURE— <i>Concluded</i>	\$    cts.	\$    cts.
55	Assistance to Fairs and Exhibitions, including the Royal Agricultural Winter Fair.....	395,000 00	
56	Health of Animals, administration of the Animal Contagious Diseases Act and the Meat and Canned Foods Act.....	1,817,991 00	
57	Entomology.....	30,000 00	
58	Administration of Destructive Insect and Pest Act.....	673,300 00	
59	Publications.....	28,231 00	
60	International Institute of Agriculture.....	8,500 00	
61	Farm Economics, including agricultural co-operative marketing.....	15,190 00	
62	Contributions to Empire Bureaux.....	21,000 00	
			7,356,912 00
	IMMIGRATION AND COLONIZATION		
63	Immigration Salaries and Contingencies.....	1,417,000 00	
64	Empire Settlement Scheme, including grants authorized by the Governor General in Council.....	15,000 00	
65	Relief of Distressed Canadians outside of Canada.....	4,000 00	
			1,436,000 00
	SOLDIER AND GENERAL LAND SETTLEMENT		
66	Amount required for Soldier Land Settlement Advances, for advances under the British Family Schemes recoverable from the British Government, 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 Committee.....	1,173,600 00	
			1,173,600 00
	PENSIONS		
67	Annuity to Dr. F. G. Banting.....	7,500 00	
68	Annuity to Dr. Charles E. Saunders.....	5,000 00	
	Pensions to—		
69	The unmarried sister of the late Col. Harry Baker, M.P....	700 00	
70	J. Langlois Bell.....	600 00	
71	Captain J. E. Bernier.....	2,400 00	
72	James Elliott.....	672 00	
73	Mrs. Wm. McDougall.....	1,200 00	
74	Alice Morson Smith.....	600 00	
75	Elizabeth Swinford.....	600 00	
76	Mounted Police, Prince Albert Volunteers and Police Scouts on account of the Rebellion of 1885.....	806 65	
77	Families of 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.....	500 63	
	Mrs. Elizabeth Fitzgerald.....	525 00	
	Mrs. Margaret Nicholson.....	607 50	
	Mrs. Catherine Mildred Ralls.....	795 25	
	Mrs. Myrtle L. Richards.....	900 00	
	Mrs. Amy Lillian Searle.....	406 98	
	Mrs. Nora Jean Massan.....	300 00	
	Mrs. Letitia Kennedy.....	423 50	
78	Pensions payable to Militiamen on active service, Northwest Rebellion, 1885, and general pensions.....	25,000 00	
79	Civil flying.....	1,000 00	
80	European War—Naval, Militia and Air Forces after the War....	45,000,000 00	
81	Salaries and contingent expenses of the Board of Pension Commissioners for Canada.....	467,436 00	
			45,519,251 01



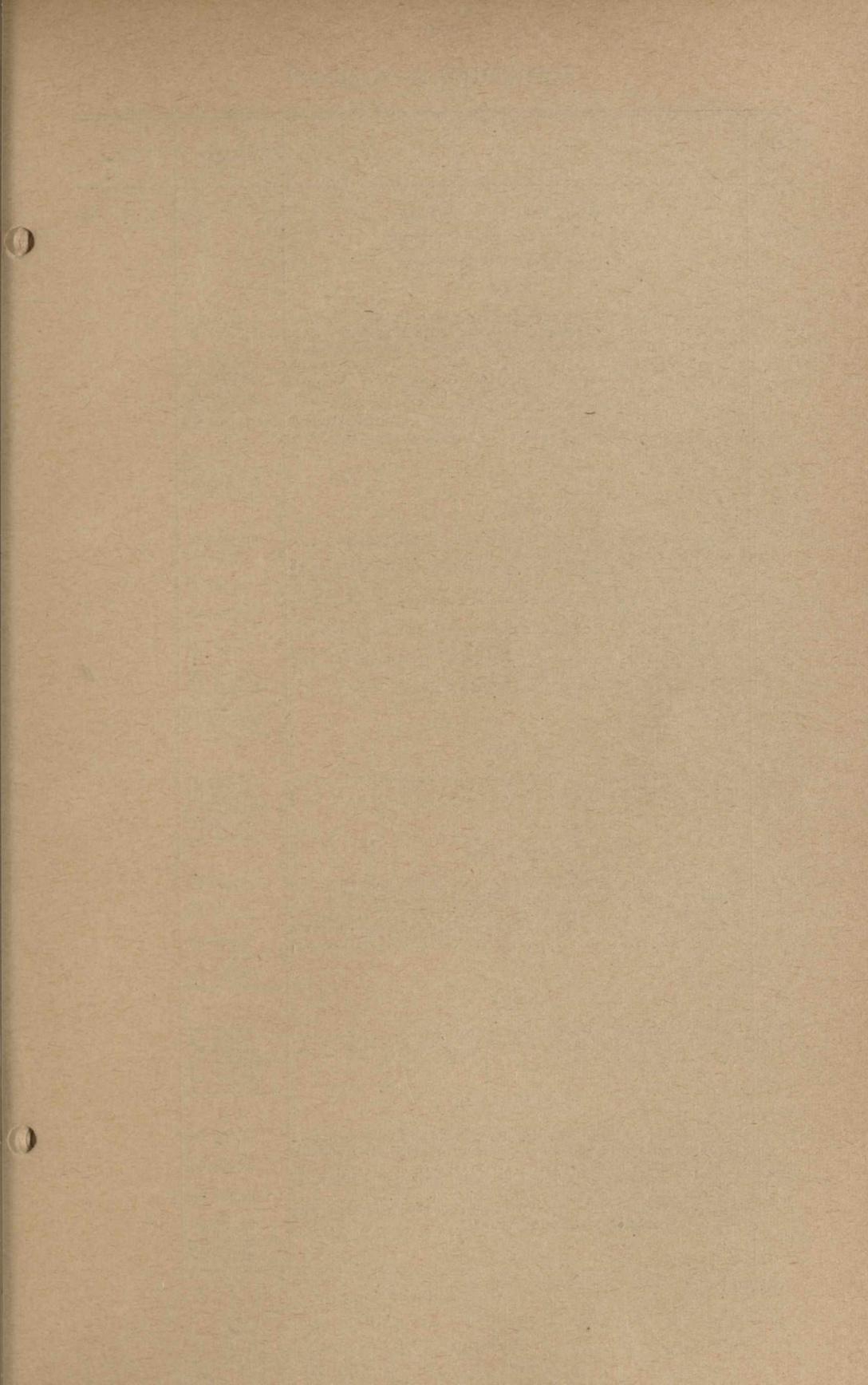
## SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
		\$ cts.	\$ cts.
	SUPERANNUATION		
82	To provide for retiring allowances to former employees of the Department of Public Printing and Stationery.....	10,800 00	10,800 00
	NATIONAL DEFENCE		
	MILITIA SERVICES		
83	Administration.....	321,000 00	
84	Cadet Services.....	300,000 00	
85	Contingencies.....	35,000 00	
86	Engineer Services and Works.....	297,800 00	
87	General Stores.....	667,800 00	
88	Non-Permanent Active Militia.....	1,994,000 00	
89	Permanent Force.....	4,910,034 00	
90	Royal Military College.....	358,150 00	
	NAVAL SERVICES		
91	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..	2,422,000 00	
	GENERAL		
92	Civil Pensions— Life pension to Robert Allen..... Life pension to Walter Pettipas..... Life pension to Florence Walker and children..... Life pension to Arnold Truman Townsend..... Life pension to Michael Mountain.....	269 52 515 90 450 00 420 00 420 00	11,307,559 42
	AVIATION		
93	Royal Canadian Air Force—All expenses in connection with the general maintenance of the Air Force, including training personnel for Civil Aviation, and provision of the necessary facilities therefor. Civil Aviation—All expenses in connection with Civil Aviation, including the control of commercial and private flying, construction and maintenance of airways and aids to air navigation, airship bases and flying clubs, etc.	1,600,000 00	1,600,000 00
	RAILWAYS AND CANALS		
	(Chargeable to Capital)		
	RAILWAYS		
94	Hudson Bay Railway and Terminals: Construction and Betterments (Including E. B. Jost at \$2,250).....	967,500 00	
	CANALS		
95	Welland Ship Canal: Construction and Betterments.....	1,992,000 00	2,959,500 00



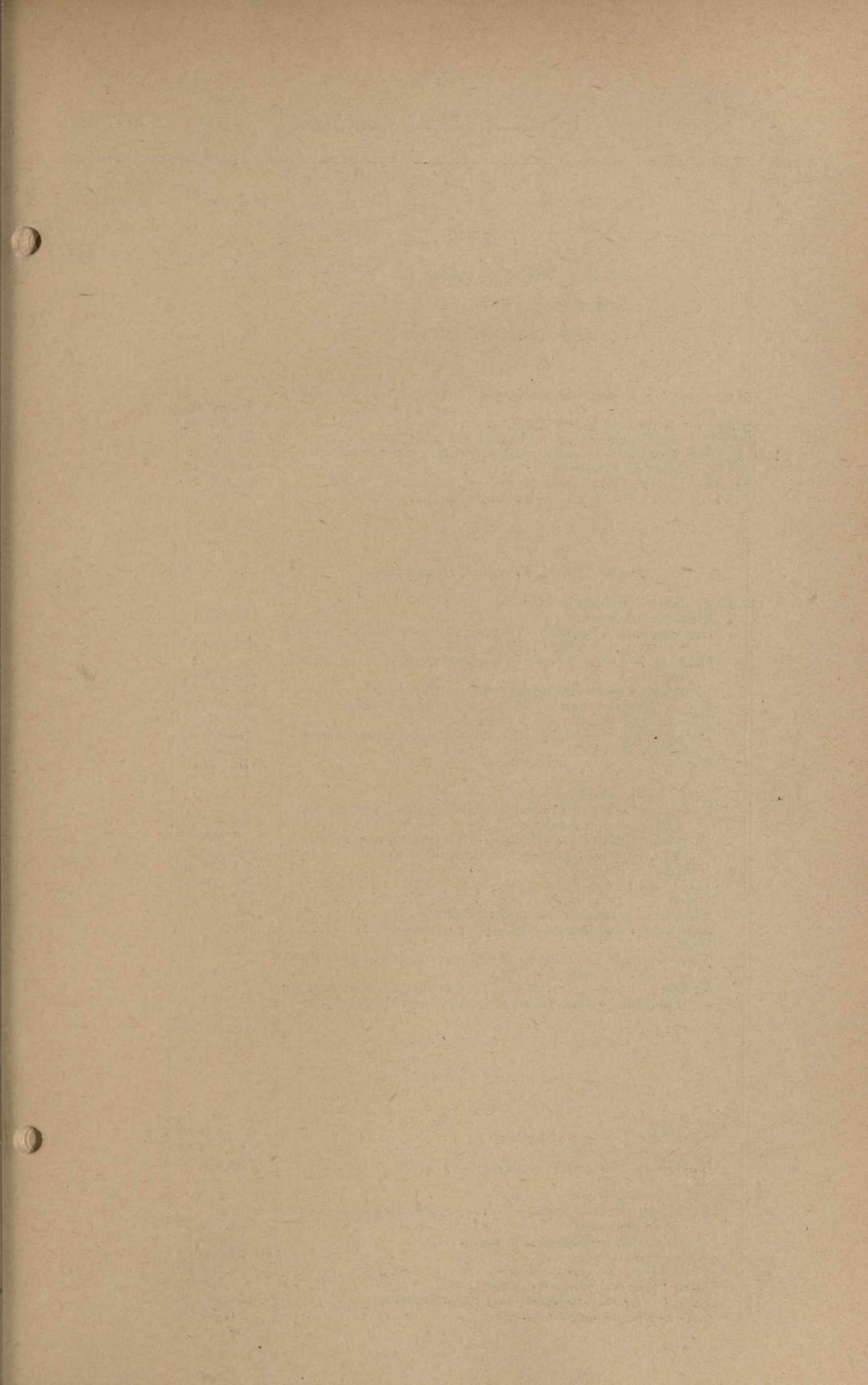
## SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
		\$ cts.	\$ cts
	RAILWAYS AND CANALS		
	<i>(Chargeable to Income)</i>		
	CANALS		
96	Improvements— (Revote \$83,050).....	433,600 00	
	MISCELLANEOUS		
97	Board of Railway Commissioners for Canada: Maintenance and operation.....	250,080 00	
98	Miscellaneous Services: Including salaries and expenses of experts employed temporarily.....	50,900 00	
99	Printing and Stationery.....	7,000 00	
100	Surveys and Inspections, Canals: Including salaries and expenses of experts employed temporarily.....	9,300 00	
101	Railway Employees' Provident Fund: To supplement pension allowances payable under the provisions of the Intercolonial and Prince Edward Island Railway Employees' Provident Fund Act so as to make the minimum payments during the period January 1, 1933 to March 31, 1934, the sum of \$30 per month instead of \$20 as fixed by the said Act.....	29,000 00	779,880 00
	PUBLIC WORKS		
	<i>(Chargeable to Capital)</i>		
	HARBOURS AND RIVERS		
102	<i>Under Contract—</i> St. John—Channel improvements.....	350,000 00	350,000 00
	PUBLIC WORKS		
	<i>(Chargeable to Income)</i>		
	PUBLIC BUILDINGS		
	<i>Nova Scotia</i>		
103	Halifax—To pay for maintenance of Immigration quarters.....	20,000 00	
	Halifax—Repairs to buildings and wharfs at R.C.N. Barracks and H.M.C. Dockyards.....	25,000 00	
	Liverpool Public Building—Renovation of heating plant.....	1,400 00	
		46,400 00	
	<i>New Brunswick</i>		
104	Saint John Quarantine Station—Partridge Island—Improve- ments, alterations and repairs.....	7,100 00	
	St. Stephen—Building for Customs and Immigration purposes.	30,000 00	
		37,100 00	
	<i>Maritime Provinces Generally</i>		
105	Dominion Public Buildings.....	50,000 00	



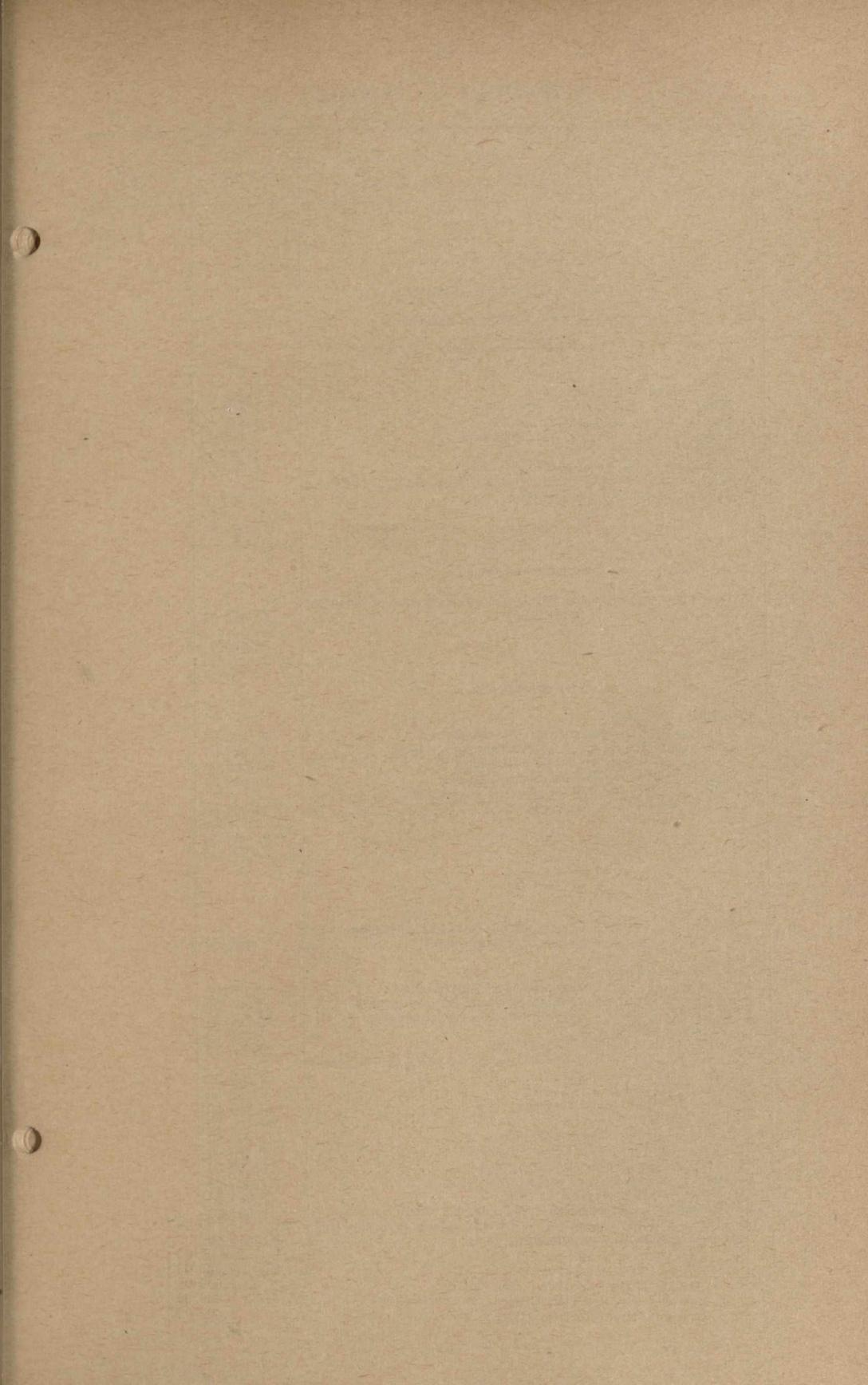
## SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
	PUBLIC WORKS—Continued (Chargeable to Income)—Continued PUBLIC BUILDINGS—Continued	\$ cts.	\$ cts.
	<i>Quebec</i>		
	Beebe—Building for Immigration and Customs purposes.....	1,500 00	
	Dominion Public Buildings—Improvements and repairs.....	120,000 00	
	Montreal Armoury—Payment of instalment on purchase of Armoury.....	15,140 00	
	Montreal—Postal Terminal Building.....	500,000 00	
106	Quebec Citadel—Improvements and maintenance.....	15,000 00	
	Ste. Anne de Bellevue—Public Building—Under contract.....	2,000 00	
	Trout River—Building for Immigration and Customs purposes.....	14,500 00	
	Westmount—Armoury—Payment of instalment on purchase of Armoury.....	13,000 00	
		681,140 00	
	<i>Ontario</i>		
	Dominion Public Buildings—Improvements and repairs.....	125,000 00	
	London—Tractor for Postal purposes.....	2,600 00	
	Port Arthur Examining Warehouse—Renovation of heating plant.....	8,500 00	
107	Toronto—Payment of instalment on purchase of Armoury— Under contract.....	29,500 00	
	Toronto Armoury—Government's share of cost of local improve- ments.....	1,730 00	
	Toronto—Postal Station "A"—Mechanical equipment and improvements—Under contract.....	11,000 00	
	Windsor—Public Building—Under construction.....	500,000 00	
		678,330 00	
	<i>Manitoba</i>		
108	Dominion Public Buildings—Improvements and repairs.....	30,000 00	
	Hamiota—Public building.....	15,000 00	
		45,000 00	
	<i>Saskatchewan</i>		
109	Dominion Public Buildings—Improvements and repairs.....	25,000 00	
	Regina—Armoury—Payment of instalment on purchase of Ar- moury.....	31,000 00	
	Saskatoon—Old Post Office Building—Alterations and improve- ments.....	4,500 00	
		60,500 00	
	<i>Alberta</i>		
110	Calgary—Armoury—Repairs and alterations.....	30,000 00	
	Dominion Public Buildings—Improvements and repairs.....	15,000 00	
		45,000 00	
	<i>British Columbia</i>		
	Dominion Public Buildings—Improvements and repairs.....	45,000 00	
	Esquimalt—Repairs and improvements at R.C.N. Barracks and H.M.C. Dockyard.....	10,600 00	
111	Vancouver Armoury—Payment of instalment on purchase of Armoury, and installation of fittings.....	18,000 00	
	Vancouver Public Building—To meet one year's interest at 5 p.c. on mortgage of \$400,000.....	20,000 00	
		93,600 00	



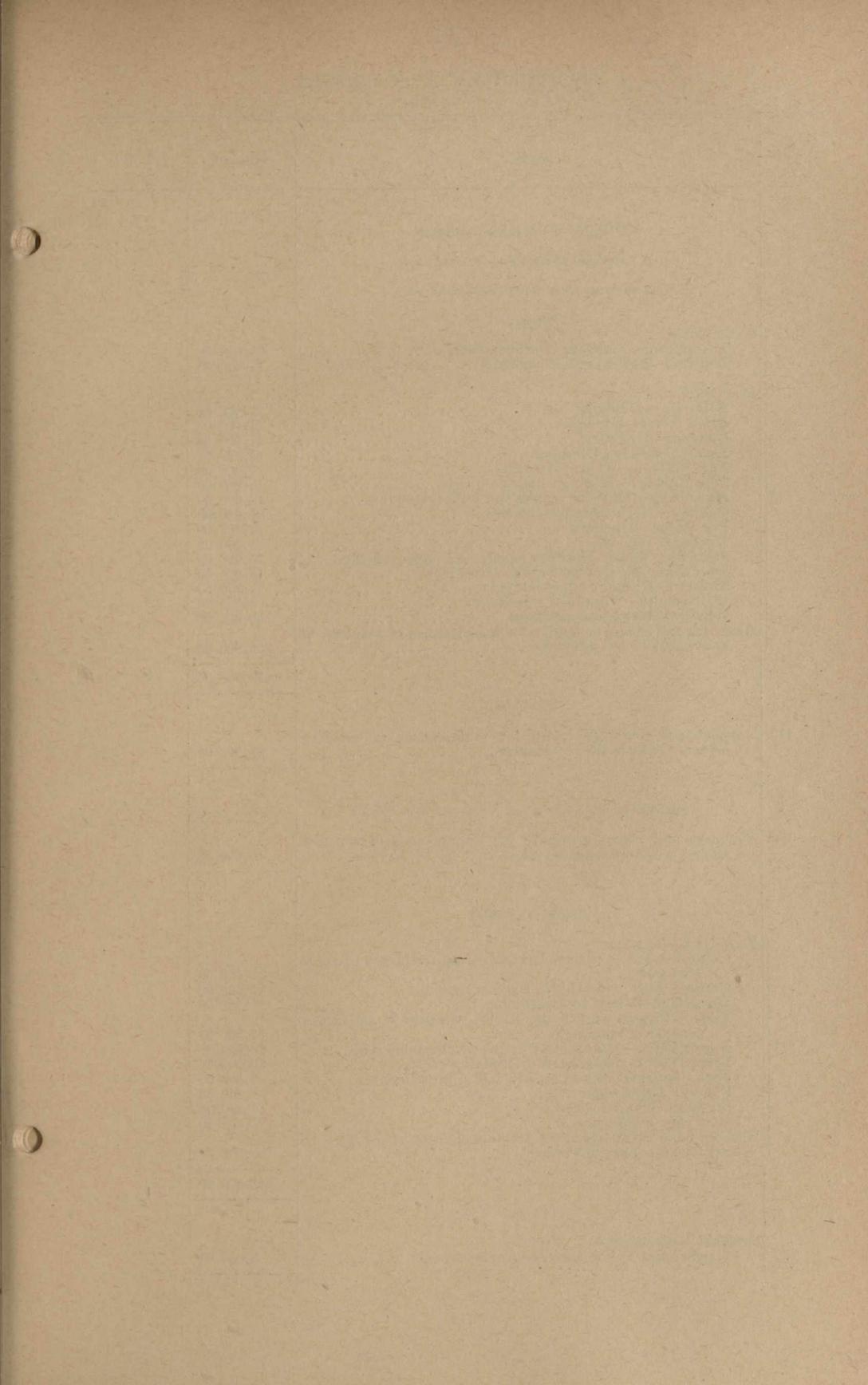
## SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
		\$ cts.	\$ cts.
	PUBLIC WORKS—Continued (Chargeable to Income)—Continued PUBLIC BUILDINGS—Concluded Generally		
	Experimental Farms—Replacements, repairs and improvements..... 22,500 00 Flags for Dominion Public Buildings..... 2,500 00 Military Buildings—Repairs, fittings and additions..... 25,000 00 112 Military Hospitals—Repairs, improvements and alterations... 60,000 00 Public Buildings Generally..... 35,000 00 Ottawa Departmental Buildings—Fittings, etc..... 50,000 00 Ottawa, Lyon Steet Yard—Retaining wall..... 4,550 00		
		199,550 00	
	<i>Rents, Repairs, Furniture, Heating, etc.</i>		
	Ottawa Public Buildings and Grounds— Elevator attendants..... 109,000 00 Departments Generally—Char service, including \$135.00 to E. Snowden for firing the noon gun..... 420,500 00 Heating, including salaries of engineers, firemen and watch- men..... 435,000 00 Light and Power—including roads and bridges..... 225,000 00 Repairs, improvements, additions and maintenance..... 397,000 00 Rideau Hall—Allowance for fuel and light..... 19,000 00 Rideau Hall—Improvements, furniture and maintenance... 40,700 00 Telephone Service..... 82,500 00 Water..... 75,500 00		
	113 Dominion Public Buildings— Dominion Immigration Buildings—Repairs, improvements, additions and furniture..... 25,000 00 Dominion Quarantine Stations—Maintenance and repairs... 15,000 00 Fittings, General Supplies and furniture..... 80,000 00 Heating..... 445,000 00 Light and Power..... 333,000 00 Rents..... 1,720,000 00 Salaries of caretakers, engineers, firemen, etc..... 1,062,000 00 Supplies for caretakers, engineers, firemen, etc..... 60,000 00 Water..... 80,000 00 Yukon Public Buildings—Rents, repairs, fuel, light, water service and caretakers' salaries..... 27,300 00 Victoria, B.C.—Astrophysical Observatory (Little Saanich Mountain)—Maintenance, repairs and improvements.. 4,000 00		
		5,655,500 00	
	HARBOURS AND RIVERS		
	<i>Nova Scotia</i>		
	Under Contract— East Ferry—Wharf and shed..... 700 00 Lunenburg—Dredging..... 24,500 00 Yarmouth Harbour—Dredging..... 90,000 00		
	Essential Undertakings— Cow Bay (Port Morien)—To repair breakwater and com- plete extension..... 4,500 00 Devil's Island—Breakwater repairs..... 10,500 00 Digby—Dredging..... 34,000 00 114 Finlay Point—Improvements..... 3,000 00 Grand Desert—Harbour protection..... 2,600 00 Lower L'Ardoise—Breakwater reconstruction..... 14,400 00 Little Judique Ponds—Groyne..... 1,500 00		



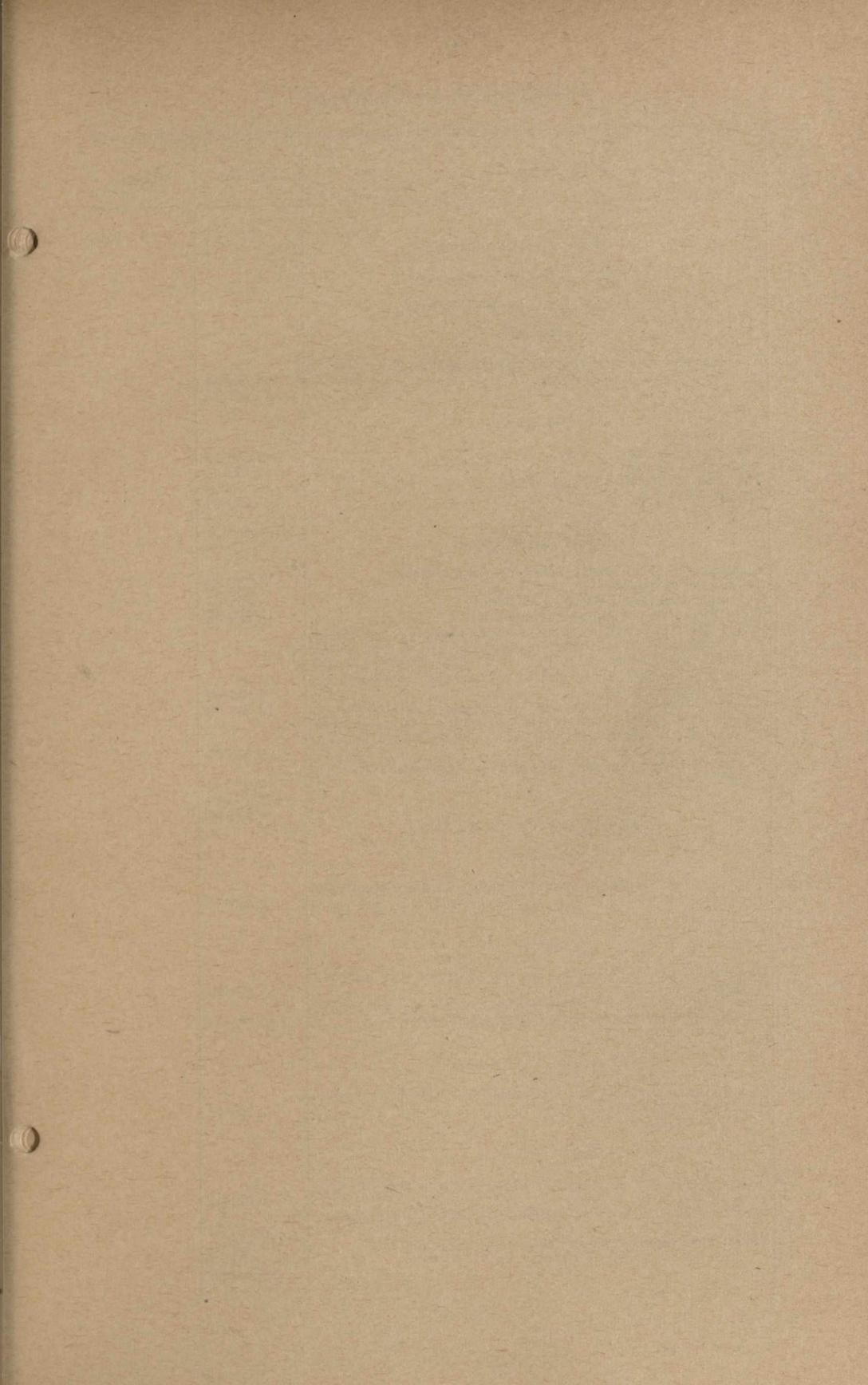
## SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
		\$ cts.	\$ cts.
	PUBLIC WORKS—Continued		
	(Chargeable to Income)—Continued		
	HARBOURS AND RIVERS—Continued		
	Nova Scotia—Concluded		
	Essential Undertakings—Concluded		
	Little River—Mooring piers.....	5,000 00	
	Meat Cove—Breakwater extension.....	1,800 00	
	Sandy Cove—Breakwater repairs.....	11,900 00	
	Seaside (Harbourview)—Wharf extension.....	4,900 00	
	Seaforth—Breakwater extension.....	5,000 00	
	Spencer's Point—Wharf improvements.....	3,600 00	
	Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken.....	200,000 00	
		417,900 00	
	Prince Edward Island		
115	Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken.....	50,000 00	
		50,000 00	
	New Brunswick		
	Essential Undertakings—		
	Chatham—Extension to railway wharf.....	42,000 00	
	Newcastle (Royal Co.)—Wharf improvements.....	2,500 00	
116	Shippigan—Wharf extension and repairs.....	25,300 00	
	Upper Gagetown—Wharf improvements.....	6,500 00	
	Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken.....	125,000 00	
		201,300 00	
	Quebec		
	Under Contract—		
	Riviere la Guerre—Contribution towards dredging, Pro- vince of Quebec to bear a like amount.....	23,000 00	
	Essential Undertakings—		
	Anse au Canard—Improvements to training piers.....	2,100 00	
	Anse aux Griffons—To complete wharf improvements.....	3,500 00	
	Anse aux Griffons (River)—Improvements to jetties.....	12,200 00	
	Batiscan—Freight shed.....	1,350 00	
	Champlain Dry Dock—Keel blocks.....	26,000 00	
117	Doucet's Landing (Ste. Angele de Laval)—Wharf improve- ments.....	7,900 00	
	Havre au Maison, M.I.—Wharf.....	5,200 00	
	Isle Verte—Wharf reconstruction.....	13,300 00	
	Matane—Repairs to harbour works.....	24,100 00	
	New Carlisle—Wharf reconstruction.....	22,000 00	
	Paspébiac (Robins)—Wharf extension.....	25,000 00	
	Petit Cap—Breakwater reinforcement.....	20,000 00	
	Rimouski—Wharf repairs and improvements.....	47,100 00	
	Ste. Emelie—Wharf reconstruction.....	18,000 00	
	Timiskaming Dam—Reconstructing Quebec side.....	70,000 00	
	Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken.....	400,000 00	
		720,750 00	



## SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
	PUBLIC WORKS—Continued (Chargeable to Income)—Continued HARBOURS AND RIVERS—Continued Ontario	\$ cts.	\$ cts.
	Under Contract—		
	Leamington—Harbour improvements.....	93,000 00	
	Midland—Harbour improvements.....	73,000 00	
	Essential Undertakings—		
	Belleville—Dredging.....	22,500 00	
	Blind River—Dredging.....	47,000 00	
	Cobourg—Dredging.....	17,000 00	
	Depot Harbour—Dredging.....	15,200 00	
	Fort William—Wharf extension.....	6,500 00	
	Key Harbour—Harbour improvements.....	15,000 00	
118	Kincardine—Harbour repairs and improvements.....	18,000 00	
	Oshawa—Harbour improvements.....	35,000 00	
	Port Hope—Dredging.....	12,400 00	
	Rockport—Wharf.....	1,900 00	
	Sault Ste. Marie—Harbour repairs and improvements.....	13,000 00	
	Sydenham and Chenal Ecarte—Dredging.....	19,000 00	
	Toronto—Harbour improvements.....	22,300 00	
	Wallaceburg—Wharf and warehouse.....	9,500 00	
	Windsor—Warehouse extension.....	60,000 00	
	Harbours and rivers generally for maintenance of services, no new works to be undertaken.....	200,000 00	
		680,300 00	
	Manitoba		
119	Harbours and rivers generally for maintenance of services; no new works to be undertaken.....	50,000 00	
	Saskatchewan, Alberta and Northwest Territories		
120	Harbours and rivers generally for maintenance of services; no new works to be undertaken.....	15,000 00	
	British Columbia		
	Essential Undertakings—		
	Columbia River (below Burton)—Improvements to diver- sion work.....	2,000 00	
	Comox—Flood extension and wharf repairs.....	11,600 00	
	Deer Park—Wharf reconstruction.....	12,500 00	
	Fraser, Skeena and Naas Rivers—Operation and main- tenance of snagboats.....	37,000 00	
121	Fraser River—Repairs to Woodward's Training Wall.....	14,000 00	
	Fraser River—North Arm—Dredging.....	39,000 00	
	Port Clements—Wharf repairs and improvements.....	6,500 00	
	Sidney—Breakwater.....	4,200 00	
	Stewart—Wharf repairs.....	11,000 00	
	Victoria—Dredging.....	6,000 00	
	Harbours and rivers generally for maintenance of services, no new works to be undertaken.....	100,000 00	
		243,800 00	
	Yukon		
	Essential Undertakings—		
122	Stewart and Yukon Rivers—Improvements.....	5,000 00	



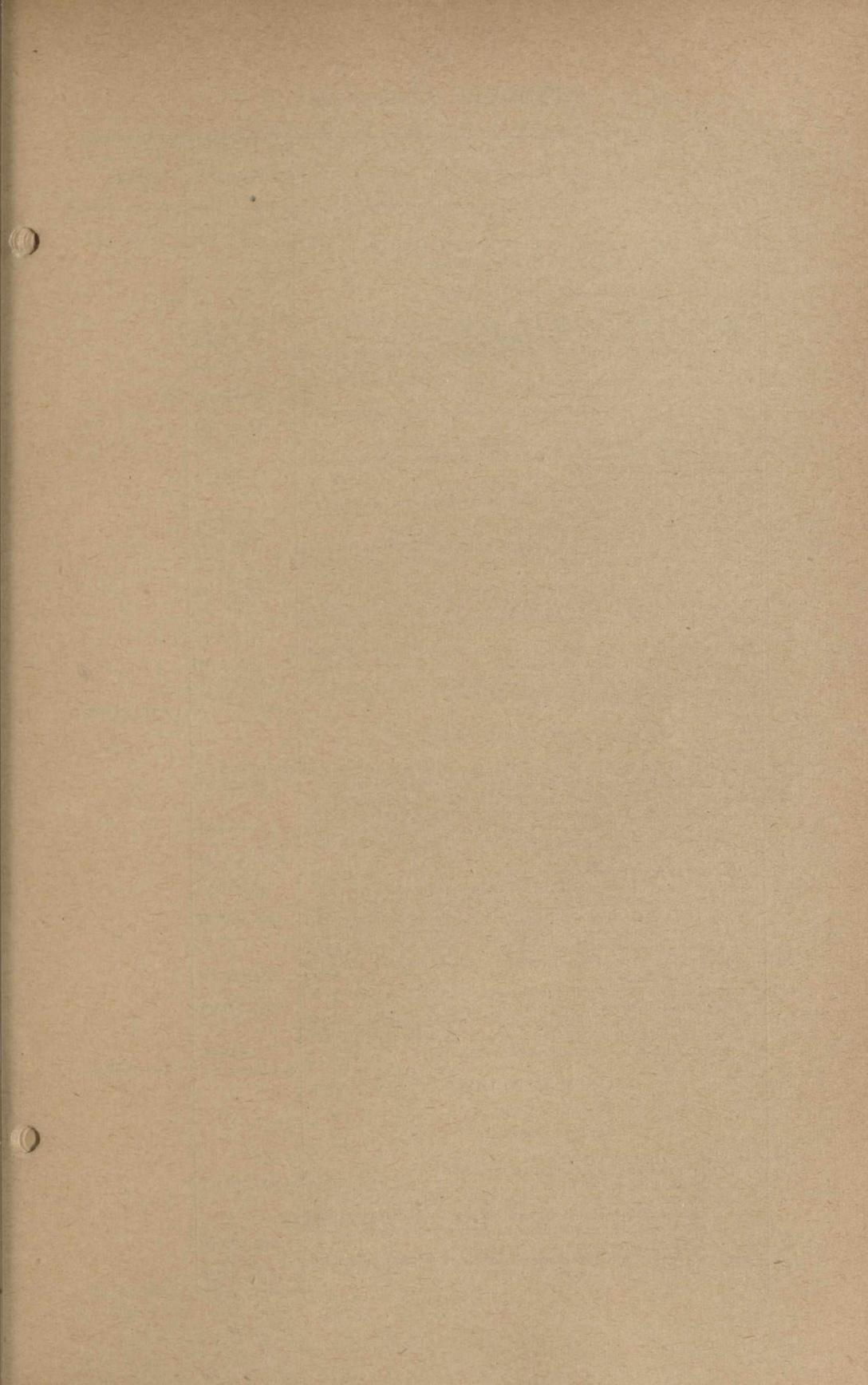
## SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
		\$ cts.	\$ cts.
	PUBLIC WORKS—Continued (Chargeable to Income)—Continued		
	HARBOURS AND RIVERS—Concluded Generally		
123	Harbours and rivers generally—for maintenance of services; no new works to be undertaken.....	25,000 00	
	DREDGING		
124	Maritime Provinces.....	149,200 00	
	Ontario and Quebec.....	215,500 00	
	Manitoba, Saskatchewan and Alberta.....	36,800 00	
	British Columbia.....	130,000 00	
		531,500 00	
	ROADS AND BRIDGES		
	Burlington Channel Bridge—Maintenance and repairs.....	16,000 00	
	Des Joachims Bridges—Repairs.....	2,500 00	
	Dominion Roads and Bridges—Generally.....	7,000 00	
	Great Bear River Rapids—Portage road.....	10,000 00	
125	Perley Bridge over Ottawa River at Hawkesbury, the Quebec Government to contribute one-third of cost of construction only, the Ontario Government to contribute one-fourth of cost of construction and to pay annually one-fourth the maintenance costs.....	8,600 00	
	Kingston—Wharves and Bridges—Maintenance and repairs.....	19,000 00	
	Ottawa—Maintenance and repairs to bridges and approaches, including Government's share of cost of surfacing Chaudiere Bridge approaches.....	18,000 00	
	Repairs to Interprovincial Bridge over Restigouche River at Matapedia.....	5,000 00	
		86,100 00	
	TELEGRAPH AND TELEPHONE LINES		
	Nova Scotia		
126	Cape Breton Telegraph and Telephone Lines—Repairs and improvements.....	6,000 00	
	Quebec		
127	Magdalen Islands Telephone Service—Repairs and improvements.....	500 00	
	Reconstruction of North Shore St. Lawrence Telegraph System from Godbout eastward—Under construction.....	10,000 00	
	Saskatchewan and Alberta		
128	Saskatchewan and Alberta Telegraph and Telephone Lines—Repairs and improvements.....	7,700 00	
	British Columbia		
129	British Columbia Northern District—Repairs and improvements.....	9,500 00	
	British Columbia Vancouver Island District—Repairs and improvements.....	6,600 00	
	Yukon Telegraph System—Repairs and improvements.....	15,000 00	
		55,300 00	

THE  
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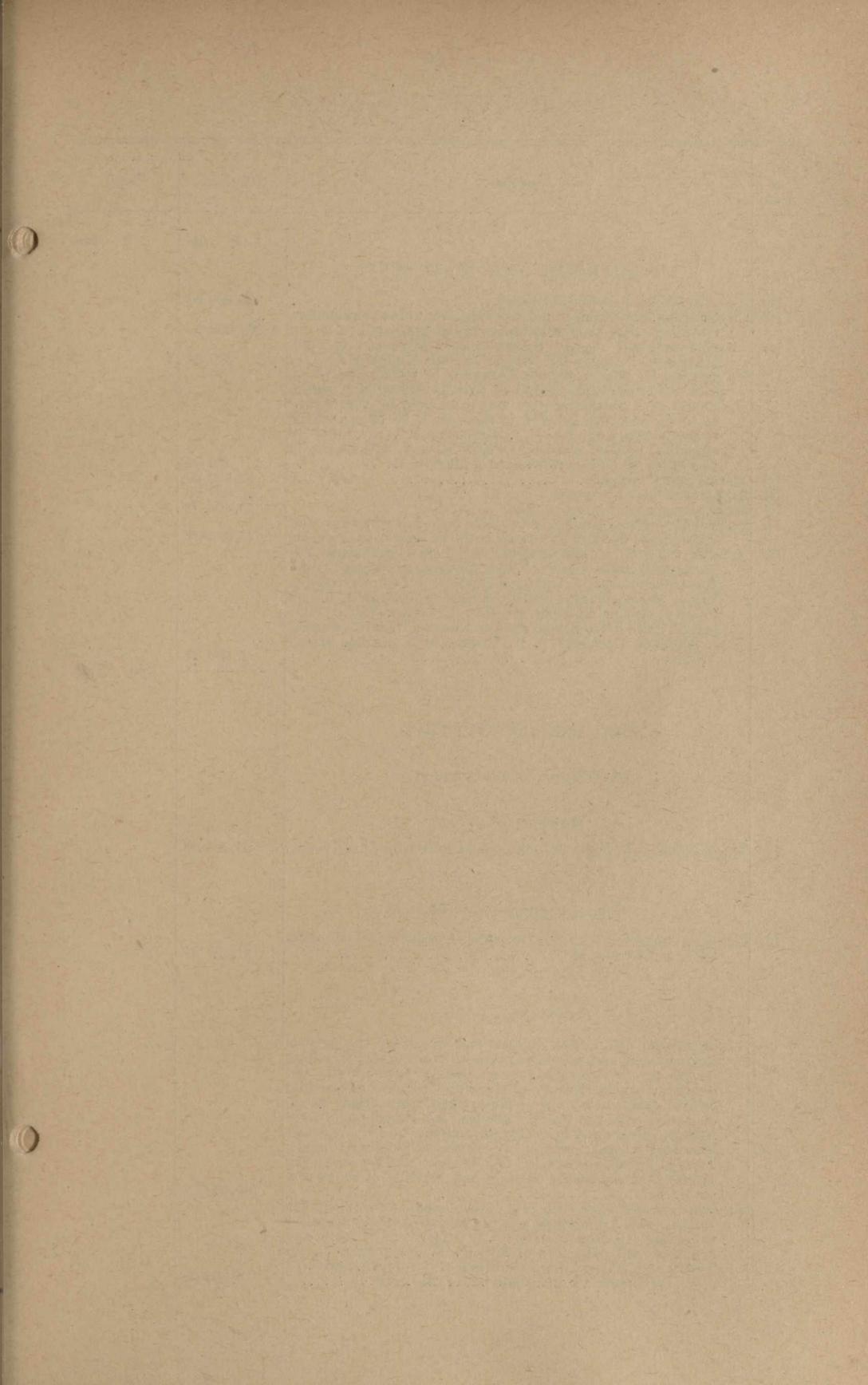
## SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
		\$    cts.	\$    cts.
	PUBLIC WORKS— <i>Concluded</i>		
	( <i>Chargeable to Income</i> )— <i>Concluded</i>		
	MISCELLANEOUS		
	Architectural Branch—Salaries of Architects, Clerks of Works, Inspectors, Draftsmen, Clerks and Messengers of outside service.....	63,700 00	
	Engineering Branch—Salaries of Engineers, Clerks, etc., of outside service.....	419,000 00	
	For operation and maintenance of inspection boats.....	10,000 00	
	Maintenance and operation of water storage dams on Ottawa River and tributaries, surveys and settlement of land damages.....	25,000 00	
130	National Gallery of Canada.....	35,000 00	
	National Monument on Connaught Place.....	75,000 00	
	Surveys and inspections.....	55,000 00	
	Balance of expenditure for works already authorized, provided amount for any one 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	
		737,700 00	
	MAIL SUBSIDIES AND STEAMSHIP SUBVENTIONS		
	ATLANTIC OCEAN		
	Canada and the United Kingdom, on the Atlantic, service between.....	535,000 00	
	Canada and South Africa, service between.....	112,500 00	
	PACIFIC OCEAN		
	British Columbia and Australia, and/or China, service between.....	66,000 00	
	British Columbia and South Africa, service between.....	100,000 00	
	Canada, China and Japan, service between.....	659,000 00	
	Canada and New Zealand, on the Pacific, service between.....	75,000 00	
	Prince Rupert, B.C. and Queen Charlotte Islands, service between.....	15,750 00	
	Vancouver and the British West Indies, service between.....	37,350 00	
	Vancouver and Northern ports of British Columbia, service between.....	18,600 00	
	Victoria, Vancouver, way ports and Skagway, service between.....	12,500 00	
	Victoria, and West Coast Vancouver Island, service between.....	11,250 00	
	LOCAL SERVICES		
	Baddeck and Iona, service between.....	10,500 00	
	Charlottetown and Pictou, service between.....	30,000 00	
	Charlottetown, Victoria and Holliday's Wharf, service between.....	4,600 00	
	Grand Manan and the Mainland, service between.....	24,750 00	
	Halifax and Bay St. Lawrence, service between.....	2,880 00	
	Halifax, Canso and Guysboro, service between.....	6,750 00	
	Halifax and Sherbrooke, service between.....	1,000 00	
	Halifax, South Cape Breton and Bras d'Or Lake Ports, service between.....	3,750 00	
	Halifax, Spry Bay and Cape Breton ports, service between.....	4,500 00	
	Halifax and West Coast of Cape Breton, service between.....	4,500 00	
	Mainland, Miscou and Shippigan, service between.....	1,000 00	
	Mulgrave, Arichat and Canso, service between.....	33,750 00	
	Mulgrave and Guysboro, calling at intermediate ports, service between.....	10,500 00	
	Murray Bay and North Shore, winter service between.....	50,000 00	
	Parrsboro, Kingsport and Wolfville, service between.....	2,500 00	
	Pelee Island and Mainland, service between.....	8,250 00	
	Pictou, Mulgrave and Cheticamp, service between.....	13,750 00	
			11,411,770 00
131			



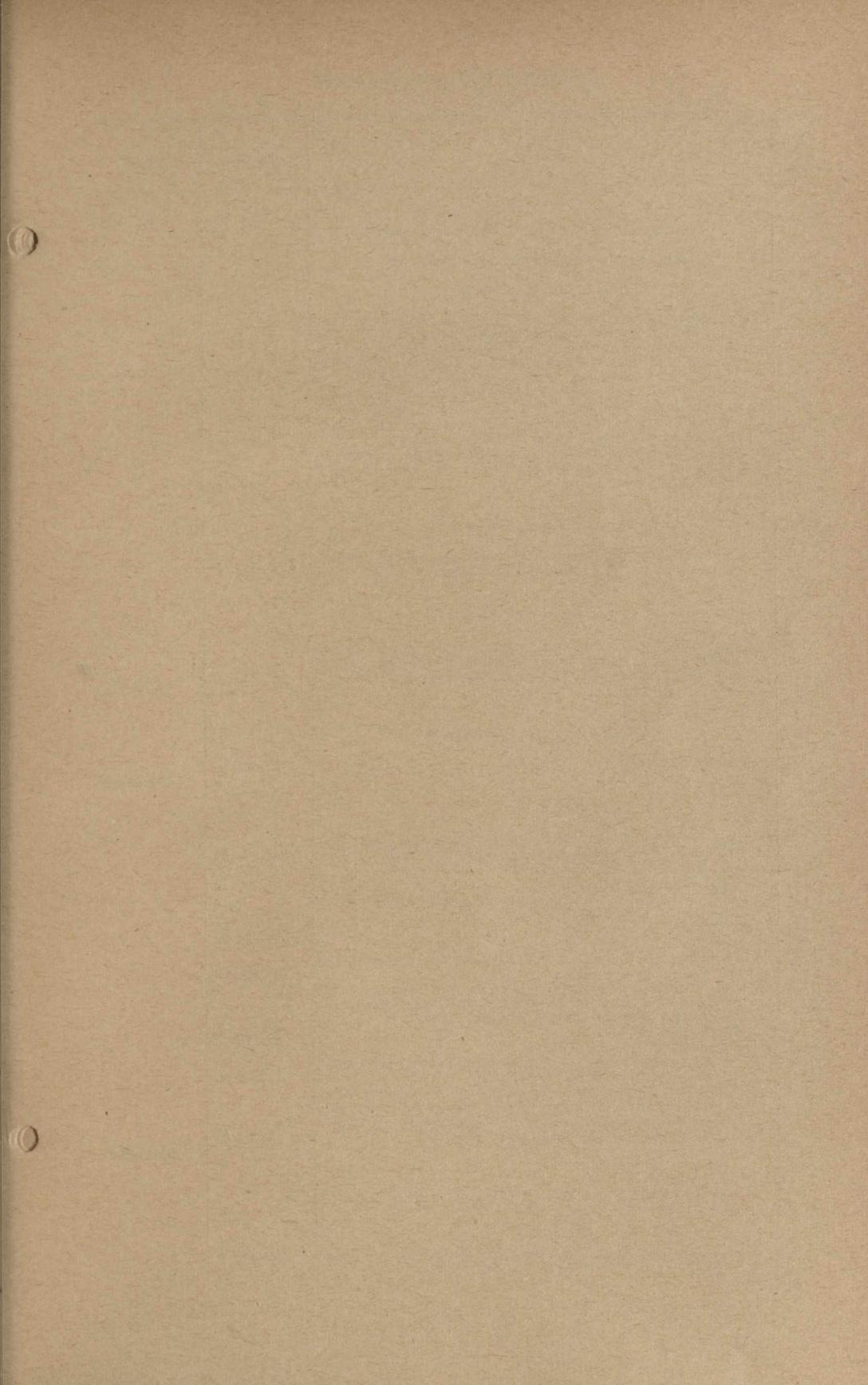
## SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
	<b>MAIL SUBSIDIES AND STEAMSHIP SUBVENTIONS—Concluded</b>	\$ cts.	\$ cts.
	<b>LOCAL SERVICES—Concluded</b>		
	Pictou, Souris and the Magdalen Islands, service between....	37,500 00	
	Quebec, Natashquan and Harrington, service between.....	85,000 00	
	Quebec, or Montreal, and Gaspé, calling at way ports, service between.....	60,000 00	
	Rimouski and Matane, and points on the north shore of the St. Lawrence, service between.....	37,500 00	
	Riviere du Loup and Tadoussac, and other North Shore ports, service between.....	10,000 00	
	St. Catherine's Bay and Tadoussac, service between.....	2,500 00	
	St. John, Bear River, Annapolis and Granville, and other way ports, service between.....	2,000 00	
	St. John and Bridgetown, service between.....	800 00	
	St. John and Margareville, and other ports on the Bay of Fundy, service between.....	3,000 00	
131	St. John and Minas Basin ports, service between.....	3,750 00	
	St. John and St. Andrews, calling at way ports, service between St. John, Westport and Yarmouth, and other way ports, service between.....	3,000 00 13,500 00	
	St. John and Weymouth, service between.....	1,000 00	
	Summersville, Burlington and Windsor, N.S., service between..	750 00	
	Sydney and Bay St. Lawrence, calling at way ports, service between.....	18,750 00	
	Sydney and Bras d'Or Lake ports, and ports on the west coast of Cape Breton, service between.....	21,250 00	
	Sydney and Whyoccomagh, service between.....	12,000 00	
	Inspection of subsidized steamship services.....	4,700 00	
			2,172,930 00
	<b>OCEAN AND RIVER SERVICE</b>		
132	Maintenance and repairs to Dominion steamers and icebreakers	1,460,000 00	
133	Miscellaneous services relating to Navigation and Shipping....	37,000 00	
134	Amount required to reimburse the British Board of Trade for expenditures, incurred in the relief of distressed Canadian seamen, not authorized by the Canada Shipping Act.....	300 00	
135	To provide subsidies for wrecking plants—Quebec and British Columbia.....	40,000 00	
136	Miscellaneous and unforeseen expenses.....	9,000 00	
137	Life Saving Service, including rewards for saving life.....	50,000 00	
138	Hydrographic and Tidal and Current Surveys, and to provide for the maintenance and repair of Hydrographic Steamers..	464,000 00	
139	Radio Service, to provide for the construction and maintenance of radio ship to shore stations and the general administration of the provisions of the Radio Act and Regulations through- out the Dominion.....	679,550 00	
140	Radio Service, to provide for the general improvement of reception conditions to licensed broadcast listeners.....	280,400 00	
141	To provide for compassionate allowance to Lawrence Larson, formerly employed as Caretaker at the Esquimalt Work- shop of the Radio-telegraph Service.....	500 00	
			3,020,750 00
	<b>PUBLIC WORKS</b> (Chargeable to Capital)		
	<b>MARINE DEPARTMENT</b>		
142	River St. Lawrence Ship Channel Dredging— (a) To provide payment for work performed and to be per- formed by contract.....	2,290,350 00	
	(b) To provide for the maintenance and operation of the Government Ship Channel fleet and the Government Shipyard, including all necessary repairs and recondi- tioning.....	1,476,000 00	
143	To provide for the maintenance and repair of retaining dams in the St. Lawrence River.....	90,000 00	
			3,856,350 00



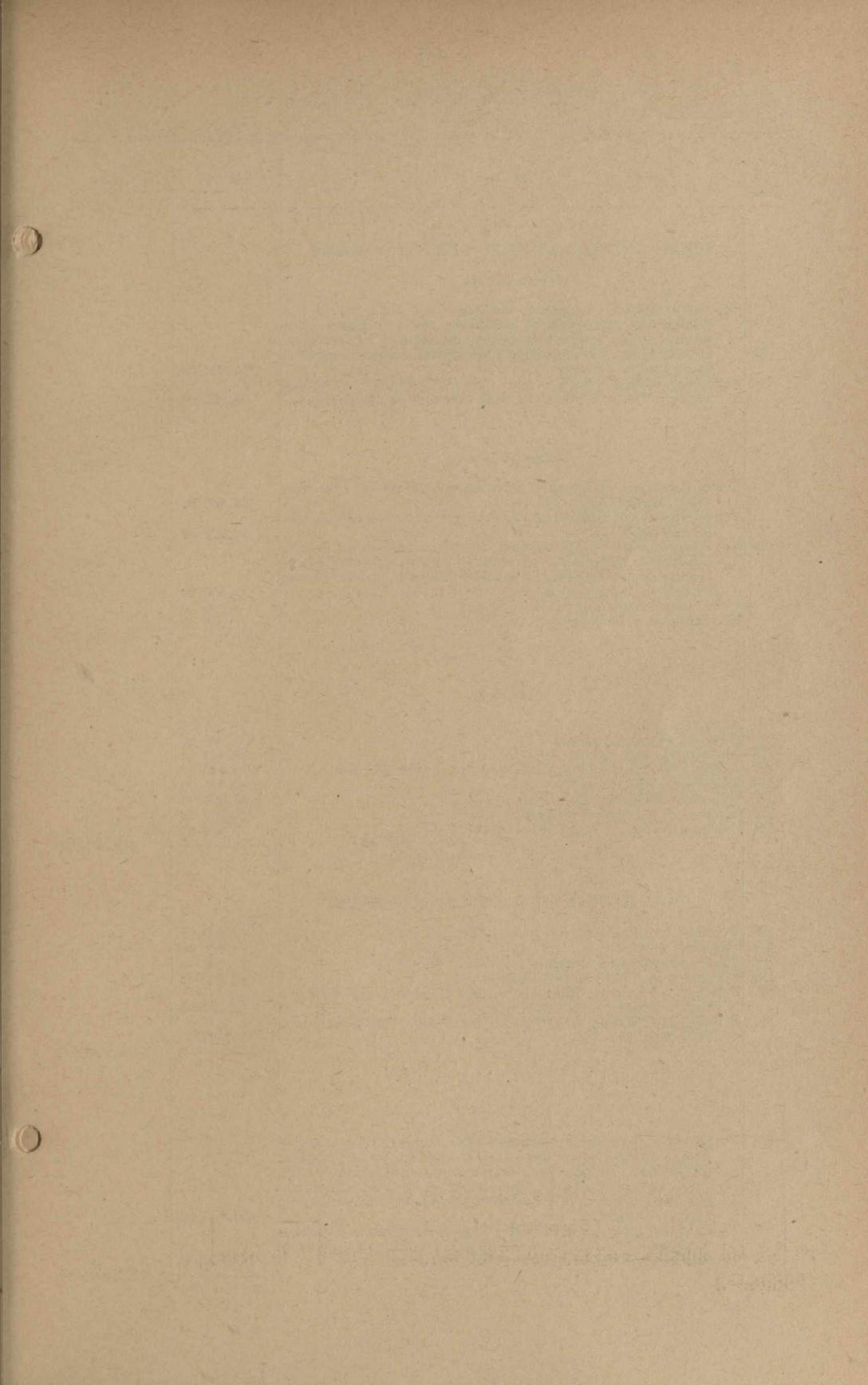
## SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
		\$ cts.	\$ cts.
LIGHTHOUSE AND COAST SERVICE			
144	Agencies, Rents and Contingencies.....	203,000 00	
145	Construction, maintenance and supervision of aids to navigation, including salaries and allowances to lightkeepers.....	1,860,000 00	
146	Amount required to pay compassionate allowance to John Davidson, formerly lightkeeper at Cape Mudge, B.C.....	500 00	
147	To provide for 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, 1934, 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 performance of his duties.....	420 00	
148	Marine Signal Service.....	99,000 00	
149	Administration of Pilotage.....	218,000 00	
150	Maintenance and Repairs to Wharves.....	10,000 00	
151	To provide for breaking ice in Thunder Bay, Lake Superior and other points deemed advisable in the interests of navigation	44,000 00	
152	Amount required to pay pensions to pilots:—Barthelemi Lachance, Alphonse Asselin, Elzear Desrosiers, Joseph Plante, Raymond Baquet, Alphonse Pouliot, Alfred Laroche, Victor Vezina, Trefle Delisle, Adjutor Baillergeon, Joseph Pouliot, Arthur Baillergeon, John I. Irvine, Elzear Normand, Phileas Lachance, Arthur Koenig, Raoul Lachance, J. Alphonse Lachance, J. H. Talbot, Jules Asselin, Joseph Vezina.....	6,600 00	2,441,520 00
SCIENTIFIC INSTITUTIONS			
DEPARTMENT OF THE INTERIOR			
<i>Dominion Observatory</i>			
153	Expenses connected with the Dominion Observatory at Ottawa..	50,000 00	
<i>Dominion Astrophysical Observatory</i>			
154	Expenses connected with the Dominion Astrophysical Observatory, at Victoria, B.C.....	21,300 00	
<i>Topographical Surveys</i>			
155	Topographical and aerial surveys and maps for the general development and administration of the country, including hydro-electric, forested, mineralized, agricultural and industrial areas; expenses of Geographic Board of Canada; centralization of all aerial photographic operations in co-operation with the Royal Canadian Air Force; traverse of northern rivers and lakes for administration of Northwest Territories; legal surveys of all remaining Dominion Lands; surveys for administration of Dominion Parks; certifying of standard measures; plotting and printing of maps and plans, etc.....	100,000 00	
	Amount required to pay the fees of the Board of Examiners for D.L.S., of the Secretary and of the Sub-examiners and for travelling expenses, stationery, printing, rent of room and furniture, etc. (the fees of Messrs. F. H. Peters, W. M. Tobey and Harry Parry, members of the Board, and J. A. Cote, Secretary, are to be paid out of this sum).....	1,800 00	



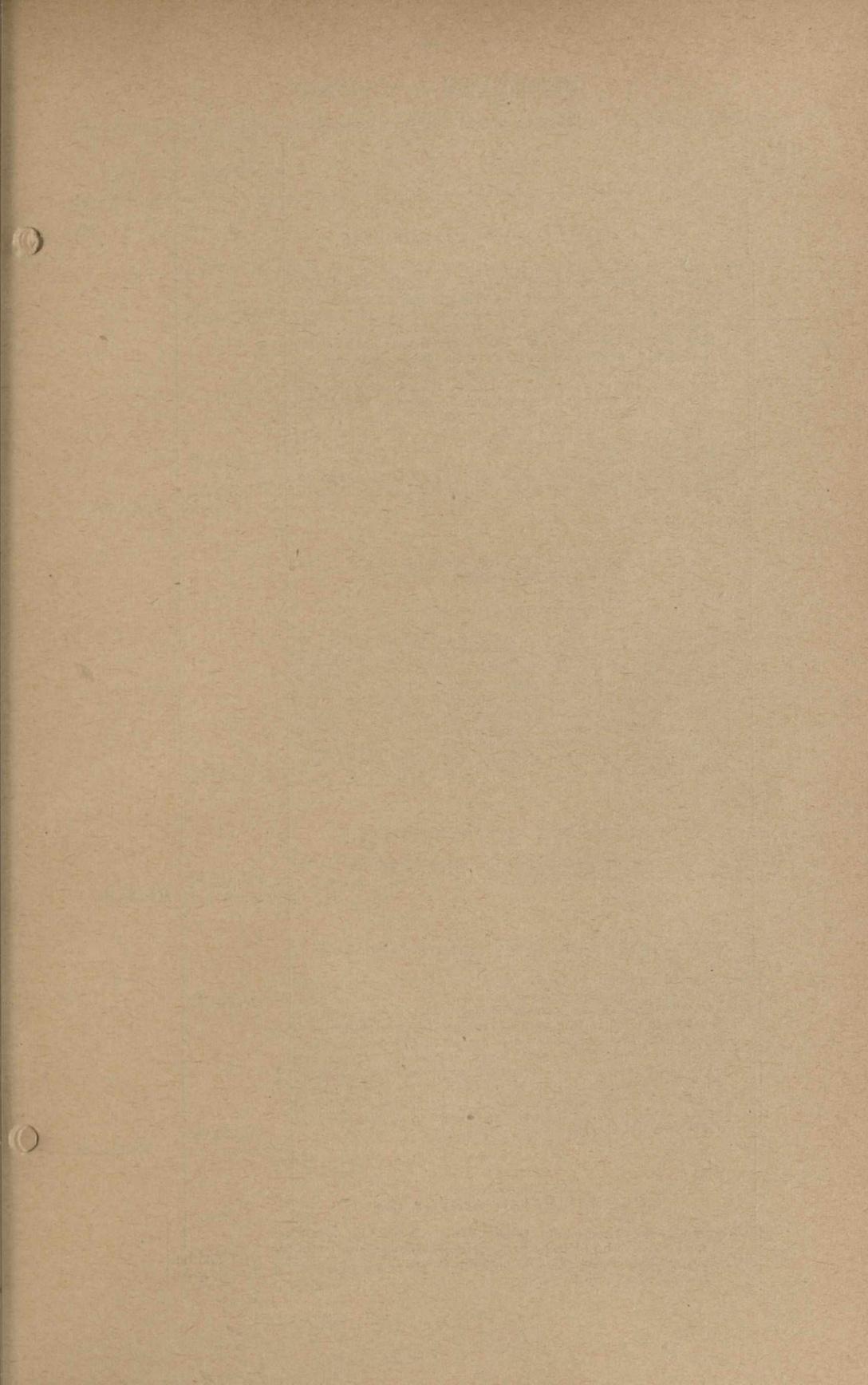
## SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
	SCIENTIFIC INSTITUTIONS— <i>Concluded</i>	\$ cts.	\$ cts.
	DEPARTMENT OF THE INTERIOR— <i>Concluded</i>		
	<i>Geodetic Survey of Canada</i>		
156	Control Operations—triangulation, geodetic astronomy, base lines, precise levelling and investigations—for the charting of sea coasts, water areas, and forming a basis for the production of all survey maps, and for pursuing investigations of the earth's crust and the determination of the curvature of the surface and eventually of the figure and dimensions of the earth. The above form the basis of operations for federal and provincial departments, municipal authorities, and engineering projects over the whole country.....	139,000 00	
	To recoup the Temiskaming and Northern Ontario Railway Commission in connection with their claim for injury to John Hedin.....	240 00	
	<i>International Boundary Commission</i>		
157	Expenses connected with the maintenance in a state of effective demarcation of the international boundary.....	37,000 00	
	DEPARTMENT OF MARINE		
158	<i>Meteorological Service</i> , including Magnetic Observatory, grants of \$450 each to Kingston and Montreal Observatories, and allowance of \$360 to L. F. Gorman, Observer at Ottawa....	393,290 00	742,630 00
	STEAMBOAT INSPECTION		
159	Steamboat Inspection.....	136,808 00	136,808 00
	FISHERIES		
160	Salaries and disbursements of Fishery Officers and Guardians, Fisheries Patrol and Fisheries Protection Services.....	1,022,000 00	
161	Building fishways and clearing rivers.....	18,000 00	
162	Legal and incidental expenses.....	6,000 00	
163	To assist in the conservation and development of the deep-sea fisheries and the demand for fish.....	75,000 00	
164	Fish Culture.....	300,000 00	
165	Oyster Culture.....	13,000 00	
166	To provide for the payment of bounty for the destruction of hair seals in tidal waters.....	40,000 00	
167	To provide for an investigation into the life history of the Pacific halibut by the International Fisheries Commission appointed under the Pacific Halibut Treaty of the 2nd March, 1923.....	29,500 00	
168	Marine Biological Board of Canada.....	175,000 00	
169	To provide, subject to the approval of the Governor in Council, for a grant to the United Maritime Fishermen.....	4,500 00	
170	To provide for an investigation by an International Committee, into the probable effect upon the fisheries of the Lower Bay of Fundy Region of damming Passamaquoddy and Cobscook Bays in New Brunswick and Maine, U.S.A.....	3,000 00	1,686,000 00
	MINES AND GEOLOGICAL SURVEY		
	<i>Department</i>		
171	For administration of the Explosives Act (Chap. 62, R.S. 1927)	10,000 00	



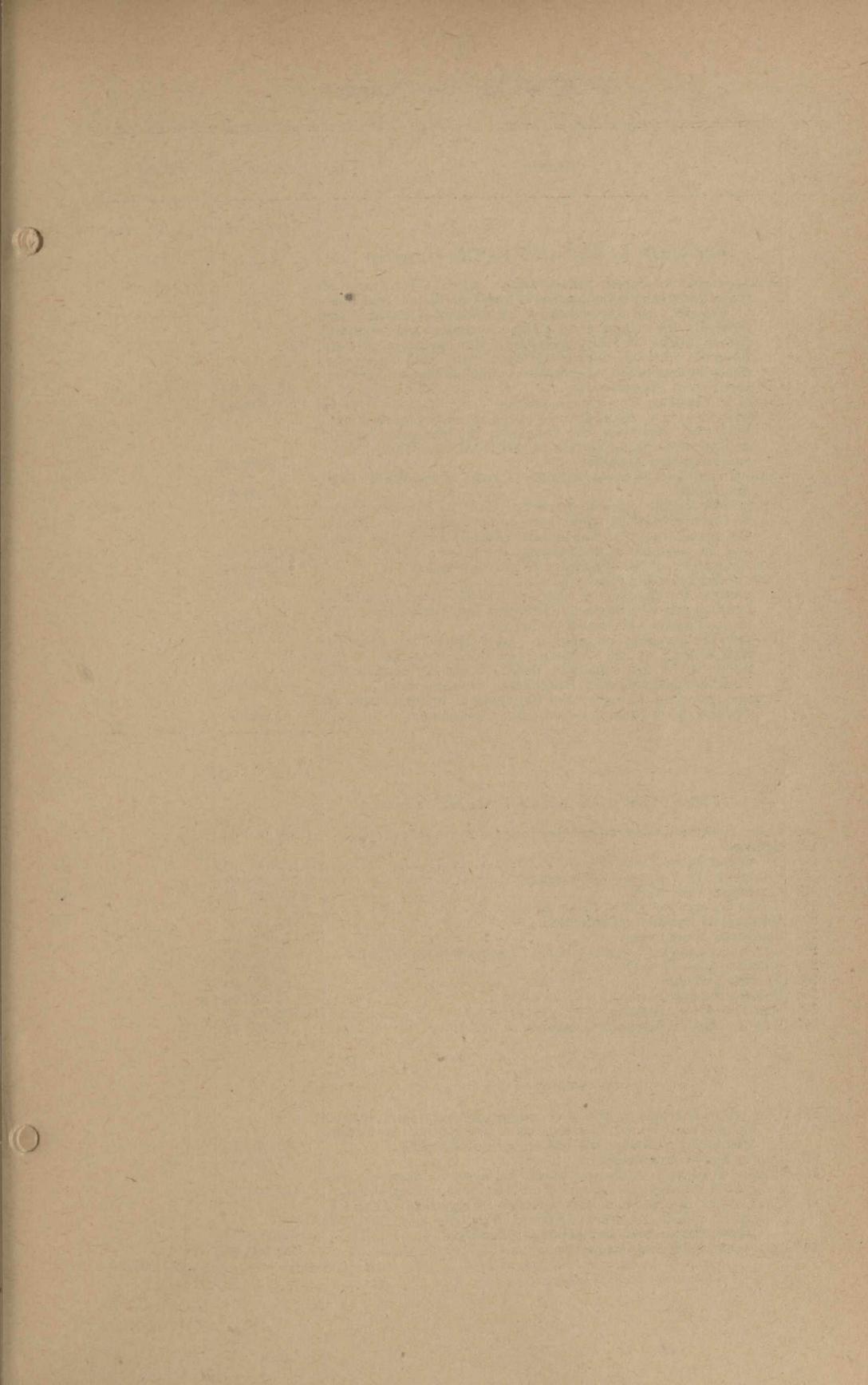
## SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
	<b>MINES AND GEOLOGICAL SURVEY—Concluded</b>	\$ cts.	\$ cts.
	<i>Mines Branch</i>		
172	For investigation of mineral resources and deposits; of the mining and metallurgical industries, and of mineral technology; wages, expenses of testing and research laboratories, investigations by Dominion Fuel Board, including salaries and all other expenses.....	215,000 00	
	For publications, English and French, purchase of books, instruments, miscellaneous assistance and contingencies....	35,000 00	
	<i>Geological Survey</i>		
173	For explorations, surveys and investigations, wages of explorers, topographers and others.....	127,500 00	
	For publication of English and French editions of reports, maps, illustrations, etc.....	50,000 00	
	For maintenance of Offices and Museum, expenses of special exhibitions pertaining to natural resources, purchase of instruments, chemicals, books of reference, miscellaneous assistance and contingencies.....	42,500 00	
	For Museum equipment.....	8,000 00	
	For purchase of specimens.....	1,000 00	
			489,000 00
	<b>LABOUR</b>		
174	Annuities Act.....	54,500 00	
175	Combines Investigation Act.....	25,000 00	
176	Conciliation and Labour Act.....	35,000 00	
177	Administration, Employment offices' Co-ordination Act.....	12,000 00	
178	Fair Wages and Inspection.....	13,000 00	
179	Industrial Disputes Investigation Act.....	13,000 00	
180	International Labour Conference.....	12,000 00	
181	Administration, Old Age Pensions Act.....	2,000 00	
			166,500 00
	<b>PUBLIC PRINTING AND STATIONERY</b>		
182	Printing, binding, etc., the Annual Statutes.....	10,000 00	
183	Canada Gazette.....	27,000 00	
184	Plant—Repairs and renewals.....	15,000 00	
185	Distribution of Official Documents.....	42,500 00	
186	Printing and binding official publications for sale and distribution to departments and the public.....	47,500 00	
187	Printing and binding the revised edition of the Criminal Code, 1927, English.....	5,000 00	
			147,000 00
	<b>INDIANS</b>		
188	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.....	4,032,850 00	
189	To provide for the payment to the Province of Quebec of monies received by the Department of Indian Affairs on account of surrendered Indian Lands in that Province.....	141,000 00	
			4,173,850 00



## SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
		\$ cts.	\$ cts.
	<b>ROYAL CANADIAN MOUNTED POLICE</b>		
	Pay of Force and Allowances: (including salaries of two Constables, Ellesmere Island District, at \$2.25 per diem, to assure Department against loss through death); and approximately \$739,526.70 for Customs Excise Preventive Service.	3,549,159 49	
190	Maintenance (including arms and ammunition, barrack buildings, repairs and renewals and furnishings, clothing and equipment, communication services, court and legal expenses, criminal investigation branch, federal statutes, fuel and light, transport horses, and dogs, transport mechanical, medical and hospital, miscellaneous expenses, Opium and Narcotic Drug Act, printing and stationery, transport railway, rations, rents, travelling expenses, transport water, and approximately \$764,577.30 for Customs and Excise Preventive Service).....	2,054,436 26	
	To compensate members of the Royal Canadian Mounted Police for injuries received whilst in the performance of duty..	12,000 00	5,615,595 75
	<b>GOVERNMENT OF THE NORTHWEST TERRITORIES</b>		
	<b>DEPARTMENT OF INTERIOR</b>		
191	Salaries and expenses connected with the administration of the Northwest Territories Act and Ordinances, Northwest Game Act and regulations, Eskimo Affairs, Wood Buffalo Park, reindeer industry, game preserves and sanctuaries, wolf and coyote bounties, exploration, investigation and development of natural resources, fire protection, construction and maintenance of buildings, schools, hospitals and roads, relief to destitute, maintenance and transportation of prisoners and insane patients, equipment and supplies, contingencies, etc.....	218,000 00	
	<b>DEPARTMENT OF NATIONAL DEFENCE</b>		
192	Radio Services—For maintenance and operation of the Northwest Territories Radio System.....	199,425 00	417,425 00
	<b>GOVERNMENT OF THE YUKON TERRITORY</b>		
	Salaries and expenses connected with the administration of the Territory, including surveys.....	45,000 00	
193	Grant to Yukon Council for local purposes, the construction and maintenance of roads, and to provide for the payment of bounty on wolves and coyotes under the provisions of an ordinance enacted by the Commissioner in Council, the sum to be paid not to exceed \$20 each for wolves and \$10 each for coyotes, the pelts of the animals on which bounty is paid to be surrendered to the Government. The proceeds of the sale of such pelts to be placed to the credit of Consolidated Revenue Fund of Canada.....	70,000 00	115,000 00
	<b>DOMINION LANDS AND PARKS</b>		
194	Dominion Lands, Seed Grain, Mining Lands and Ordnance, Admiralty and Public Lands, Salaries and Expenses, etc.....	90,600 00	
	To assist in publishing the transactions of the Association of Dominion Land Surveyors.....	125 00	



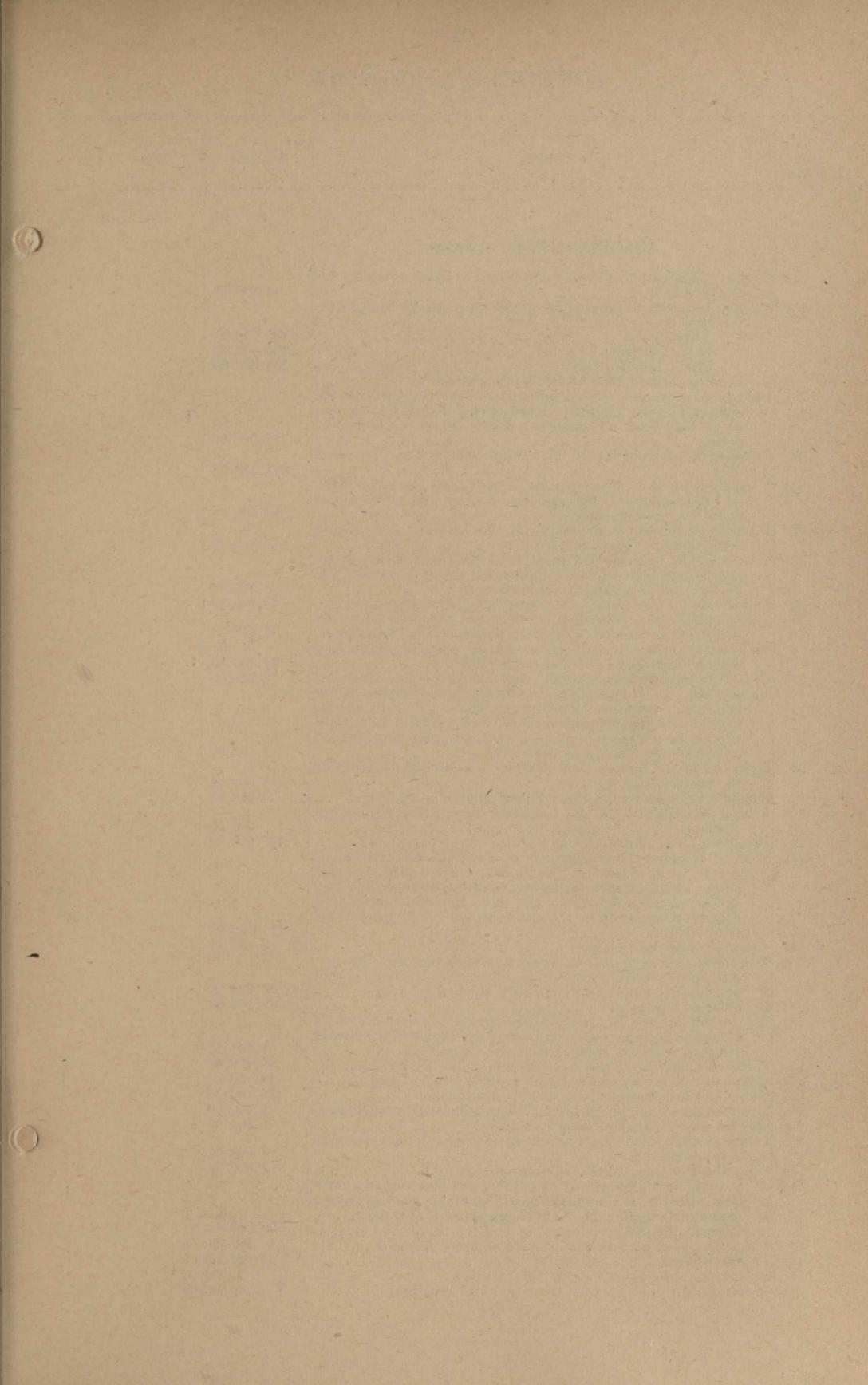
## SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
		\$ cts.	\$ cts.
<b>DOMINION LANDS AND PARKS—Concluded</b>			
	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 field research stations, demonstration forests, and forest products laboratories; co-operative undertakings in Forestry and Forest Products, etc.	266,000 00	
	Grant to Canadian Forestry Association.....	1,800 00	
	Investigations of water and power resources and of International Waterway problems, the Dominion Hydrometric Survey, and for the administration of the Dominion Water Power and Irrigation Acts, etc.	180,000 00	
194	Amount required to meet expenses of Lake of the Woods Control Board.....	7,500 00	
	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.	1,100,000 00	
	Administration of the Migratory Birds Convention Act.....	34,250 00	
	Cost of litigation and legal expenses.....	5,000 00	
	To provide for expenses in connection with determination of location and boundaries of Ordnance and Admiralty Lands in the Province of British Columbia.....	3,000 00	
	To provide amounts required for expropriation of areas for right-of-way on the Savona-Port Moody Section of the main line of the Canadian Pacific Railway, also on the Pembina and Stonewall Branches of the same road.....	1,500 00	
	Amount required to cover the payment of retiring leave to officials other than those on Civil Government.....	7,000 00	
			1,696,775 00
<b>PENSIONS AND NATIONAL HEALTH</b>			
195	Care of patients and medical examination respecting pensions..	1,800,000 00	
196	Salaries—		
	Departmental staff.....	2,524,600 00	
197	Compensation (pay and allowances).....	1,520,000 00	
198	Unemployment relief.....	2,600,000 00	
199	Operating expense and working capital.....	275,000 00	
200	Employers' liability compensation.....	40,000 00	
201	Sheltered employment.....	50,000 00	
202	Grant to Canadian Legion, British Empire Service League....	10,000 00	
203	Grant to Last Post Fund.....	40,000 00	
204	Pension Tribunal.....	65,700 00	
205	Pension Appeal Court.....	19,800 00	
206	War Veteran's Allowances.....	1,650,000 00	
207	War Veteran's Allowance Committee.....	14,400 00	
<i>National Health</i>			
208	The administration of the Acts respecting Food and Drugs, Opium and Narcotic Drugs and Proprietary or Patent Medicines, including the Laboratory of Hygiene.....	140,000 00	
209	Public Health Engineering.....	17,000 00	
210	Marine Hospitals, including burial expenses of destitute deceased mariners and grants to institutions assisting sailors..	187,500 00	
211	Quarantine: salaries and contingencies of organized districts, public health in other districts, Tracadie and Bentinck Island Lazarettos and Leprosy generally.....	162,000 00	
212	Immigration Medical Inspection.....	141,500 00	
			11,257,500 00



## SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
	<b>EXTERNAL AFFAIRS</b>	\$ cts.	\$ cts.
	LONDON		
213	Salaries and expenses of the Office of the High Commissioner for Canada, including \$1,800 salary additional to that authorized for the High Commissioner by Chap. 15, R.S.C.	123,660 00	
	WASHINGTON		
214	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.....	92,900 00	
	PARIS		
215	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.....	75,700 00	
	TOKYO		
216	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.....	70,900 00	
	GENEVA		
217	Salaries and expenses of the Office of the Canadian Advisory Officer.....	25,000 00	
218	Canada's contribution to the expenses of the League of Nations for 1933, including Secretariat, International Labour Organization and Permanent Court of International Justice,.....	222,972 05	
219	Expenses of Canadian delegates to the Assembly, Council and Commissions of the League of Nations.....	14,000 00	
220	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	
			628,132 05
	<b>MISCELLANEOUS</b>		
221	To provide for hospitality in connection with Foreign Visitors.	8,000 00	
222	To provide for the arbitration expenses—"I'm Alone" case (Revote).....	8,500 00	
223	Pending the establishment of a Trust Fund of \$25,000, as an expression of the friendly interest of Canada in the celebration in 1930 of the 1000th Anniversary of the establishment of the Icelandic Parliament, to pay to the Government of Iceland the sum of \$1,250, being one year's interest at 5 per cent per annum on the said sum of \$25,000.....	1,250 00	
224	Grant in aid of the Canadian General Council of the Boy Scouts Association.....	10,000 00	
225	Subscription to publications of the Empire Parliamentary Association to be distributed to Members of the House of Commons.....	2,000 00	
226	Grant to the Dominion Council of the Girl Guides.....	5,400 00	
227	Expenses in connection with the negotiation of treaties.....	10,000 00	
228	Contribution to aid in carrying on the work of the Royal Astronomical Society.....	1,800 00	
229	Royal Canadian Academy of Arts.....	2,250 00	
230	Grant to the Royal Society of Canada.....	5,000 00	
231	Grant to the Montreal Association for the Blind.....	4,500 00	



## SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
		\$ cts.	\$ cts.
MISCELLANEOUS—Continued			
232	Grant to l'Institut Nazareth de Montreal to assist in work with the blind.....	4,500 00	
233	Amount required to provide for grants to be made to the Provinces of—		
	Nova Scotia.....	875,000 00	
	New Brunswick.....	600,000 00	
	Prince Edward Island.....	125,000 00	
	pending consideration of Provincial Subsidies.		
234	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	
235	To provide for expenses of the Comptroller of the Treasury's office.....	1,741,148 00	
236	To provide for the administration of the Royal Canadian Mint, including salaries, contingencies, retiring and other allowances, and general expenses.....	180,000 00	
237	To provide for the maintenance of the Dominion of Canada Assay Office, Vancouver, B.C.....	17,810 00	
238	To provide for salaries and expenses of the Tariff Board—Payments may be made notwithstanding anything in the Civil Service Act or regulations thereunder.....	120,000 00	
239	To provide for the administration of the Bankruptcy Act.....	50,000 00	
240	To provide for the expenses of work in the interests of fire prevention to be carried on by the Department of Insurance.....	9,300 00	
241	To provide for salaries and expenses of the office of the Salvage Officer, including L. H. Beer at \$4,500.....	12,700 00	
242	Chief Electoral Officer—Salaries and contingencies of office.....	14,724 00	
243	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	
244	Grant to John Thomas (Jack Miner) to assist him in his wild life conservation work.....	2,500 00	
245	Expenses of litigated matters—Department of Justice.....	25,000 00	
246	Annual contribution to the Canadian Law Library, London, England.....	500 00	
247	Canadian Radio Broadcasting Service.....	1,000,000 00	
248	Loan to Harbour Commissioners of Montreal 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, and to be applied in payment of deficits resulting from the operations of the Montreal Harbour Bridge.....	511,100 00	
249	Grant to Imperial Institute.....	9,733 33	
250	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.....	2,000,000 00	
251	Battlefields Memorials.....	76,500 00	
252	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.....	7,500 00	
253	Grant to Canadian Council on Child and Family Welfare.....	9,000 00	
254	Grant to the Canadian National Institute for the Blind.....	18,000 00	
255	Grant to the Canadian Tuberculosis Association.....	22,500 00	
256	Grant to the Canadian National Committee for Mental Hygiene.....	9,000 00	
257	Grant to the Victorian Order of Nurses.....	9,000 00	
258	Grant to assist the Canadian Branch of the St. John Ambulance Association.....	4,500 00	
259	Grant to the Canadian Red Cross Society.....	9,000 00	
260	To provide for the payment of salaries and expenses in connection with the St. Lawrence Ship Canal Surveys and Investigations, including D. W. McLachlan at \$1,350 and G. W. Yates at \$1,080.....	38,500 00	
261	Grant to the Chief Constables' Association of Canada.....	450 00	
262	Patent Record.....	35,000 00	



## SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
		\$ cts.	\$ cts.
	MISCELLANEOUS— <i>Concluded</i>		
263	International Office for the protection of Industrial Property, International Copyright Union Office and Union for the Protection of Literary and Artistic Works.....	2,000 00	
264	Public Archives.....	67,204 00	
265	Expenses under the Canada Temperance Act.....	1,000 00	
266	Expenses under the Naturalization Act.....	24,070 00	
267	To provide, subject to the approval of the Treasury Board, for salaries, reclassifications and increases.....	50,000 00	7,822,139 33
	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.....	6,637,000 00	
	Salaries and travelling expenses of officers of the Inspection, Investigation, Audit and the Preventive Service Under-valuation Services.....	922,994 00	
	Miscellaneous, including printing and stationery; subscriptions to commercial papers; flags; dating stamps; locks; instruments; express charges on samples; legal forms; legal expenses; premiums on guarantee bonds; uniforms for Customs-Excise Officers; laboratory equipment and supplies, etc....	600,000 00	
268	Amount to be paid to the Department of Justice, to be disbursed by and accounted for to it, for Customs-Excise Secret Investigation Service.....	25,000 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 \$8,000 (less statutory deduction of ten per cent) for the Commissioner of Income Tax.....	2,200,000 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.....	20,000 00	10,404,994 00
	RAILWAYS AND CANALS		
	<i>(Chargeable to Collection of Revenue)</i>		
	CANALS		
269	Staff and repairs.....	2,738,720 00	2,738,720 00
	PUBLIC WORKS		
	<i>(Chargeable to Collection of Revenue)</i>		
	GRAVING DOCKS		
270	Champlain Graving Dock.....	82,000 00	
	Esquimalt Graving Docks.....	80,000 00	
	Lorne Graving Dock.....	41,500 00	
	Selkirk—Repair Slip.....	3,000 00	
	TELEGRAPH AND TELEPHONE LINES		
	Prince Edward Island and Mainland.....	7,000 00	
271	Land and Cable Telegraph Lines, Lower St. Lawrence and Maritime Provinces, including working expenses of vessels for cable service.....	133,000 00	
	Alberta and Saskatchewan.....	87,500 00	
	British Columbia, Vancouver Island District.....	91,000 00	
	British Columbia—Northern District.....	64,000 00	
	Yukon System—Main Line.....	116,500 00	
	Telegraph and Telephone Services Generally.....	6,000 00	711,500 00



## SCHEDULE A—Concluded

No. of Vote	Service	Amount	Total
		\$ cts.	\$ cts.
	POST OFFICE—OUTSIDE SERVICE		
	Salaries and allowances.....	15,381,845 00	
	Mail service, including mail service by air.....	14,161,500 00	
272	Miscellaneous, including \$5,000 to provide for payment of compassionate allowance to employees injured while in the 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, and payment of \$205 to S. R. Kirk.....	1,076,030 00	30,619,375 00
	TRADE AND COMMERCE		
273	An Act to place Canadian coal used in the manufacture of iron or steel on a basis of equality with imported coal, Administration of.....	1,000 00	
274	The Hemp Bounties Act, 1923, Administration of.....	500 00	
275	The Canada Grain Act, including management, operation, maintenance and equipment of elevators, Administration of.....	2,295,172 20	
276	Commercial Intelligence Service, including miscellaneous expenditure in connection with Canada's trade and also to provide for the appointment of L. D. Wilgress, as Director of the Commercial Intelligence Service, Department of Trade and Commerce, at \$7,800 per annum, effective April 1, 1933, notwithstanding anything to the contrary in the Civil Service Act.....	693,487 30	
277	Dominion Bureau of Statistics, and also to provide for the appointment of James Muir as Compiler of "Daily Bulletin," Dominion Bureau of Statistics, Department of Trade and Commerce, at \$2,520, per annum, effective April 1, 1933, notwithstanding anything to the contrary in the Civil Service Act.....	549,300 00	
278	Electricity and Fluid Exportation Act, Administration of.....	750 00	
279	Electricity and Gas Inspection Service.....	213,745 00	
280	Exhibitions and Fairs.....	137,000 00	
281	International Customs Tariffs Bureau.....	1,800 00	
282	Motion Picture Bureau.....	70,000 00	
283	National Research Council.....	404,500 00	
284	The Precious Metals Marking Act, Administration of.....	5,640 00	
285	Printing of Parliamentary and Departmental Publications, including the "Canada Year Book".....	139,325 00	
286	Publicity and Advertising in Canada and Abroad, including the sum of \$100,000 for publicity and advertising in the United Kingdom and Europe, to be administered by the High Commissioner for Canada.....	173,500 00	
287	Weights and Measures Inspection Service, including the International Bureau of Weights and Measures.....	311,620 00	4,997,339 50
	ADJUSTMENT OF WAR CLAIMS		
288	National Defence—		
	Militia Services.....	74,000 00	
	Naval Services.....	500 00	74,500 00
	Total.....		*194,645,068 31

Net Total, \$162,202,843.59.



## SCHEDULE B.

Based on Estimates, 1933-34. The amount hereby granted is \$9,836,970.00.

SUMS granted to His Majesty by this Act for the financial year ending 31st March, 1934, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		\$ cts.	\$ cts.
	CANADIAN NATIONAL STEAMSHIPS AND MARITIME FREIGHT RATES ACT		
	LOAN TO CANADIAN GOVERNMENT MERCHANT MARINE, LTD.		
297	Loan to the Canadian National Steamships (Canadian Government Merchant Marine Ltd.), repayable on demand with interest at a rate to be fixed by the Governor in Council upon such terms and conditions as the Governor in Council may determine, and to be applied in payment of:— Deficits in operation of the Company and of the vessels under the Company's control during the year ending December 31st, 1933.....	300,700 00	
	LOAN TO CANADIAN NATIONAL (WEST INDIES) STEAMSHIPS, LIMITED		
298	Loan to the 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:— Deficits in operation of the Company and of the vessels under the Company's control, during the year ending December 31st, 1933, and Interest Requirements.....	771,000 00	1,071,700 00
	MARITIME FREIGHT RATES ACT		
299	Amount required to provide for payment from time to time during the fiscal year 1933-34 of the difference, estimated by the Board of Railway Commissioners and certified by the said Board to the Minister of Railways and Canals, as and when required by him, occurring on account of the application of the Maritime Freight Rates Act, between the tariff tolls and the normal tolls (referred to in Section 9 of the said Act) on all traffic moved during 1933 under the tariffs approved, by the following companies:— Canada & Gulf Terminal Railway. Canadian Pacific Railway, including: Fredericton and Grand Lake Coal and Railway Company. New Brunswick Coal and Railway Company. Cumberland Railway and Coal Co. Dominion Atlantic Railway. Maritime Coal, Railway and Power Co. Sydney and Louisburg Railway. Temiscouata Railway.....	750,000 00	
300	Amount required to provide for the payment from time to time to the Canadian National Railway Company of the deficit in receipts and revenues, occurring in the year 1933, of the Eastern Lines, as provided by the Maritime Freight Rates Act: (a) Amount of the deficit (less that amount thereof as in the next following paragraph specifically provided for) in the receipts and revenues..... (b) Amount of the deficit in receipts and revenues occurring on account of the reduction in tolls under the application of the Maritime Freight Rates Act.....	6,611,000 00 1,404,270 00	8,765,270 00
	Total.....		9,836,970 00



## SCHEDULE C.

Based on Supplementary Estimates, 1933-34. The amount hereby granted is \$2,087,964.56.

SUMS granted to His Majesty by this Act for the financial year ending 31st March, 1934, and the purposes for which they are granted.

No. of Vote.	Service	Amount.	Total.
		\$    cts.	\$    cts.
	<b>CIVIL GOVERNMENT</b>		
301	Public Archives— Salaries— To provide for the continuance in office of J. B. Noble, Senior Bookbinder, from April 1, 1933, to March 31, 1934.....		1 00
	<b>ADMINISTRATION OF JUSTICE</b>		
302	Miscellaneous Expenditure, including costs of trials in the Northwest Territories, Commissions of Inquiry, copies and translation of evidence, etc.—Further amount required .....		5,000 00
	<b>LEGISLATION</b>		
	<b>THE SENATE</b>		
303	To provide for the payment of the full sessional indemnity for the session of 1932-33 to members of the Senate for days lost through absence due to public business, illness, or on account of death. Payment to be made as the Treasury Board may direct.....	3,000 00	
	<b>HOUSE OF COMMONS</b>		
304	To provide for the full sessional indemnity to members of the House of Commons—days lost through absence caused by illness, official public business, or on account of death during the present session—notwithstanding anything to the contrary in Chapter 147 of the Revised Statutes, 1927, an Act respecting the Senate and House of Commons, or any amendments thereto. Payments to be made as the Treasury Board may direct.....	6,000 00	9,000 00
	<b>SOLDIER AND GENERAL LAND SETTLE- MENT</b>		
305	To provide for repayment to the British Government on account of ascertained losses sustained under the 3,000 British Family Agreement of August 20, 1924.....		69,726 85
	<b>AGRICULTURE</b>		
306	To provide, subject to the approval of the Treasury Board, for assistance in investigations in connection with fruit proces- sing.....	10,000 00	
307	Compensation for animals tested under the Animal Contagious Diseases Act, and dying before it was possible to slaughter them, under the provisions of the said Act:—		
	Forget, Theophile, St. Damien de Brandon, Que.....	90 00	
	Renaud, Nelson, St. Eustache, Que.....	6 00	
	Greer, Mrs. S. A., R.R. 2, Winchester, Ont.....	6 00	
	Annable, T., R.R. No. 2, Winchester, Ont.....	28 00	
	Durant, H., R.R. No. 2, Winchester, Ont.....	12 00	
	Gardiner, Chas. S., Cannamore, Ont.....	24 00	



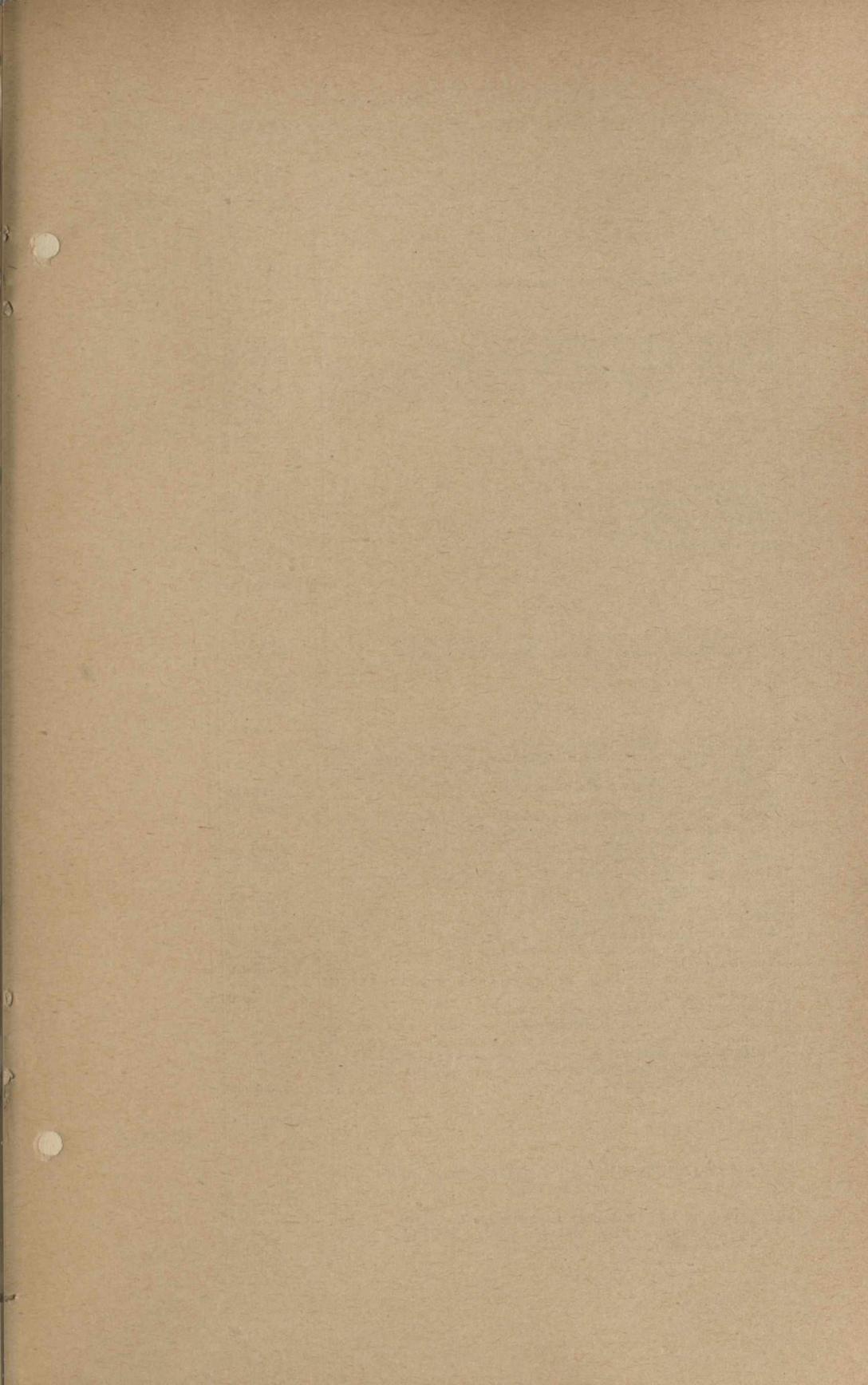
## SCHEDULE C—Continued

No. of Vote.	Service.	Amount.		Total.	
		\$	cts.	\$	cts.
	AGRICULTURE—Concluded				
	Deslandes, Willie, Granby, Ont.....	24	00		
	Church, A., R.R. 1, Hillhurst, Ont.....	60	00		
	Parkinson, Wm., Waterville, Que.....	50	00		
	Lennon, Chas., Waterville, Que.....	4	00		
	Lafleche, J. J., Casselman, Ont.....	28	00		
	Flanders, H. O., Waterville, Que.....	10	00		
	St. Denis, Philiias, Oka, Que.....	54	00		
	Vaillancourt, Jos., Ste. Scholastique, Que.....	20	00		
	Fleming, John, R.R. 2, Winchester, Ont.....	28	00		
	Embleton, D. R., R.R. 4, Fredericton, N.B.....	54	00		
	Perras, Geo., R.R. 1, Hillhurst, Que.....	6	00		
	Hughes, H. W., R.R. 2, Compton, Que.....	50	00		
	Chabot, Arthur, E. Hereford, Que.....	20	00		
	Wheeler, John, E. Hereford, Que.....	28	00		
	Dupuis, Moise, E. Hereford, Que.....	20	00		
	Baker, A. E., Chesterville, Ont.....	4	00		
	Bouchard, Philiias, Johnville, Que.....	20	00		
	Tetreault, J., E. Hereford, Que.....	26	00		
	Ruel, Eugene, St. Isidore d'Auckland, Que.....	26	00		
	Pelletier, Alex., St. Malo, Que.....	20	00		
	Montmagny, Geo., E. Clifton, Ont.....	32	00		
	Fontaine, Donat, St. Malo d'Auckland, Que.....	50	00		
	Routhier, Dasy, St. Malo d'Auckland, Que.....	56	00		
	Fontaine, Philippe, St. Malo d'Auckland, Que.....	120	00		
	Boyer, Moise, Sr., St. Edwidge, Que.....	130	00		
	St. Germain, Mde. L., St. Edwidge, Que.....	46	00		
	Osias, Fontaine, St. Malo d'Auckland.....	54	00		
	Boulay, Napoleon, Paquette, Que.....	16	00		
	Fontaine, Dasie, St. Malo d'Auckland, Que.....	6	00		
	St. Germaine, Jos., St. Edwidge, Que.....	60	00		
	Lemieux, Antonin, St. Malo d'Auckland, Que.....	126	00		
	Agnew, T. E., Brantford, Ont.....	6	00		
	Didier, Odilion, St. Isidore d'Auckland, Que.....	14	00		
	Thibodeau, Jos., St. Isidore d'Auckland, Que.....	24	00		
	Lafond, Ferdinand, St. Isidore d'Auckland, Que.....	24	00		
	Aubert, Arthur, St. Isidore d'Auckland, Que.....	18	00		
	Houle, Wilfrid, St. Isidore d'Auckland, Que.....	18	00		
	Ruel (fils), Alfred, St. Isidore d'Auckland, Que.....	4	00		
	Gagnon, Denery, St. Malo, Que.....	20	00		
	Rouleau, Honore, St. Isidore d'Auckland, Que.....	26	00		
	Corriveau, Remi, R.R. 2, St. Elizabeth, Que.....	4	00		
	Moreau, Edouard, St. Johns, Que.....	8	00		
	Dignard, Jos., St. Onge, Ont.....	36	00		
	Smith, W., Davin, Sask.....	30	00		
	Maloney, Sherman, Coaticook, Que.....	24	00		
	Hanna, Edward & McIntyre, W. A., Finch, Ont.....	30	00		
	Flury, Chris., S. Battleford, Sask.....	96	00		
	Garmann, M., Allan, Sask.....	20	00		
	Bouchard, Alfred, St. Coeur de Marie, Que.....	24	00		
	Homen, Harry, R.R. 1, Eburne, B.C.....	32	00		
	Mayer, Ovila, R.R. 2, Ste. Scholastique, Que.....	20	00		
	Ruel, Francois, Johnville, Que.....	16	66		
	Onderkirk, Bernice, Berwick, Ont.....	20	00		
	Walker, John, R.R. 1, Eburne, B.C.....	56	00		
	Burdett, G., Milner, B.C.....	18	00		
	Jensen, Holgar, R.R. 3, Sutton, Que.....	10	00		
				12,012	66
	NATIONAL DEFENCE				
308	General—				
	Miscellaneous—				
	Amount required for payments during 1933-34 to Lillian Fabian (Renton) and her children, being the family of the late Quartermaster-Sergeant Henry Renton, and to authorize future payments from the Consolidated Revenue Fund on the same basis and to the same extent as if she and her children were eligible under the Militia Pension Act as the widow and children respectively.....				369 25



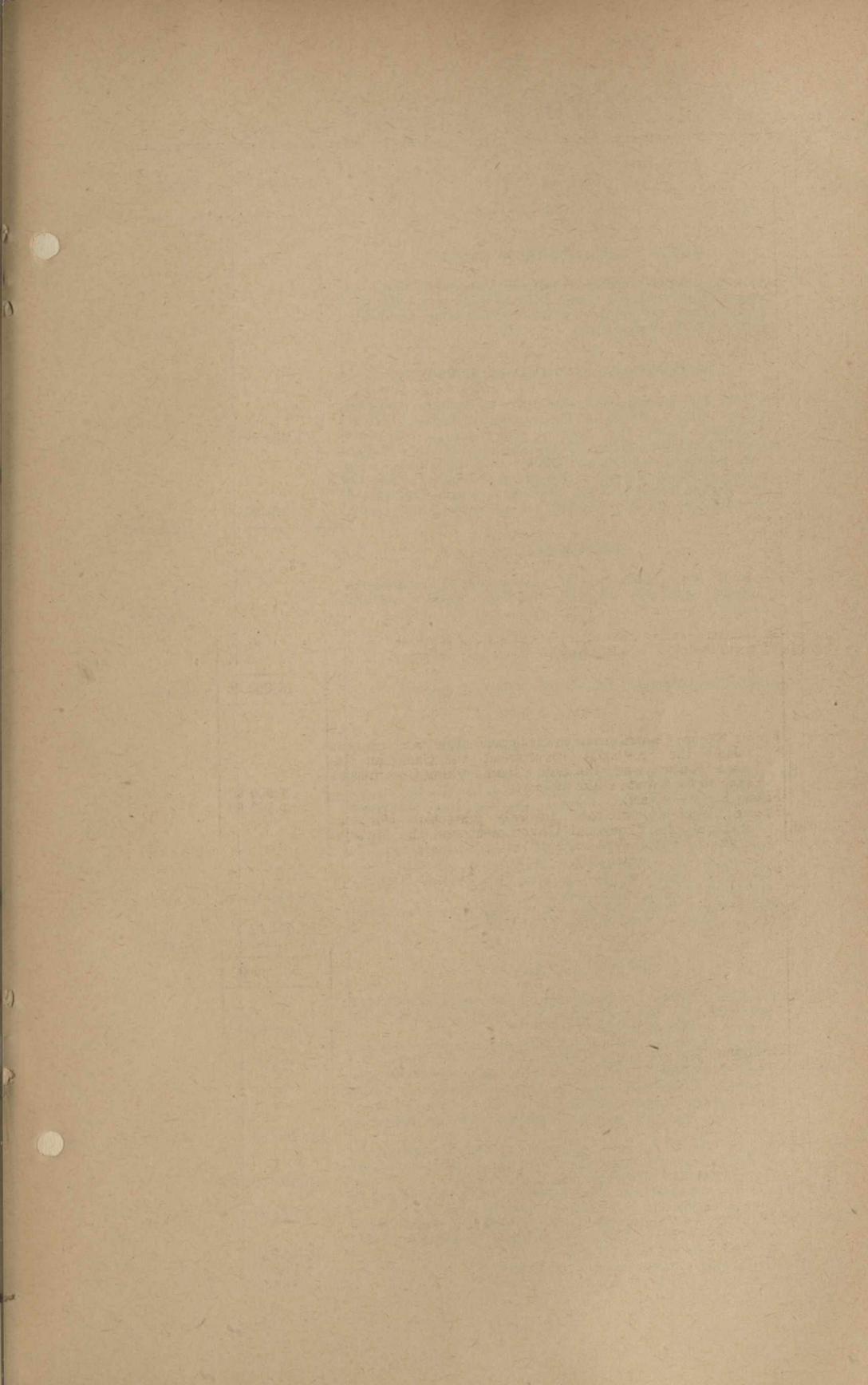
## SCHEDULE C—Continued

No. of Vote.	Service	Amount.	Total.
		\$ cts.	\$ cts.
	<b>AVIATION</b>		
309	Civil Government Air Operations—For Preventive Service and other Air Operations.....		97,000 00
	<b>PUBLIC WORKS—CHARGEABLE TO INCOME</b>		
	<b>PUBLIC BUILDINGS</b>		
	<i>Quebec</i>		
310	Montreal—Customs Examining Warehouse—Alterations.....	2,000 00	
	Quebec Examining Warehouse—Repairs and renewals.....	15,000 00	
	Quebec Drill Hall—Repairs to roof.....	13,000 00	
	<i>Ontario.</i>	30,000 00	
311	Windsor—Government's share of cost of local improvements..	1,950 00	
	<i>Manitoba</i>		
312	Winnipeg Armouries—Government's share of cost of local improvements.....	1,830 00	
	<i>Generally</i>		
313	Ottawa—Central Heating Plant—Renewal of boilers.....	24,000 00	
	Ottawa—National Research Council Laboratories—Improvements and equipment.....	25,000 00	
		49,000 00	
	<b>RENTS, REPAIRS, FURNITURE, HEATING, ETC.</b>		
	<i>Ottawa Public Buildings and Grounds</i>		
314	Light and Power—Including roads and bridges—Further amount required.....	4,700 00	
	<b>HARBOURS AND RIVERS</b>		
	<i>Nova Scotia</i>		
315	Broad Cove Marsh—Breakwater-wharf replacement.....	13,400 00	
	Cow Bay (Port Morien)—Breakwater replacement.....	19,000 00	
	Dingwall—Dredging.....	39,000 00	
	Grand Desert—Harbour protection and repairs—Further amount required.....	2,700 00	
	Hantsport—To complete siding to wharf.....	9,500 00	
	Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken—Further amount required	75,000 00	
	Little Judique Harbour—		
	Breakwater extension.....	1,900 00	
	Liverpool—Dredging.....	35,000 00	
	Malagash—Mooring pier.....	1,600 00	
	Port Hood Island—Extension of shore protection.....	2,500 00	
South Bar (Sydney Harbour)—Extensions, improvements....	3,500 00		
	203,100 00		
	<i>New Brunswick</i>		
316	Campbellton—Cribwork block.....	2,000 00	
	Dipper Harbour—Dredging.....	8,000 00	
	Harshman's Brook—Harbour improvements.....	3,000 00	
	13,000 00		



## SCHEDULE C—Continued

No. of Vote.	Service.	Amount.	Total.
		\$ cts.	\$ cts.
	PUBLIC WORKS—CHARGEABLE TO INCOME— —Continued		
	HARBOURS AND RIVERS—Continued		
	<i>Quebec</i>		
317	Montmagny—Extension to protection wall.....	16,800 00	
	Notre Dame de Pierreville—Protection work.....	19,000 00	
	Riviere St. Pierre—Contribution towards dredging, the Pro- vincial Government having contributed a like amount....	3,000 00	
	St. Andrews—Wharf.....	3,300 00	
		42,100 00	
	<i>Ontario</i>		
318	Collingwood—Harbour improvements.....	15,500 00	
	Hamilton—Dredging.....	21,600 00	
	Kingston—Dredging.....	17,700 00	
	Port Maitland—Harbour improvements.....	7,000 00	
	Shebandowan—Wharf.....	4,000 00	
		65,800 00	
	<i>Manitoba</i>		
319	McLaughlin and Echinamish Rivers—Improvements.....	8,000 00	
	Victoria Beach (Olafson's Bay)—Wharf and dredging.....	5,800 00	
		13,800 00	
	<i>British Columbia</i>		
320	Fraser River—Contribution towards protection work on Lulu Island, the Provincial Government, the Canadian National Railways and the Lulu Island Dyking Commission each to contribute a like amount.....	4,000 00	
	Fraser River—Wharf.....	1,300 00	
	Fraser River—Contribution towards protection work at Matsqui, the Provincial Government and the Matsqui Dyking District each to contribute a like amount.....	1,400 00	
	Lower Duncan River—Improvements.....	3,000 00	
	Powell River—Breakwater repairs—The Powell River Co., Ltd., to contribute one-half of cost.....	7,000 00	
	Queen's Bay—Wharf reconstruction.....	8,500 00	
	Sechelt—To take over and repair wharf.....	5,600 00	
	Sidney—Reconstruction of landing.....	6,000 00	
			36,800 00
	DREDGING		
321	Dredging—Maritime Provinces—Further amount required....	12,000 00	
	Dredging—Manitoba, Saskatchewan and Alberta—Further amount required.....	17,000 00	
		29,000 00	
	MAIL SUBSIDIES AND STEAMSHIP SUB- VENTIONS		
322	Additional amount required to provide for ocean service subsidies, and to assist the shipment of live stock to the United Kingdom.....		70,000 00
			491,080 00



## SCHEDULE C—Continued

No. of Vote.	Service	Amount.	Total.
		\$ cts.	\$ cts.
OCEAN AND RIVER SERVICE			
323	Amount required to reimburse the British Board of Trade for expenditures, incurred in the relief of distressed Canadian seamen, not authorized by the Canada Shipping Act—Further amount required.....		800 00
LIGHTHOUSE AND COAST SERVICE			
324	To provide for compassionate allowance to Madame Angelina Foisy-Cantin, widow of Ernest Cantin, formerly Chief Engineer on the C.G.S. <i>Jalobert</i> , who died in January, 1929	1,000 00	
325	Construction, maintenance and supervision of aids to navigation, including salaries and allowances to lightkeepers—to reinstate Thomas Moore as lightkeeper, Grade 4, Class 13, at Mitchener Point N.S., and he is hereby reinstated accordingly, at a salary of \$270 per annum, less 10 per cent.	243 00	1,243 00
FISHERIES			
326	To assist in the conservation and development of the deep-sea fisheries and the demand for fish—Further amount required.....		10,000 00
LABOUR			
327	Combines Investigation Act—Further amount required.....		18,000 00
DOMINION LANDS, PARKS, ETC.			
328	To provide for the expenses incurred under the Lake of the Woods Control Board Act, 1921, and under the agreement between the Dominion, Ontario and Manitoba, confirmed by the Lac Seul Conservation Act, 1928, for the construction of a dam at the outlet of Lac Seul and its operation by the Lake of the Woods Control Board, 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	
329	To assist tourist traffic, salaries and retiring allowances of the former National Development Bureau.....	30,000 00	50,000 00
MISCELLANEOUS			
330	To provide for a refund of money paid for the rental of a certain water lot, the lease of which was never executed, with interest to March 31, 1933.....	1,037 09	
331	Expenses in connection with preparation and revision of legislation of present session and other Acts.....	5,194 26	
332	Loan to the Chicoutimi Harbour Commissioners for the construction of harbour improvements and facilities, additional to the amount authorized by the Chicoutimi Harbour Loan Act, 1931, and to be subject to the provisions of the said Act.....	332,100 00	
333	Further amount to complete balance of payment for restoration of Saint John Harbour, after the fire of 1931, including Engineering and other services, not exceeding.....	50,000 00	
334	To provide for payment to Miss Edith Tillie, of the balance of her subscription to the National Service Loan.....	630 44	
335	Federal District Commission—To provide for maintenance and improvement of properties under the control of the Federal District Commission.....	55,000 00	
336	Patent Record—Further amount required.....	7,000 00	
337	Grant to Rev. Dr. D. B. Marsh.....	1,000 00	



SCHEDULE C—*Concluded*

No. of Vote.	Service.	Amount.	Total.
		\$ cts.	\$ cts.
<i>MISCELLANEOUS—Concluded</i>			
338	To provide for payments in connection with additional movements of coal under conditions prescribed by the Governor in Council—Further amount required.....	750,000 00	
339	To provide for payment from the Consolidated Revenue Fund to Indian Trust Funds of amount of defalcations of A. H. Lomas, former Indian Agent, Cowichan, B.C.....	15,770 00	
340	To provide for payment, as an honorarium, to His Honour Judge Edmund R. Wylie, for services as Royal Commissioner in connection with the Estevan mining dispute, notwithstanding anything to the contrary in the Judges Act.....	1,000 00	
341	To provide for expenses of representation at the World Economic Conference.....	15,000 00	
342	To provide for expenses of representation at the Disarmament Conference (Revote).....	5,000 00	
			1,238,731 79
<i>TRADE AND COMMERCE</i>			
343	British and Foreign News Service.....		15,000 00
	Total.....		2,087,964 56





