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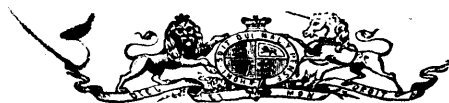
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Page 194 is incorrectly numbered page 191.

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



OTTAWA
PRINTED BY SAMUEL EDWARD DAWSON
LAW PRINTER (FOR CANADA) TO THE QUEEN'S MOST EXCELLENT MAJESTY
ANNO DOMINI 1900

ORDERS IN COUNCIL AND DESPATCHES.

AT THE COURT AT OSBORNE HOUSE, ISLE OF WIGHT, THE 8TH
DAY OF AUGUST, 1899.

Present :

THE QUEEN'S MOST EXCELLENT MAJESTY.

Lord Chancellor,
Lord President,

Lord James of Hereford,
Sir Fleetwood Edwards.

WHEREAS on the 9th day of September, 1886, a Convention (hereinafter called the Berne Convention) with respect to the protection to be given by way of copyright to the authors of literary and artistic works was concluded between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and certain foreign countries therein named, and on the 5th day of September, 1887, the ratifications of the said convention were duly exchanged between Her Majesty and the said countries ;

And whereas by an Order in Council dated the 28th day of November, 1887, and made under the authority committed to Her Majesty by the International Copyright Acts, 1844 to 1886, Her Majesty was pleased to make provision for giving rights of copyright throughout Her Majesty's dominions to the authors of literary and artistic works first produced in any of the said foreign countries, and otherwise giving effect throughout Her Majesty's dominions to the terms of the said Berne Convention, and an English translation of the said convention was set out in the first schedule to the Order in Council, now in recital ;

And whereas since the date of the said Order in Council hereinbefore recited, the Principality of Montenegro acceded to the said Berne Convention, and by an Order in Council dated the 16th day of May, 1893, the provisions of the said Order in Council of the 28th day of November, 1887, were extended to the said Principality ;

And whereas an additional Act to the said Berne Convention was agreed upon between Her Majesty and certain foreign countries (including Montenegro) for the purposes of varying the provisions of the said Berne Convention, and the ratifications of the said additional Act were on the 9th day of September, 1897, exchanged between Her Majesty and the said foreign countries parties thereto ;

And whereas by an Order in Council dated the 7th day of March, 1898, and made under the authority aforesaid, Her Majesty was pleased to make provision for varying the hereinbefore recited Order in Council of the 28th day of November, 1887, and otherwise giving effect to the said additional Act throughout Her Majesty's dominions so far as regards the foreign countries parties thereto (including Montenegro), and an English translation of the said additional Act is set forth in the schedule to the Order in Council now in recital ;

Berne Convention—Retirement of Montenegro.

And whereas by the said Berne Convention and the said additional Act it is provided that the said convention shall remain in effect until the termination of a year from the day on which it may have been denounced, and that such denunciation shall be made to the Government of the Swiss Confederation, and shall only be effective as regards the country making it, the said convention remaining in full force and effect for the other countries parties thereto ;

And whereas Her Majesty's Government have been informed that the Government of Montenegro did, on the 1st day of April, 1899, denounce the said Berne Convention to the Government of the Swiss Confederation in accordance with the terms of the said convention and additional Act ;—

Now, therefore, Her Majesty, by and with the advice of Her Privy Council, and by virtue of the authority committed to Her by the International Copyright Acts, 1844 to 1886, doth order, and it is hereby ordered as follows :

1. The hereinbefore recited Order in Council of the 16th day of May, 1893, is hereby revoked as from the commencement of this Order, and the provisions of the hereinbefore recited Orders in Council of the 28th day of November, 1887, and the 7th day of March, 1898, shall, as from the commencement of this Order, cease to apply to the Principality of Montenegro.

2. Nothing contained in this Order shall prejudicially affect any right acquired or accrued before the commencement of this Order by virtue of the said Orders in Council of the 28th day of November, 1887, the 16th day of May, 1893, and the 7th day of March, 1898, or otherwise, and any person entitled to such right shall continue entitled thereto, and to the remedies for the same in like manner as if this Order had not been made..

3. This Order shall come into operation on the 1st day of April, 1900, which date is hereinbefore referred to as the commencement of this Order.

And the Lords Commissioners of Her Majesty's Treasury are to give the necessary orders herein accordingly.

A. W. FITZROY.

Vide Canada Gazette, vol. xxxiii., p. 618.

Berne Convention—Extension to Japan.

AT THE COURT AT OSBORNE HOUSE, ISLE OF WIGHT, THE 8TH
DAY OF AUGUST, 1899.

Present :

THE QUEEN'S MOST EXCELLENT MAJESTY.

Lord Chancellor,
Lord President,

Lord James of Hereford,
Sir Fleetwood Edwards.

WHEREAS on the 9th day of September, 1886, a convention (hereinafter called the Berne Convention) with respect to the protection to be given by way of copyright to the authors of literary and artistic works was concluded between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the foreign countries following, that is to say:—Belgium, Hayti, Switzerland, France, Italy, Germany, Spain and Tunis :

And whereas on the 5th day of September, 1887, the ratifications of the said convention were duly exchanged between Her Majesty the Queen and the aforesaid countries :

And whereas by an Order in Council dated the 28th day of November, 1837, and made under the authority committed to Her Majesty by the International Copyright Acts, 1844 to 1886; Her Majesty was pleased to make provision for giving rights of copyright throughout Her Majesty's dominions to the authors of literary and artistic works first produced in any of the said foreign countries (therein referred to as the foreign countries of the Copyright Union), and otherwise giving effect throughout Her Majesty's dominions to the terms of the said Berne Convention, and an English translation of the said convention was set out in the first schedule to the Order in Council now in recital :

And whereas since the date of the said Order in Council hereinbefore recited, the foreign countries following, namely, Luxembourg, Monaco, Montenegro, and Norway have acceded to the said Berne Convention, and by Orders in Council, dated respectively the 10th day of August, 1888, the 15th day of October, 1889, the 16th day of May, 1893, and the 1st day of August, 1896, and made under the authority aforesaid, the provisions of the hereinbefore recited Order in Council of the 28th day of November, 1887, have been extended to the last-mentioned foreign countries respectively, and the last-mentioned foreign countries, together with the foreign countries comprised in the said Order in Council of the 28th day of November, 1887, now constitute the foreign countries of the Copyright Union within the meaning of the said Order in Council :

And whereas an additional Act to the said Berne Convention was agreed upon between Her Majesty and the following foreign countries for the purpose of varying the provisions of the said Berne Convention, namely:—Germany, Italy, Switzerland, Belgium, Luxembourg, and Spain, Monaco, Tunis, France,

Berne Convention—Extension to Japan.

Montenegro, and the ratifications of the said additional Act were, on the 9th day of September, 1897, exchanged between Her Majesty and the said foreign countries :

And whereas by an Order in Council dated the 7th day of March, 1898, and made under the authority aforesaid, Her Majesty was pleased to make provision for varying the hereinbefore recited Order in Council of the 28th day of November, 1887, and otherwise giving effect to the said additional Act throughout Her Majesty's dominions, so far as regards the foreign countries hereinbefore named as parties to the said additional Act, and an English translation of the said additional Act is set forth in the schedule to the Order in Council now in recital :

And whereas the Republic of Hayti having duly acceded to the said additional Act, the said Order in Council of the 7th day of March, 1898, was, by Order in Council of the 19th day of May, 1898, extended to the said Republic :

And whereas it has been intimated to Her Majesty's Government that the Government of the Empire of Japan have notified the accession of that country to the said Berne Convention and additional Act, to take effect from the 15th day of July, 1899 :

And whereas Her Majesty in Council is satisfied that the said Empire of Japan has made such provisions as it appears to Her Majesty expedient to require for the protection of authors of works first produced in Her Majesty's dominions ;

Now, therefore, Her Majesty, by and with the advice of Her Privy Council, and by virtue of the authority committed to Her by the said Acts, doth order, and it is hereby ordered, as follows :—

1. From and after the commencement of this Order the hereinbefore recited Orders in Council of the 28th day of November, 1887, and the 7th day of March, 1898, shall extend to the said Empire of Japan.

2. This Order shall come into operation on the 15th day of July, 1899, which date is hereinbefore referred to as the commencement of this Order.

3. And the Lords Commissioners of Her Majesty's Treasury are to give the necessary orders herein accordingly.

A. W. FITZROY.

Vide Canada Gazette, vol. xxxiii, p. 618.

(Circular.)

DOWNING STREET, 30th August, 1899.

SIR,—With reference to my circular despatch of the 19th October, 1898, respecting the constitution of Prize Courts in the colonies, I have the honour to transmit to you a warrant addressed to the Exchequer Court, Canada, requiring it, upon any proclamation being made by the vice-admiral of the colony that war has broken out between Her Majesty and any foreign

Prize Courts in the Colonies.

State, and not otherwise, to take cognizance of and judicially to proceed in prize matters as therein indicated. The warrant is accompanied by a copy of Her Majesty's letters patent authorizing the issue of such warrants by the Admiralty and a copy of the form of proclamation to be issued by the Vice-admiral as to war having broken out.

I have to request that the warrant and copy of the letters patent may be forwarded to the chief judicial officer of the above mentioned court.

The Lords Commissioners of the Admiralty have suggested Halifax and Victoria, B.C., as places within the jurisdiction of the court at which it would be convenient for Prize Courts to sit.

Their Lordships have also suggested that the Court may be recommended to appoint its bailiffs or other suitable officers to the posts of marshals of the Prize Courts in cases where no such officers already exist.

I have the honour to be, sir,

Your most obedient humble servant,

J. CHAMBERLAIN.

The Officer Administering
The Government of Canada.

(L.S.)

By the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of Great Britain and Ireland, &c.

Her Majesty having been pleased by Her Commission under the Great Seal of the United Kingdom of Great Britain and Ireland bearing date at Westminster the tenth day of July in the sixty-third year of Her reign to authorize us to the effect following as by such Commission (a copy of which Commission is hereto annexed) doth more at large appear. These are in Her Majesty's name and ours to will and require the Exchequer Court of Canada and you the Judge of the said Court and all others the Judges or Judge for the time being of the said Court or other the persons or person executing the duties of the office of Judge of the said Court for the time being and you are hereby authorized and required from time to time upon any proclamation being made by the Vice Admiral for the time being of Canada that War has broken out between Her Majesty and any Foreign State and not otherwise to take cognizance of and judicially to proceed upon all and all manner of Captures Recaptures Seizures Prizes and reprisals of all Ships, Vessels and Goods which shall on the outbreak of any such War have been already seized and taken and which shall thereafter be seized and taken and which are or shall be brought within the limits of the said Court and all other matters of prize falling within the jurisdiction of the said Court and to hear and determine the same according to the course of Admiralty and the law of Nations and the Statutes Rules and Regulations in that behalf for the time being in force to

Prize Courts in the Colonies.

adjudge and condemn all such Ships Vessels and Goods as shall belong to the Foreign State named in such Proclamation or to the Subjects of such State or to any others inhabiting within any of the Countries, Territories or Dominions of the same or which are otherwise condemnable as Prize and which shall be brought before the said Exchequer Court of Canada for adjudication and condemnation. And for doing the acts hereinbefore mentioned this shall be your Warrant until the same is withdrawn or revoked.

Given under our hands and the Seal of the Office of Admiralty this seventeenth day of August one thousand eight hundred and ninety-nine.

(Sgd.) WALTER T. KERR,
(Sgd.) A. W. MOORE.

To the Judge of the Exchequer Court of Canada and all others the Judges or Judge for the time being of the said Court or the persons or person duly executing the duties of the Office of Judge of the said Court for the time being.

By command of their Lordships.

(Sgd.) H. J. VAN SITTART NEALE.

VICTORIA by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, Empress of India.

To Our right trusty and well beloved Councillor George Joachim Goschen, Our trusty and well beloved Sir Frederick William Richards, Knight Grand Cross of Our Most Honourable Order of the Bath, Admiral of Our Fleet, Sir Walter Talbot Kerr, commonly called Lord Walter Talbot Kerr, Knight Commander of Our Most Honourable Order of the Bath, Vice Admiral in Our Navy, Arthur Knyvet Wilson, Esquire, Companion of Our Most Honourable Order of the Bath, Victoria Cross, Rear Admiral in Our Navy, Arthur William Moore, Esquire, Companion of Our Most Honourable Order of the Bath, Companion of Our Most Distinguished Order of Saint Michael and Saint George, Rear Admiral in Our Navy, and Joseph Austen Chamberlain, Esquire, Our Commissioners for executing the Office of Lord High Admiral of Our United Kingdom of Great Britain and Ireland and the Dominions thereunto belonging and to Our Commissioners for executing that office for the time being,—GREETING.

Whereas it is expedient that upon the outbreak of War between us and any Foreign State there shall be found or forthwith constituted throughout Our Dominions, Possessions and Colonies Prize Courts duly commissioned to take cognizance of captures, recaptures, seizures, prizes and reprisals of ships, vessels and goods to which Prize Courts Our Fleets and Ships may bring to judgment all ships, vessels, and goods seized by them. These are, therefore, to authorize and We do hereby authorize and enjoin you Our said Commis-

Prize Courts in the Colonies.

sioners now and for the time being or any two or more of you by Warrant from time to time notwithstanding the existence of Peace to will and require any such Courts or persons as follows, that is to say: Vice Admiralty Courts which shall be duly commissioned within Our Dominions, Possessions or Colonies (other than Our United Kingdom of Great Britain and Ireland) and Courts of Law or Persons being Colonial Courts of Admiralty within the meaning of the Colonial Courts of Admiralty Act, 1890, as you Our said Commissioners now and for the time being or any two or more of you shall select upon proclamation being made in that part of our Dominions, Possessions or Colonies within which such Court or person has jurisdiction in Admiralty by Our Vice Admiral thereof that War has broken out between Us and some Foreign State or States and not otherwise to take cognizance of and judicially to proceed upon all and all manner of captures, recaptures, seizures, prizes, reprisals of all ships, vessels and goods then already seized and taken and which thereafter shall be seized and taken and all other matters of prize falling within the jurisdiction of Prize Courts and to hear and determine the same and according to the course of Admiralty and the Law of Nations and the Statutes, Rules and Regulations in that behalf for the time being in force to adjudge and condemn all such ships, vessels and goods as shall belong to the State or States named in the Proclamation aforesaid or to the subjects of such State or States or to any other persons inhabiting within any of the Countries, territories or dominions of such State or States or be otherwise condemnable as Prize and such Courts or Persons are hereby authorized and required to proceed accordingly. And We do hereby further authorize you Our said Commissioners now and for the time being and any two or more of you by Warrant to revoke or alter any Warrant which shall have been issued, granted or made by you or any two or more of you as aforesaid. In witness whereof we have caused these Our Letters to be made patent. Witness ourself at Westminster the tenth day of July in the sixty-third year of Our reign.

By warrant under the Queen's sign manual.

MUIR MACKENZIE.

I

(Governor and) Vice Admiral of
being satisfied thereof by information received by me do hereby proclaim that
War has broken out between Her Majesty and

Vide Canada Gazette, vol. xxxiii., p. 913.

War with the South African Republic.

By the QUEEN.

A PROCLAMATION.

VICTORIA, R.

WHEREAS a state of war exists between Us and the South African Republic, and also between Us and the Orange Free State :

And whereas it is therefore expedient and necessary to warn all Our subjects of their duties and obligations towards Us, Our Crown, and Government :

Now, therefore, We do hereby warn all Our subjects not to enlist or engage themselves in the military service of the Government of either of the said Republics, or in any way to aid, abet or assist either of the said Republics in the prosecution of hostilities, and not to carry on any trade with, or supply any goods, wares, or merchandise to either of the said Republics, or to any persons resident therein, or to supply any goods, wares, or merchandise to any person for transmission to either of the said Republics, or to any person resident therein, and not to carry any goods, wares, or merchandise destined for either of the said Republics, or for any person resident therein.

And We do hereby further warn all persons that whoever, in contravention of the law, shall commit any of the afore said acts, will be liable to such penalty as the law provides.

Given at our Court at *Windsor*, this twenty-seventh day of December, in the year of our Lord one thousand eight hundred and ninety-nine, and in the sixty-third year of Our reign.

GOD save the QUEEN.

Vide Canada Gazette, vol. xxxiii., p. 1595.

(Circular.)

P. C. 199 L.

DOWNING STREET, 26th March, 1900.

SIR,—I have the honour to transmit to you, for publication in the colony under your Government, a copy of an Order of Her Majesty the Queen in Council, dated the 3rd of March, 1900, for giving effect to the treaty between Her Majesty and the Republic of San Marino for the mutual extradition of fugitive criminals, signed at Florence on the 16th of October, 1899, the ratifications of which were exchanged at Rome on the 5th of December, 1899.

I have the honour to be, sir,

Your most obedient, humble Servant,
J. CHAMBERLAIN.

The Officer Administering
the Government of Canada.

Extradition Treaty—Republic of San Marino.

AT THE COURT AT WINDSOR, THE 3RD DAY OF MARCH, 1900.

Present :

THE QUEEN'S MOST EXCELLENT MAJESTY.

Lord Chancellor, Lord President, Lord James of Hereford.

WHEREAS by the Extradition Acts, 1870 to 1895, it was amongst other things enacted that, where an arrangement has been made with any foreign State with respect to the surrender to such State of any fugitive criminals, Her Majesty may, by Order in Council direct that the said Acts shall apply in the case of such foreign State; and that Her Majesty may, by the same or any subsequent Order, limit the operation of the Order, and restrict the same to fugitive criminals who are in or suspected of being in the part of Her Majesty's dominions specified in the Order, and render the operation thereof subject to such conditions, exceptions, and qualifications as may be deemed expedient.

And whereas a treaty was concluded on the sixteenth day of October, one thousand eight hundred and ninety-nine, between Her Majesty and the Captains Regent of the Most Serene Republic of San Marino for the mutual extradition of fugitive criminals, which treaty is in the terms following:—

“ Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and the Most Serene Republic of San Marino having judged it expedient, with a view to the better administration of justice and to the prevention of crime within their respective territories, that persons charged with or convicted of the crimes hereinafter enumerated, and being fugitives from justice, should, under certain circumstances, be reciprocally delivered up, the said high contracting parties have named their plenipotentiaries to conclude a treaty for this purpose, that is to say:—

“ Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, His Excellency Philip Henry Wodehouse, Baron Currie of Hawley, a Member of Her Most Honourable Privy Council, Knight Grand Cross of Her Most Honourable Order of the Bath, Her Ambassador Extraordinary and Plenipotentiary to His Majesty the King of Italy;

“ And the Most Serene Republic of San Marino, his Excellency Cavaliere Paolo Onorato Vigliani, Patrician of San Marino, Grand Cross and Grand Cordon of the Order of Saint Maurice and Saint Lazarus, and of the Crown of Italy, Knight Grand Cross of the most Distinguished Order of St. Michael and St. George, &c., &c., Minister of State, ex-President of the Court of Cassation, Senator of the Kingdom of Italy;

Extradition Treaty—Republic of San Marino.

“Who, having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following articles :—

“ARTICLE I.

“The high contracting parties engage to deliver up to each other those persons who, being accused or convicted of a crime or offence committed in the territory of the one party, shall be found within the territory of the other party, under the circumstances and conditions stated in the present treaty.

“ARTICLE II.

“The crimes or offences for which the extradition is to be granted are the following :—

“1. Murder, or attempt, or conspiracy to murder, and manslaughter.

“2. Assault occasioning actual bodily harm. Malicious wounding or inflicting grievous bodily harm.

“3. Counterfeiting or altering money, or uttering counterfeit or altered money.

“4. Knowingly making any instrument, tool, or engine adapted and intended for counterfeiting coin.

“5. Forgery, counterfeiting or altering, or uttering what is forged, counterfeited or altered.

“6. Embezzlement or larceny.

“7. Malicious injury to property if the offence be indictable.

“8. Obtaining money, goods, or valuable securities by false pretenses.

“9. Receiving money, valuable security, or other property, knowing the same to have been stolen, embezzled, or unlawfully obtained.

“10. Crimes against bankruptcy law.

“11. Fraud by a bailee, banker, agent, factor, trustee, or director, or member or public officer of any company.

“12. Perjury, or subornation of perjury.

“13. Rape.

“14. Carnal knowledge, or any attempt to have carnal knowledge, of a girl under 16 years of age, so far as such acts are punishable by the law of the State upon which the demand is made.

“15. Indecent assault. Indecent assault, even with consent, upon children of either sex under 13 years of age.

“16. Administering drugs, or using instruments with intent to procure the miscarriage of a woman.

“17. Abduction.

“18. Child stealing.

“19. Abandoning children, exposing or unlawfully detaining them.

“20. Kidnapping and false imprisonment.

“21. Burglary or house-breaking.

“22. Arson.

“23. Robbery with violence.

Extradition Treaty—Republic of San Marino.

“24. Any malicious act done with intent to endanger the safety of any person in a railway train.

“25. Threats by letter or otherwise, with intent to extort.

“26. Piracy by law of nations.

“27. Sinking or destroying a vessel at sea, or attempting or conspiring to do so.

“28. Assaults on board a ship on the high seas, with intent to destroy life, or to do grievous bodily harm.

“29. Revolt or conspiracy to revolt by two or more persons on board a ship on the high seas, against the authority of the master.

“30. Dealing in slaves in such a manner as to constitute a criminal offence against the laws of both States.

“Extradition is also to be granted for participation in any of the aforesaid crimes, provided such participation be punishable by the laws of both the contracting parties.

“Extradition may also be granted at the discretion of the State applied to, in respect of any other crime for which, according to the laws of both the contracting parties for the time being in force, the grant can be made.

“ARTICLE III.

“Either Government may, in its absolute discretion, refuse to deliver up its own subjects to the other Government.

“ARTICLE IV.

“The extradition shall not take place if the person claimed on the part of the British Government, or the person claimed on the part of the Government of San Marino, has already been tried and discharged or punished, or is actually upon his trial, within the territory of the other of the two high contracting parties, for the crime for which his extradition is demanded.

“If the person claimed on the part of the British Government, or if the person claimed on the part of the Government of San Marino, should be under examination, or be undergoing sentence under a conviction, for any other crime within the territories of the two high contracting parties respectively, his extradition shall be deferred until after he has been discharged, whether by acquittal or on expiration of his sentence, or otherwise.

“ARTICLE V.

“The extradition shall not take place if, subsequently to the commission of the crime, or the institution of the penal prosecution or the conviction thereon, exemption from prosecution or punishment has been acquired by lapse of time, according to the laws of the State applied to.

Extradition Treaty—Republic of San Marino.

“ ARTICLE VI.

“ A fugitive criminal shall not be surrendered if the offence in respect of which his surrender is demanded is one of a political character, or if he prove that the requisition for his surrender has in fact been made with a view to try or punish him for an offence of a political character.

“ ARTICLE VII.

“ A person surrendered can in no case be kept in prison, or be brought to trial in the State to which the surrender has been made, for any other crime, or on account of any other matters, than those for which the extradition shall have taken place, until he has been restored, or had an opportunity of returning, to the State by which he has been surrendered.

“ This stipulation does not apply to crimes committed after the extradition.

“ ARTICLE VIII.

“ The requisition for extradition shall be made in the following manner :

“ Application on behalf of Her Britannic Majesty’s Government for the surrender of a fugitive criminal in San Marino shall be made by Her Majesty’s Consul for the Republic of San Marino.

“ Application on behalf of the Republic of San Marino for the surrender of a fugitive criminal in the United Kingdom shall be made either direct by the Captains Regent or by the Consul of the Republic accredited to the British Government in London.

“ The requisition for the extradition of an accused person must be accompanied by a warrant of arrest issued by the competent authority of the State requiring the extradition, and by such evidence as, according to the laws of the place where the accused is found, would justify his arrest if the crime had been committed there.

“ If the requisition relates to a person already convicted, it must be accompanied by the sentence of condemnation passed against the convicted person by the competent court of the State that makes the requisition for extradition.

“ A sentence passed *in contumaciam* is not to be deemed a conviction, but a person so sentenced may be dealt with as an accused person.

“ ARTICLE IX.

“ If the requisition for extradition be in accordance with the foregoing stipulations, the competent authorities of the State applied to shall proceed to the arrest of the fugitive.

“ ARTICLE X.

“ If the fugitive have been arrested in the British dominions he shall forthwith be brought before a competent magistrate, who is to examine him, and to conduct the preliminary investigation of the case, just as if the apprehension had taken place for a crime committed in the British dominions.

Extradition Treaty—Republic of San Marino.

“ In the examinations which they have to make in accordance with the foregoing stipulations, the authorities of the British dominions shall admit as valid evidence the sworn depositions or the affirmations of witnesses taken in San Marino, or copies thereof, and likewise the warrants and sentences issued therein, and certificates of, or judicial documents stating the fact of, a conviction, provided the same are authenticated as follows :—

“ 1. A warrant must purport to be signed by a judge, magistrate, or officer of the Republic of San Marino.

“ 2. Depositions, or affirmations, or the copies thereof, must purport to be certified, under the hand of a judge, magistrate, or officer of the Republic of San Marino, to be the original depositions or affirmations, or to be the true copies thereof, as the case may require.

“ 3. A certificate of, or judicial document stating the fact of, a conviction must purport to be certified by a judge, magistrate, or officer of the Republic of San Marino.

“ 4. In every case such warrant, deposition, affirmation, copy, certificate or judicial document must be authenticated either by the oath of some witness, or by being sealed with the official seal and legalization of the Republic of San Marino ; but any other mode of authentication for the time being permitted by the law in that part of the British dominions where the examination is taken may be substituted for the foregoing.

“ ARTICLE XI.

“ If the fugitive has been arrested in the Republic of San Marino, his surrender shall be granted if, upon examination by a competent authority, it appears that the documents furnished by the British Government contain sufficient *prima facie* evidence to justify the extradition.

“ The authorities of the Republic shall admit as valid evidence records drawn up by the British authorities of the depositions of witnesses, or copies thereof, and records of conviction or other judicial documents, or copies thereof: Provided that the said documents be signed or authenticated by an authority whose competence shall be certified by the seal of a Minister of State of Her Britannic Majesty.

“ ARTICLE XII.

“ The extradition shall not take place unless the evidence be found sufficient, according to the laws of the State applied to, either to justify the committal of the prisoner for trial, in case the crime had been committed in the territory of the said State, or to prove that the prisoner is the identical person convicted by the courts of the State which makes the requisition, and that the crime of which he has been convicted is one in respect of which extradition could, at the time of such conviction, have been granted by the State applied to. In Her Britannic Majesty's dominions the fugitive criminal shall not be surrendered until the expiration of fifteen] days from the date of his being committed to prison to await his surrender.

Extradition Treaty—Republic of San Marino.

“ ARTICLE XIII.

“ If the individual claimed by one of the two high contracting parties in pursuance of the present treaty should be also claimed by one or several other powers, on account of other crimes or offences committed upon their respective territories, his extradition shall be granted to that State whose demand is earliest in date.

“ ARTICLE XIV.

“ If sufficient evidence for the extradition be not produced within two months from the date of the apprehension of the fugitive, or within such further time as the State applied to, or the proper tribunal thereof, shall direct, the fugitive shall be set at liberty.

“ ARTICLE XV.

“ All articles seized which were in the possession of the person to be surrendered, at the time of his apprehension, shall, if the competent authority of the State applied to for the extradition has ordered the delivery thereof, be given up when the extradition takes place, and the said delivery shall extend not merely to the stolen articles but to everything that may serve as a proof of the crime.

“ ARTICLE XVI.

“ The expenses of arresting, maintaining, and transporting the person whose extradition is applied for, as well as those of handing over and transporting the property and articles, which by the preceding article, must be restored or given up, shall be borne by the two States within the limits of their respective territories.

“ The expenses of transport or other necessary expenses by sea or through the territories of a third State shall be borne by the demanding State.

“ ARTICLE XVII.

“ Either of the high contracting parties who may wish to have recourse for purposes of extradition to transit through the territory of a third Power shall be bound to arrange the condition of transit with such third Power.

“ ARTICLE XVIII.

“ When in a criminal case of a non-political character either of the high contracting parties should think it necessary to take the evidence of witnesses residing in the dominions of the other, or to obtain any other legal evidence, a ‘ Commission Rogatoire ’ to that effect shall be sent through the channel indicated in Article VIII, and effect shall be given thereto conformably to the laws in force in the place where the evidence is to be taken.

Extradition Treaty—Republic of San Marino.

“ ARTICLE XIX.

“ The stipulations of the present treaty shall be applicable to the colonies and foreign possessions of Her Britannic Majesty, so far as the laws for the time being in force in such colonies and foreign possessions respectively will allow.

“ The requisition for the surrender of a fugitive criminal who has taken refuge in any of such colonies or foreign possessions may be made to the Governor or chief authority of such colony or possession by any person authorized to act in such colony or possession as a consular officer of the Republic of San Marino.

“ Such requisitions may be disposed of, subject always, as nearly as may be, and so far as the law of such colony or foreign possession will allow, to the provisions of this treaty, by the said Governor or chief authority, who, however, shall be at liberty either to grant the surrender or to refer the matter to his Government.

“ Her Britannic Majesty shall, however, be at liberty to make special arrangements in the British colonies and foreign possessions for the surrender of criminals from San Marino who may take refuge within such colonies and foreign possessions, on the basis, as nearly as may be, and so far as the law of such colony or foreign possession will allow, of the provisions of the present treaty.

“ Requisitions for the surrender of a fugitive criminal emanating from any colony or foreign possession of Her Britannic Majesty shall be governed by the rules laid down in the preceding articles of the present treaty.

“ ARTICLE XX.

“ The present treaty shall come into force ten days after its publication, in conformity with the forms prescribed by the laws of the high contracting parties. It may be terminated by either of the high contracting parties at any time on giving to the other six months' notice of its intention to do so.

“ The treaty shall be ratified and the ratifications shall be exchanged at Rome as soon as possible.

“ In witness whereof the respective Plenipotentiaries have signed the present treaty in duplicate in English and Italian, and have affixed thereto the seal of their arms.

“ Done at Florence, the 16th day of October, 1899.

“ [L.S.] CURRIE.
“ [L.S.] P. O. VIGLIANI.”

And whereas the ratifications of the said treaty were exchanged at Rome on the fifth day of December, one thousand eight hundred and ninety-nine:

Now, therefore, Her Majesty, by and with the advice of Her Privy Council, and in virtue of the authority committed to Her by the said recited Acts doth order, and it is hereby ordered, that from and after the nineteenth day of

Extradition Treaty—Republic of San Marino.

March, one thousand nine hundred, the said Acts shall apply in the case of San Marino, and of the said treaty with the Captains Regent of the Republic of San Marino :

Provided always, that the operation of the said Acts shall be and remain suspended within the Dominion of Canada so long as an Act of the Parliament of Canada passed in one thousand eight hundred and eighty-six, and entitled "An Act respecting the extradition of Fugitive Criminals," shall continue in force there, and no longer.

A. W. FITZROY.

Vide Canada Gazette, vol. xxxiii., p. 2556.

ORDERS

OF THE

GOVERNOR GENERAL IN COUNCIL

HAVING FORCE OF LAW



O T T A W A

PRINTED BY SAMUEL EDWARD DAWSON
LAW PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY
ANNO DOMINI 1900

ORDERS IN COUNCIL, &c.

Department of Agriculture.

By Order in Council of the 13th of March, 1900, in virtue of the provisions of section 2 of chapter 68 of the Revised Statutes of Canada, intituled "An Act respecting Quarantine," the Quarantine Regulations as made and amended by Orders in Council dated 18th August, 1898, and 4th April, 1899, respectively, were further amended by adding the following:—

To section 9 :

Subsec. *a.* Vessels arriving at any port in the province of Prince Edward Island from any port in any other province of the Dominion of Canada may from time to time be included in these regulations by order of the Minister of Agriculture, in which case these regulations shall apply to such vessels and their passengers and cargo, so far as the same are applicable thereto, in like manner as if such vessels had arrived from a port outside of Canada.

Vide Canada Gazette, vol. xxxiii., p. 1957.

By Proclamation dated the 13th of March, 1900, the amendment to the Quarantine Regulations made by the preceding Order in Council was published.

Vide Canada Gazette, vol. xxxiii., p. 2005.

By Order in Council of the 25th of April, 1900, under the provisions of section 5 of "The San José Scale Act," the Order in Council dated 18th March, 1898, was amended by striking out the words "with the exception of roses" after the words "greenhouse plants."

Vide Canada Gazette, vol. xxxiii., p. 2308.

Department of Customs.

Department of Customs.

By Order in Council of the 27th of June, 1899, under the provisions of the Customs Act, chapter 32 of the Revised Statutes, the name of the customs outport of entry now known as Loch Leven, under the survey of the port of Port Hood, in the province of Nova Scotia, was changed into the Outport of Broad Cove Mines.

Vide Canada Gazette, vol. xxxiii., p. 39.

By Order in Council of the 28th of July, 1899, under the provisions of sections 22 and 245 of the Customs Act (chapter 32 of the Revised Statutes), the preventive station of Welland, in the province of Ontario, was erected into an outport of customs and warehousing port, under the survey of the port of St. Catharines, from the 1st day of July, 1899.

Vide Canada Gazette, vol. xxxiii., p. 233.

By Order in Council of the 2nd of August, 1899, the Order in Council of the 10th February, 1898, establishing regulations in relation to the importation of petroleum in bulk in tank ships was cancelled, and new regulations were established as follows:—

REGULATIONS.

Petroleum which, when tested by the methods set forth in the Petroleum Inspection Act, will not flash at a lower temperature than 85° Fahrenheit may be imported in tank ships at the following customs ports and at any others which may from time to time be designated by the Governor General in Council, subject to the conditions hereinafter set forth, viz.:—Halifax, St. John, Quebec, Montreal, Prescott, Brockville, Kingston, Port Hope, Cobourg, Toronto, Hamilton, Port Dover, Port Stanley, Windsor, Sarnia, Goderich, Port Arthur, Owen Sound.

Provided, however, that petroleum imported in bulk shall not be discharged from any ship, vessel or barge into storage tanks which have not been approved by the Minister of Customs nor authorized for the storage of such petroleum by the local or municipal authorities of such place.

No such tank ship, vessel or barge, shall be permitted to discharge cargo at any port where such municipal regulations have not been established.

Petroleum in bulk shall not be imported in tank ships, vessels or barges, having case oil or other cargo on board.

Department of Customs.

Every tank ship, vessel or barge, not propelled by steam or other motive power on board thereof, shall be connected by iron or steel hawser with a steam tug of sufficient power for towing same while such tank ship, vessel or barge is in port in Canada, until discharged or cleared outwards.

Petroleum shall not be imported in bulk in tank ships, vessels or barges contrary to the provisions of the customs laws and coasting regulations.

Every tank ship arriving at any of the said ports having on board petroleum in bulk shall hoist a red flag bearing the word "Petroleum" and shall keep such flag flying during the hours of daylight, while any petroleum is on board and thereafter so long as she shall remain in Canadian waters, and during the same period shall by night display two red lights vertically not less than twenty feet above the deck.

Provided, that if the harbour master, or the person having control of the port, be satisfied that a ship after discharging the petroleum on board has been thoroughly emptied, cleaned and ventilated, he may dispense with the requirements of this rule.

Every tank ship, on entering such ports, shall, before taking up a position at any wharf or dock, report to the collector of customs and receive instructions as to where she shall take up her berth.

During the time any tank ship, having petroleum on board, is within Canadian waters no fire or lights except the electric light shall be used on board or in the immediate vicinity of the ship, while the tanks or petroleum compartments are open or are discharging petroleum or when the hatches are off; and no person on board shall smoke or carry matches.

But the regulations shall not be deemed to prohibit engine room fires properly banked up, or galley fires, nor, when the said tanks or compartments are not open, engine room fires necessary to get up steam to move from her anchorage to the wharf or from the wharf to go to sea, or in stress of weather.

The master of every tank ship arriving at any of the aforesaid ports, shall, on entering his vessel inwards, and before proceeding to the berth assigned to the said ship, declare in writing to the harbour master, or, in the absence of such, to the principal officer of customs:

(a.) What quantity of petroleum the ship is carrying.

(b.) The number of compartments or tanks in which the oil is stored.

(c.) The nature and quality of the oil, and whether it is covered by any or what certificate, as to the temperature at which the oil gives off an inflammable vapour.

If the master of any tank ship produces a certificate, under the hand of any duly authorized Dominion official, that the said oil has been tested as required by law and does not give off an inflammable vapour at a temperature less than 85° Fahrenheit, and makes a statutory declaration that all the petroleum on board is covered by such certificate, the harbour master, or officer of customs in absence of such harbour master, may give the ship permission to at once proceed to such wharf as he may designate.

Where no such certificate is produced the collector of customs shall cause an officer to take samples from each compartment or tank and shall cause such samples to be forthwith submitted to an officer of customs or inland revenue duly qualified to test the same, and if said samples be found to comply with

Department of Customs.

the provisions of the Act, the harbour master or collector of customs may forthwith authorize such tank ship to proceed to such wharf as he may designate to discharge.

But if such samples are certified to give off at a lower temperature than 85° Fahrenheit an inflammable vapour, the vessel containing the same shall be ordered to leave Canadian waters immediately.

The discharge of petroleum imported in bulk from a tank ship shall be effected by means of a hose and wrought iron pipe between sunrise and sunset.

No discharge of petroleum, whether mixed with water or not, shall be permitted into the harbour from any tank ship.

The discharge of petroleum from any one tank ship shall not occupy more than twenty-four (24) working hours, unless the time has been extended by the harbour master for sufficient and specific reasons.

No other ship or vessel of any kind, except the steam tug in attendance, shall go alongside any wharf at which a tank ship is discharging her cargo.

Every tank ship shall, as soon as the cargo has been discharged, be cleaned and ventilated by the removal of all oil and vapour, unless she forthwith, with the permission of the harbour master, proceed to leave the waters of Canada.

The foregoing regulations shall also apply under the provisions of the Petroleum Inspection Act, 1899, when such Act is proclaimed.

Vide Canada Gazette, vol. xxxiii., p. 275.

By Order in Council of the 9th of September, 1898, the written declaration prescribed in section 46 of the Customs Act to be signed by the owner, importer or consignee of goods and distinctly referring to the invoice was dispensed with.

Vide Canada Gazette, vol. xxxiii., p. 372.

By Order in Council of the 17th of August, 1899, the regulations approved by Order in Council of the 4th November, 1890, respecting the export of deer, were repealed, and the following regulations respecting the export of "home bred deer" were made:—

"Any person who wishes to export any carcass or parts thereof of deer, raised or bred upon his own land or upon lands owned by a company or association of persons of which he is a member, shall make affidavit upon the face of the export entry to the effect that the deer, the carcass or parts whereof is so entered for exportation, was raised or bred upon his own lands or upon lands owned or held by a company or association of persons of which he is a member (describing the location of such lands, and naming the association or company holding the same)."

Vide Canada Gazette, vol. xxxiii., p. 378.

Department of Customs.

By Order in Council of the 19th of August, 1899, syrup or molasses of cane or beet, testing under 35 degrees by the polariscope, for use in the manufacture of compressed food for live stock, when imported by the manufacturers of such food, to be used for such manufacture only in their own factories, was transferred to the list of goods which may be imported free of duty.

Vide Canada Gazette, vol. xxxiii., p. 376.

By Order in Council of the 19th of August, 1899, regulations respecting the export of deer shot by persons not domiciled in Canada, were made and established as set forth in the Gazette.

Vide Canada Gazette, vol. xxxiii., p. 376.

By Order in Council of the 4th of January, 1900, the name of the outport of Cramahe, in the province of Ontario, was changed to Colborne, from the 1st of January, 1900.

Vide Canada Gazette, vol. xxxiiii., p. 1410.

By Order in Council of the 27th of January, 1900, under the provisions of sections 22 and 245 of the Customs Act, chapter 32 of the Revised Statutes, the customs outport of Bedlington, under the survey of the port of Nelson in the province of British Columbia, was detached from that port and placed under the survey of the port of Kaslo, in the said province.

Greenwood, in the province of British Columbia, was erected into an outport of customs and warehousing port, under the survey of the port of Grand Forks in the said province.

Moosejaw, in the North-west Territories, was erected into an outport of customs and a warehousing port, under the survey of the port of Calgary, in the said North-west Territories.

The whole to take effect from the 1st of February, 1900.

Vide Canada Gazette, vol. xxxiii., p. 1659.

By Order in Council of the 23rd of March, 1900, under the provisions of sections 22 and 245 of the Customs Act (chapter 32 of the Revised Statutes), Drummondville, in the province of Quebec, was erected into an outport of customs and a warehousing port, under the survey of the port of St. Hyacinthe, in the said province, to take effect from the 1st of April, 1900.

Vide Canada Gazette, vol. xxxiii., p. 2056.

By Order in Council of the 31st of March, 1900, under the provisions of sections 22 and 245 of the Customs Act (chapter 32 of the Revised Statutes),

Department of Customs.

Melita, in the province of Manitoba, was established as an outport of entry and a warehousing port, under the survey of the port of Brandon, in the said province, from the 1st of April, 1900.

Vide Canada Gazette, vol. xxxiii., p. 2107.

By Order in Council of the 21st of April, 1900, under the provisions of sections 22 and 245 of the Customs Act (chapter 32 of the Revised Statutes) North Bay, in the province of Ontario, was erected into a customs outport of entry and a warehousing port, under the survey of the port of Ottawa, in the said province, from the 1st of July, 1900.

Vide Canada Gazette, vol. xxxiii., p. 2428.

By Order in Council of the 22nd of May, 1900, under the provisions of the Customs Act, regulations respecting bonding warehouses in Canada were made and established as follows :—

REGULATIONS RESPECTING BONDING WAREHOUSES IN CANADA.

General Provisions.

(f.) The bond required of the master of a packet steamer or other vessel on application for a sufferance wharf or sufferance warehouse may be executed by the owner of such steamer or other vessel, instead of by the master.

(g.) If a deficiency be found in the quantity of goods remaining in warehouse, when compared with the quantities originally warehoused by an importer, after deducting thereout the quantities accounted for by the entries thereof ex-warehouse, then in such cases the duty on the quantity found deficient as aforesaid shall be paid to the collector of customs before the ex-warehousing of such remaining goods.

(h.) When so required by the Minister of Customs, in respect of any article, or place to which the article is exported, the certificate or proof that the goods exported from a customs warehouse have been landed or delivered at the place for which they are entered outwards, shall be signed by such person as the said Minister may designate for such purpose; and said certificate or proof, in writing, shall, within the time prescribed, be produced to the collector of customs at the port where the goods have been entered outwards.

The Minister of Customs may, in respect of any goods exported from a customs warehouse require a bond with sufficient security for the landing and delivery thereof, at the place for which they are entered outwards.

Vide Canada Gazette, vol. xxxiii., p. 2516.

Department of Customs.

By Order in Council of the 26th of May, 1900, under the provisions of the Customs Act, and the Acts in amendment thereto, the following regulations respecting customs entries and statistical returns of goods exported from Canada were made, to take effect from 1st of July, 1900:—

REGULATIONS.

1. Export entries in duplicate for statistical purposes shall be delivered to the collector of customs at the last port in Canada through which goods for exportation pass outwards for places beyond the limits of Canada when exported by land, and at the port where laden on the exporting ship if the goods be exported by water—each such port being herein designated as “the port of exit from Canada.”

2. Goods not liable to any export duty, and other than are exported under customs or excise bonds shall be reported and entered outwards at the port of exit from Canada *in duplicate* in accordance with the form schedule “A,” approved by Order in Council of 15th November, 1897 (known as Customs form B 13).

Goods exported under customs or excise bonds, and goods liable to export duty shall be reported and entered for export in accordance with the special forms prescribed therefor.

3. All goods laden at an inland port or place in Canada, consigned as for exportation, shall be accompanied by an export entry prepared in duplicate and signed by the owner of the goods exported or by his agent, in the presence of a subscribing witness in the prescribed form B 13, except as to goods under customs or excise bond, or subject to export duty. Such entries for export shall be delivered by the carrier of the goods to the collector of customs at the port of exit from Canada, and shall serve, in respect of such goods, in lieu of the entry for export heretofore required to be made at the nearest custom-house.

4. The penalties provided in the Customs Act and the Acts in amendment thereto, in respect of goods exported, carried or conveyed contrary to any regulations made by the Governor in Council, shall apply in respect of all exported goods which have been exported, carried or conveyed without delivery of the export entry thereof to the collector of customs at the port of exit from Canada.

5. Railway companies, steamship companies, express companies and other carriers engaged in the exportation of goods are required to strictly observe the law in respect to the export entry of goods carried by them for export from Canada, taking particular care that the *quantities* and *values* of the goods exported are accurately stated.

6. The collector at the port of exit shall number export entries consecutively and shall keep a register thereof in the form prescribed by the Minister of Customs. He shall forward by mail promptly addressed to the Commissioner of Customs, Ottawa, for compilation, one copy of each export entry as received from day to day, numbered consecutively as aforesaid, and plainly marked with the stamp of the port of exit.

Vide Canada Gazette, vol. XXXIII., p. 2516.

Department of Customs.

By Order in Council of the 9th of June, 1900, the following regulations respecting entry of traveller's commercial samples under the British Preferential Tariff, were made :—

“Dutiable commercial samples (from the United Kingdom or other British country), accompanying a commercial traveller through an intermediate country into Canada, may be entered at the custom-house, under the British Preferential Tariff, upon proof by certificate or affidavit to the satisfaction of the collector at the port of entry, that the samples are bona fide the produce of the manufacture of the United Kingdom or other British country admitted to the benefits of the British Preferential Tariff in Canada.”

Vide Canada Gazette, vol. xxxiii., p. 2602.

By Order in Council of the 12th of June, 1900, under the provisions of sections 22 and 245 of the Customs Act (chapter 32 of the Revised Statutes), Rondeau and Blenheim, in the province of Ontario, were erected into an outpost of customs and a warehousing port, under the survey of the port of Chatham, in the said province, on and from 1st of July, 1900.

Vide Canada Gazette, vol. xxxiii., p. 2662.

By Order in Council of the 21st of June, 1900, Norwich, in the province of Ontario, was erected into a customs outpost and a warehousing port under the survey of the port of Brantford in the said province, to take effect from 1st of July, 1900.

Vide Canada Gazette, vol. xxxiii., p. 2709.

Department of Inland Revenue.

Department of Inland Revenue.

By Order in Council of the 2nd of August, 1899, under the provisions of chapter 97 of the Revised Statutes, "An Act respecting Ferries" and Acts amending the same, regulations were made for the governance of a ferry across the Niagara River between the city of Buffalo in the state of New York; and Point Albino in the township of Bertie, county of Welland and province of Ontario.

Vide Canada Gazette, vol. xxxiii., p. 275.

By Order in Council of the 12th of August, 1899, the regulations in respect of ships' stores made and established by the Order in Council of 29th July, 1897, were amended by cancelling the third paragraph of said regulations and substituting the following in lieu thereof:—

"3. The owner or agent of such vessels shall give a written guarantee to the collector of inland revenue that such goods shall only be used upon such vessels while on the high seas, and shall in no case be relanded in Canada, without the specific permission of the department obtained in each case."

Vide Canada Gazette, vol. xxxiii., p. 319.

By Order in Council of the 16th of August, 1899, under the provisions of chapter 104 of the Revised Statutes of Canada, "An Act respecting Weights and Measures," and Acts amending the same, amendments and additions were made to the weights and measures regulations established by the Governor in Council on the 17th December, 1898.

Vide Canada Gazette, vol. xxxiii., p. 376.

By Order in Council of the 16th of August, 1899, under the provisions of chapter 104 of the Revised Statutes of Canada, "An Act respecting Weights and Measures," and Acts amending the same, it was ordered that the fees authorized to be charged for the inspection of wooden measures of capacity should be deemed to be the fees to cover the inspection of measures of capacity made of wood and metal combined according to schedule set forth.

Vide Canada Gazette, vol. xxxiii., p. 377.

By Order in Council of the 16th of August, 1899, under the provisions of section 1, chapter 99 of the Revised Statutes of Canada, and Acts amending the same, the city of Three Rivers and the counties of Three Rivers, St. Maurice, Maskinongé and Champlain, in the province of Quebec, were constituted a district for purposes of the inspection of leather and raw hides.

Vide Canada Gazette, vol. xxxiii., p. 378.

Department of Inland Revenue.

By Proclamation dated the 19th day of August, 1899, the Act passed by the Parliament of Canada, in the session thereof held in the sixty-second and sixty-third years of the present reign, chaptered twenty-seven, and intituled: "An Act respecting the Inspection of Petroleum and Naphtha," was brought into force upon, from and after the first day of September, in the year one thousand eight hundred and ninety-nine.

Vide Canada Gazette, vol. xxxiii., p. 369.

By Order in Council of the 21st of September, 1899, under the provisions of chapter 97 of the Revised Statutes, intituled "An Act respecting Ferries," and the Act 51 Victoria, chapter 23, amending the same, amended regulations were made for the governance of the ferry plying across the Niagara River between Fort Erie, in the county of Welland, and province of Ontario, and Buffalo, in the state of New York, and the previous regulations were cancelled.

Vide Canada Gazette, vol. xxxiii., p. 620.

By Order in Council of the 5th of February, 1900, section 56 of the Tobacco Regulations, established by Order in Council of the 12th September, 1892, was amended by adding after the words "at equal distances from each end" the following, "or at such other place as may be specifically authorized by the Minister of Inland Revenue."

Vide Canada Gazette, vol. xxxiii., p. 1658.

By Order in Council of the 5th of February, 1900, under the provisions of the Inland Revenue Act, chapter 34 of the Revised Statutes, the Order in Council of the 22nd of March, 1898, for the governance of licensed bonded manufacturers was cancelled and the following clause was substituted as clause 9 of the previous Order in Council of the 25th March, 1892:—

"9. Dutiable vinegar produced in any bonded factory shall over and above the quantity of vinegar taken for 'Mix,' i. e. used in the further production of vinegar, be in the proportion of 100 gallons of standard vinegar, containing 6% of acetic acid, to 25 gallons of proof spirits taken into the manufactory and used for its production, with such addition to the standard quantity of vinegar as may, in the opinion of the Minister of Inland Revenue, be fairly due to any other article, such as sour beer, wine, or any other like article brought into the manufactory, in addition to the alcohol used for its production."

It was also ordered that this amended regulation should apply to all transactions in the bonded factories during the currency of the present fiscal year.

Vide Canada Gazette, vol. xxxiii., p. 1658.

Department of Inland Revenue.

By Order in Council of the 2nd of March, 1900, the following regulation was made in respect of spirits exported in bond to foreign markets:—

REGULATION.

Under authority granted by section 151 of the Inland Revenue Act, the Department of Inland Revenue may refund to any licensed distiller, in respect of spirits exported, any sums he may be called upon to pay in respect of duties upon deficiencies in excess of the full legal allowance permitted by the 2nd subsection of paragraph (d) of section 131 of such Act :

Provided: 1st. That the said spirits shall have been in bond not less than seven years ;

2nd. That whatever length of time beyond the said seven years it may be stored, the deficiency allowed shall not in respect of any specific package exceed thirty-one per cent of the quantity originally warehoused.

This regulation shall be deemed to have gone into force from 1st July, 1899.

Vide Canada Gazette, vol. xxxiii., p. 1908.

Department of the Interior.

Department of the Interior.

By Proclamation dated July 29, 1897, under the Land Titles Act (1894) 57-58 Vic., chap. 28, the Provisional District of Yukon was constituted a Land Registration District for the purposes of the said Act, to be known and designated as the Yukon Land Registration District, the constitution of the said district to take effect so soon as a Registrar should be appointed.

Vide Canada Gazette, vol. xxxiii., p. 1215.

By Order in Council of the 15th of May, 1899, the Orders in Council of the 11th of October, 1894, the 29th of April, 1895, the 6th of April, 1896, the 7th of July, 1896, the 8th of July, 1896, the 24th of April, 1897, the 14th July, 1897, and the 17th July, 1897, passed under authority of the provisions of the North-west Irrigation Act, prescribing certain rules, regulations and forms in connection with the administration of the said Act, were rescinded preparatory to the issue of new regulations in conformity to the North-west Irrigation Act of 1898.

Vide Canada Gazette, vol. xxxiii., p. 183.

By Order in Council of the 13th of June, 1899, the regulations governing the disposal of quartz mining claims in Manitoba, the North-west Territories and the Yukon Territory, and also for the granting of entries for placer claims in the Yukon Territory, were amended by leaving out the word "in person" wherever they may occur in the said regulations in connection with issue of a free miner's certificate.

Vide Canada Gazette, vol. xxxiii., p. 1477.

By Order in Council of the 5th of July, 1899, the provision in sections 14 and 15 of the regulations for the disposal of Dominion lands within the Railway Belt in the province of British Columbia, established by the Order in Council of the 17th September, 1887, as well as by the Order in Council of the 17th September, 1889, chapter 100 of the Consolidated Orders in Council of Canada, for the reservation to the Crown of the timber on lands homesteaded in said Railway Belt was rescinded, and all persons who have received homestead entry for lands within such Railway Belt prior or subsequent to the above date, became entitled to the timber on their homestead free of dues.

It was also ordered that this provision should not apply to any timber heretofore granted or in respect of which any license or permit to cut has been issued to any other person or corporation; nor to timber for which dues have either been paid or are due to the Crown.

Vide Canada Gazette, vol. xxxiii., p. 124.

Department of the Interior.

By Order in Council of the 2nd of August, 1899, under the provisions of the Land Titles Act, 1894, the Lands Titles Office for the Yukon Land Registration District was established at Dawson instead of Fort Cudahy.

Vide Canada Gazette, vol. xxxiii., p. 371.

By Order in Council of the 18th of August, 1899, certain swamp lands (indicated in a list marked A,) which had been transferred to the province of Manitoba, were re-transferred to the Dominion of Canada in exchange for certain other lands (indicated in a list marked B,) the whole in connection with the Spruce Woods Timber Reserve.

Vide Canada Gazette, vol. xxxiii., p. 771.

By Order in Council of the 5th of September, 1899, the Minister of the Interior was authorized to issue permits for the importation into the Yukon Territory of spirituous and malt liquors or other intoxicants, upon the following conditions:—

1. That each permit so issued by the Minister of the Interior, shall be signed by such officer as the Minister may designate for the purpose.

2. That the fee to be paid for each permit shall be the sum of \$2.00 per gallon under proof, and that such fees shall be and become part of the liquor revenue of the Yukon Territory.

3. That any person taking or importing or attempting to take or import spirituous or malt liquors or other intoxicants into the Yukon Territory who has not first obtained a permit from the Minister of the Interior in the manner hereinbefore mentioned, shall be liable to the penalties provided by the Ordinance in that behalf enacted by the Commissioner in Council of the Yukon Territory.

Vide Canada Gazette, vol. xxxiii., p. 532.

By Order in Council of the 7th of October, 1899, section 39 of the regulations governing placer mining in the Yukon District was repealed, and the following substituted therefor:—

“Any free miner having duly located and recorded a claim shall be entitled to hold it for a period of one year from the recording of the same, and thence from year to year by re-recording the same, provided, however, that during each year and each succeeding year such free miner shall do, or cause to be done, work on the claim itself to the value of two hundred dollars and shall satisfy the Mining Recorder that such work has been done, by an affidavit of the free miner corroborated by two reliable and disinterested witnesses setting out a detailed statement of the work done, and shall obtain from the Mining Recorder a certificate of such work having been done, for which a fee of \$2 will be charged ;

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“ Provided that all work done outside of a mining claim with intent to work the same shall, if such work has direct relation and is in direct proximity to the claim, be deemed, if to the satisfaction of a responsible Government officer, to be work done on the claim for the purposes of this section ;

“ Provided, further, that any free miner or company of free miners holding adjoining claims not exceeding eight in number may, notwithstanding anything in the regulations to the contrary, work the same in partnership under the provisions of the regulations upon filing a notice of their intention with the Mining Recorder and upon obtaining a certificate from him, for which a fee of two dollars will be charged. This certificate will entitle the holders thereof to perform on any one or more of such claims all the work required to entitle him or them to a certificate of work for each claim so held by him or them. If such work shall not be done, or if such certificate shall not be so obtained and recorded in each and every year, the claim shall be deemed to be abandoned.

“ The holder of a claim may at his option, in lieu of the work required to be done thereon each year, pay to the Mining Recorder in whose office the claim is recorded the sum of two hundred dollars for each of the first three years, but for the fourth and succeeding years the sum of four hundred dollars must be paid in lieu of work done on the location or in connection therewith as provided by the regulations. A certificate from the Mining Recorder that such payment has been made shall relieve the person making it from the necessity of doing any work during the year.

“ If at the end of the year the annual amount of work has not been performed, nor the commutation fee paid, as above stated, the sum of \$250 shall be charged against the claim, and the said amount shall constitute a lien on such claim, and no transfer of title to such claim shall be recorded until the said amount of \$250 shall have been paid to the Mining Recorder.

“ If the lien is not discharged by payment at the expiration of three months from the end of the year, the claim shall revert to the Crown, and shall not be open for re-location, and may be disposed of as the Minister of the Interior may direct.

“ No claim forfeited from whatever cause shall be re-located, but every such claim shall revert to the Crown to be disposed of as the Minister of the Interior shall direct.

“ Any amounts received in lieu of assessment work shall form part of the Consolidated Revenue.”

Vide Canada Gazette, vol. xxxiii., p. 914.

By Order in Council of the 7th of October, 1899, the Order in Council of the 5th September, 1899, fixing the conditions for the importation into the Yukon Territory of spirituous and malt liquors or other intoxicants was cancelled, and the Minister of the Interior was authorized to issue permits for the importation into the Yukon Territory of spirituous and malt liquors or other intoxicants upon the following conditions:—

1. That each permit so issued by the Minister of the Interior shall be signed by such officer as the Minister may designate for the purpose.

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2. That the fee to be paid for each permit shall be the sum of two dollars per gallon of strength to be in each case, if necessary, specified in permit, and that such fees shall be and become part of the liquor revenue of the Yukon Territory.

3. That any person taking or importing or attempting to take or import spirituous or malt liquors or other intoxicants into the Yukon Territory who has not first obtained a permit from the Minister of the Interior in the manner hereinbefore mentioned shall be liable to the penalties provided by the Ordinance in that behalf enacted by the Commissioner in Council of the Territory.

Vide Canada Gazette, vol. xxxiii., p. 1854.

By Order in Council of the 24th of October, 1899, authority was given to issue leases without competition to such applicants as can satisfy the Commissioner of the Yukon Territory that the applicant himself, or a person acting for him, was upon and actually prospected, prior to the 3rd December, 1898, the location applied for, and upon compliance otherwise with the provisions of the said regulations.

Vide Canada Gazette, vol. xxxiii., p. 966.

By Order in Council of the 27th of October, 1899, the action taken by the Minister of the Interior in dealing with the claims on Dominion Creek reserved for the Crown, was approved, and he was authorized to dispose of any claims and fractions in the Yukon Territory reserved for the Crown in such manner as he may decide.

Vide Canada Gazette, vol. xxxiii., p. 966.

By Order in Council of the 27th of October, 1899, under the Act 62-63 Vic., chap. 18, authority was granted to the Minister of the Interior to execute releases of the sureties upon any bond given to secure repayment for seed grain furnished by the Crown to persons in the North-west Territories in every case where, upon inquiry, it is shown to the satisfaction of the Minister of the Interior that land owned by, or entered as a homestead by, the primary debtor is liable and is in the opinion of the Minister sufficient security for the sum owed by the primary debtor; under the following circumstances:—

First; in which the primary debtor has already secured a patent for his land and the bond from which the sureties are to be discharged is either the only encumbrance against such land, or, where there are other encumbrances affecting the land such bond takes priority of all other of such encumbrances except such of them only as may be in favour of the Crown;

Second; in which although letters patent have not yet issued for the land of the primary debtor he has applied for and established his right under the provisions in that behalf contained in the Dominion Lands Act, and its amendments, to a certificate of recommendation for patent, and in which the

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bond from which the sureties are to be discharged is either the only encumbrance against such land, or, where there are other encumbrances affecting the land, such bond takes priority of all other of such encumbrances except such of them only as may be in favour of the Crown; and

Third; in any other case in which though letters patent for the land which is held by the primary debtor as a homestead, have not been applied for, it is shown to the satisfaction of the Minister of the Interior that such land is liable to the bond from which the sureties thereto desire to be released and discharged, and is in the opinion of the said Minister sufficient security for the sum owed upon such bond by the primary debtor.

Vide Canada Gazette, vol. xxxiii., p. 1217.

By Order in Council of the 1st of December, 1899, under the provisions of the 4th section of chapter 47 of the Revised Statutes of Canada, certain lands, comprising an area of 148,811.39 acres, as set forth in Schedule attached, of lands selected by the Commission appointed to select swamp lands to be granted to the province of Manitoba under the said Act, and which have been found available, were vested in Her Majesty Queen Victoria for the purposes of the province of Manitoba.

Vide Canada Gazette, vol. xxxiii., p. 1217.

By Order in Council of the 23rd of January, 1900, the annual rental of timber berths situated between Eagle Pass and Yale B. C., were reduced from five cents an acre to five dollars per square mile, and the regulations established by the Order in Council of the 1st July, 1898, were amended accordingly.

Vide Canada Gazette, vol. xxxiii., p. 2007.

By Order in Council of the 30th of January, 1900, the Order in Council of the 16th day of March, 1894, concerning the issue of leases of school lands in the North-west Territories for grazing purposes, was amended by providing that the notice required to be given to the lessee under clause 1 of the terms and conditions of the said Order in Council shall be three months instead of one year.

Vide Canada Gazette, vol. xxxiii., p. 1783.

By Order in Council of the 30th of January, 1900, the regulations governing placer mining in the Yukon Territory established by the Order in Council of the 18th January, 1898, and amendments thereof, were amended as follows:—

1. That the following be substituted for section 33 of the regulations:—
 “Any free miner having duly located a claim may obtain an entry therefor for one or five years by paying to the Mining Recorder in advance a fee of \$15.00 for one year or \$75.00 for five years.”

Department of the Interior.

2. That section 39 of the regulations be amended by leaving out the words "Any free miner having duly located and recorded a claim shall be entitled to hold it for a period of one year from the recording of the same," and substituting therefor the following provision: "Any free miner having duly located and recorded a claim shall be entitled to hold it for the period for which he received an entry."

Vide Canada Gazette, vol. xxxiii., p. 1907.

By Order in Council of the 12th of February, 1900, in amendment of clause 3 of the regulations governing the administration of Dominion lands in the Provisional District of the Yukon established by Order of the Governor General in Council on the 7th July, 1898, the making of the lots and streets of the town sites of the Yukon Territory of such size and width as may be found advisable, was authorized.

Vide Canada Gazette, vol. xxxiii., p. 1854.

By Order in Council of the 20th of February, 1900, the regulations governing placer mining in the Yukon Territory, established by an Order of the Governor in Council dated 18th January, 1898, and amended by subsequent Orders in Council, were amended as follows:—

1. That clause 2 which provides that a free miner's certificate may be granted for one year shall be and is hereby amended so that a certificate may be issued for one or more years not exceeding five, upon payment in advance of the fees prescribed by the regulations for each year covered by the certificate.

2. That clause 19, which provides that the discoverer of a new mine shall be allowed one claim of 500 feet in length; that a party of two discoverers shall be allowed two claims amounting together to 1000 feet in length, and that each member beyond two in number, a claim of the ordinary size, shall be and is hereby amended by giving to one discoverer a claim of 1000 feet in length, and to a party of two discoverers two claims amounting together to 1500 feet in length, and that no royalty shall be imposed on the output of such claims.

3. That the definition of the rear boundaries of claims as specified in clauses 10, 11, 12, and 13 shall be and is hereby amended by providing that the rear boundaries of a creek or gulch claim which run in the general direction of the creek or gulch be defined by measuring 1000 feet on each side of the centre of the stream or gulch; that the boundary of a river claim which runs in the general direction of the river be defined by measuring 1000 feet from low water mark of the river; and that the rear boundary of a hill claim shall be defined by measuring 1000 feet from its front boundary.

4. That all claims for which entries have been granted in the past, may be defined in the manner specified in the preceding paragraph by order of the Gold Commissioner on the application of the registered owner thereof, where such proceeding will not interfere with any mining claim or property owned or held by any other person.

Vide Canada Gazette, vol. xxxiii., p. 2259.

Department of the Interior.

By Order in Council of the 2nd of March, 1900, in amendment of the regulations established by Order in Council of July 7, 1898, the price of lands situated south of White Horse Rapids in the Yukon Territory, not adjacent to a line of railway, a river or other water course, was reduced to a figure varying from \$2.50 to \$5 per acre, according to the quality of the soil and the position of the land to be sold; and the maximum area to be sold to one applicant was fixed at one thousand acres.

Vide Canada Gazette, vol. xxxiii., p. 2006.

By Order in Council of the 2nd of March, 1900, clause 3 of the regulations for the disposal of mining locations in the Yukon Territory to be worked by hydraulic or other mining process, made by Order in Council of 3rd December, 1898, as amended by Order in Council dated 24th October, 1899, was amended to read as follows :—

“To any person who files an application in the Department of the Interior at Ottawa for a location previously prospected by him, or his authorized agent at the time the location was prospected, a lease will be issued provided he is the first qualified applicant therefor. Before the issue of any such lease there shall be filed in the Department of the Interior at Ottawa a report from the Gold Commissioner to the effect that it has been proved to his satisfaction that the applicant himself, or a person acting for him, was upon and actually prospected, prior to the date of the application, the ground included in the location and that the ground included in the location is not being worked and is not suitable to be worked under the regulations governing placer mining.”

Vide Canada Gazette, vol. xxxiii., p. 2198.

By Order in Council of the 2nd of March, 1900, it was ordered as follows :—

“Surveys of claims already made by a Dominion Land Surveyor either employed by the Dominion Government or by the miners themselves, shall, if approved by the Commissioner of the Yukon Territory, and after a notice of such survey being advertised for three months in one of the newspapers published at Dawson, if unopposed, be made to define absolutely the boundaries of the claims surveyed; and if at any time a holder of a claim should wish to have his boundaries defined, he may employ a Dominion Land Surveyor to make a survey thereof, and after publishing a notice in the manner above mentioned, such survey shall define the boundaries of the claims surveyed. If, within three months from the time such notice is published, the survey is protested, the protest shall be heard and decided upon by the Gold Commissioner. The survey of all claims shall be made under instructions from the Commissioner of the Yukon Territory and approved by him before they can be accepted as defining the boundaries of the claims surveyed.”

Vide Canada Gazette, vol. xxxiii., p. 2260.

Department of the Interior.

By Order in Council of the 6th of March, 1900, in amendment of certain Orders in Council respecting lands set apart for settlement exclusively by Mennonites, it was ordered that on proof being submitted in the usual manner by any one of the Mennonite settlers that he has resided for not less than six months in each of three years in the village appurtenant to his land, that he is the owner of a habitable house therein, and has cultivated his share of the land in connection therewith, and is in all respects a *bona fide* settler, a patent should be issued to him for the land held by him under homestead entry.

Vide Canada Gazette, vol. xxxiii., p. 2604.

By Order in Council of the 20th of March, 1900, clause 7 of the regulations of February 28, 1898, for the issue of licenses to cut timber on lands in the Yukon Territory, was amended to read as follows:—

“The licensee shall pay a royalty of \$2 per thousand feet B.M., upon the sales of lumber manufactured from the timber cut on his berth; and for timber used for cordwood or ties, the dues shall be as follows: cordwood, fifty cents per cord; ties, six cents each; and ten per cent on the sales of all other products of the berth.”

Vide Canada Gazette, vol. xxxiii., p. 2106.

By Order in Council of the 3rd of April, 1900, the regulations for the governance of quartz mining as established by Order in Council of 21st March, 1898, and as amended, were made to apply to the province of Manitoba, the North-west Territories, the Yukon Territory and the Provisional Districts of Ungava, Keewatin, Mackenzie and Franklin.

Authority was also given to the Minister of the Interior to allow an agent to stake out, on behalf of himself and others, any number of locations in the Provisional District of Ungava, not exceeding one hundred, provided that only one location can be staked and recorded for one applicant in the manner prescribed by the said regulations.

Vide Canada Gazette, vol. xxxiii., p. 2259.

By Order in Council of the 3rd of April, 1900, the Order in Council of the 2nd March, 1900, requiring the insertion in letters patent for Dominion lands, in the Yukon Territory, of a clause reserving to Her Majesty the water rights as to streams, lakes, &c., was amended by the substitution of the following clause in lieu of the clause therein set forth:—

“Saving, excepting and reserving, nevertheless, unto Us, Our successors and assigns, all navigable and other waters that now are or may be hereafter found on, under or adjoining, or flowing through, upon or alongside, of the said parcel or tract of land or any part thereof, and the land forming the bed or shore of such waters together with the free uses, passages and enjoyment

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of, in, over and upon such waters, including the right to divert and use and to grant to others the right to divert and use the same for any purpose at Our and their pleasure free from any claim of the..... and assign as riparian proprietor or otherwise howsoever.”

Vide Canada Gazette, vol. xxxiii., p. 2106.

By Order in Council of the 17th of April, 1900, section 22 of the regulations for the survey, administration, disposal and management of Dominion lands within the forty mile Belt in the province of British Columbia, established by Order in Council of 20th April, 1885, was amended by ordering that all such lands therein mentioned in the Railway Belt already entered for and for which payment has not yet been made, and all lands hereafter entered for under the homestead provisions of the regulations, shall not be made subject to the payment of \$1 an acre, but that they shall be treated similarly in this respect to similar lands in Manitoba and the North-west Territories.

It was also further ordered that subsection (a) of section 22 of the said regulations, which reads as follows:—

“Section 22 (a). At the expiration of three years from the date of his perfecting his homestead entry, the settler or, in case of his death, his legal representatives, upon proving to the satisfaction of the local agent that he, or they, or some of them, have resided upon and cultivated the land during the said term of three years, shall be entitled to a patent for the land, provided such proof is accepted by the Commissioner of Dominion Lands, or, in his absence by a member of the Land Board, and on payment of one dollar per acre for the land; provided also that the patent therefor shall not issue to any person not then a subject of Her Majesty by birth or naturalization,” be amended by striking out the words “and on payment of one dollar per acre for the land” which appear on the seventh and eighth lines of the said subsection (a) of section 22 of the printed regulations.

Vide Canada Gazette, vol. xxxiii., p. 2361.

Department of Justice.

Department of Justice.

By Order in Council of the 5th of June, 1899, an Act of the province of British Columbia, chaptered 44, and intituled "An Act to amend the Tramway Incorporation Act," was disallowed.

Vide Canada Gazette, vol. xxxiii., p. 39.

By Order in Council of the 5th of June, 1899, an Act of the province of British Columbia, chaptered 28 and intituled "An Act relating to the employment of Chinese or Japanese persons on works carried on under franchises granted by private Acts," was disallowed.

Vide Canada Gazette, vol. xxxiii., p. 39.

By Order in Council of the 27th of October, 1899, in virtue of the provisions of section 5 of chapter 29 of the Act 54-55 Victoria, intituled "An Act to provide for the exercise of Admiralty Jurisdiction within Canada in accordance with the 'Colonial Courts of Admiralty Act, 1890,'" that part of Canada defined as the Yukon Territory under the Act 61 Victoria, chapter 6, intituled "An Act to provide for the government of the Yukon District," was constituted an Admiralty District for the purposes of the said Act (54-55 Victoria, chapter 29); and a registry of the Exchequer Court of Canada on its Admiralty side was established at the City of Dawson in the said Yukon Territory.

Vide Canada Gazette, vol. xxxiii., p. 2560.

By Order in Council of the 24th of April, 1900, certain statutes passed by the Legislative Assembly of the province of British Columbia, to wit: chapter No. 39, intituled "An Act respecting Liquor Licenses"; chapter No. 44, intituled "An Act to grant a subsidy to a railway from Midway to Penticton"; chapter No. 46, intituled "An Act to amend the Coal Mines Regulation Act," and chapter No. 50, intituled "An Act to amend the Placer Mining Act," were disallowed.

Vide Canada Gazette, vol. xxxiii., p. 2259.

Department of Marine and Fisheries.

Department of Marine and Fisheries.

By Order in Council of the 5th of July, 1899, in virtue of the provisions of section 16 of the Fisheries Act, chapter 95 of the Revised Statutes, section 12 of the General Fishery Regulations for Manitoba and the North-west Territories, established by the Order in Council of the 8th day of May, 1894, was rescinded, in so far as it applies to Lake Winnipeg, and the following fishery regulation for the waters of Lake Winnipeg was adopted in lieu thereof:—

“12. Seines, nets or other apparatus, used for catching fish, shall be so raised or adapted as to admit of the free passage of fish through, by or out of the same, from six o'clock on every Friday afternoon to six o'clock on every following Saturday afternoon, and during such close time no one shall catch fish by any means whatever, and any fish so taken, caught or killed, together with the net or other apparatus used shall be forfeited.

“Nets set after 6 p.m. on Saturday shall not be lifted or fish taken therefrom before 1 a.m. on the following Monday.”

Vide Canada Gazette, vol. xxxiii., p. 83.

By Order in Council of the 11th of July, 1899, the repeal of By-law No. 130 of the Harbour Commissioners of Montreal and the substitution of an amended By-law therefor were approved.

Vide Canada Gazette, vol. xxxiii., p. 83.

By Order in Council of the 12th of July, 1899, in virtue of the provisions of the Port Wardens' Act, chapter 85 of the Revised Statutes of Canada, the Port of Shippegan, in the province of New Brunswick, was determined to be a port at which a port warden should be appointed.

Vide Canada Gazette, vol. xxxiii., p. 123.

By Order in Council of the 16th of August, 1899, a resolution adopted by the Harbour Commissioners of Three Rivers at a meeting held on the 30th May, 1899, amending the Tariff of the Commissioners adopted by Order in Council of 30th December, 1897, was approved.

Vide Canada Gazette, vol. xxxiii., p. 375.

By Order in Council of the 16th of October, 1899, a by-law passed by the Harbour Commissioners of Quebec, on the 13th of September, 1899, regulating the use of steam whistles in the Harbour of Quebec, was approved.

Vide Canada Gazette, vol. xxxiii., p. 773.

Department of Marine and Fisheries.

By Order in Council of the 7th of December, 1899, in virtue of the provisions of the 16th section of the Fisheries Act, chapter 95 of the Revised Statutes, section 12 of the General Fishery Regulations for the province of Quebec, established by the Order in Council of the 18th July, 1889; section 5 of the General Fishery Regulations for the province of Nova Scotia established by the Order in Council of the 18th July, 1889; section 5 of the General Fishery Regulations for the province of New Brunswick established by the Order in Council of the 18th July, 1889; section 4 of the General Fishery Regulations for the province of Prince Edward Island, established by the Order in Council of the 18th July, 1889; as well as the Orders in Council of the 28th day of January, 1891, 8th day of July, 1898, (2) and 16th day of November, 1898, all of which provide regulations for the protection of the Lobster Fishery were rescinded, and the following Fishery Regulations were substituted in lieu thereof:—

LOBSTER FISHERY REGULATIONS.

On and after the fifteenth day of December, one thousand eight hundred and ninety-nine,—

1. No one shall fish for, catch, kill, buy, sell, or have in his possession, lobsters between the last day of May and the fourteenth day of December in each year, both days inclusive, on and along that part of the coast or the waters thereof, of the province of New Brunswick, embraced and included within the county of Charlotte, and also on and along that part of the coast or the waters thereof, of the province of Nova Scotia, embraced and included within the counties of Yarmouth, Shelburne, Queen's, Lunenburg, and that part of the county of Halifax, west of a line running S.S.E. from St. George's Island, Halifax Harbour, Nova Scotia, and coinciding with the fairway buoys in the entrance of the said harbour; nor shall any person within the above described limits, *at any time*, fish for, catch, kill, buy, sell, or have in his possession, any lobster or lobsters under nine inches in length, measuring from head to tail, exclusive of claws or feelers.

2. No one shall fish for, catch, kill, buy, sell, or have in his possession, lobsters between the last day of June in each year, and the fourteenth day of January then next following, both days inclusive, in any part of the Bay of Fundy, or on any part of the coast or waters thereof, inside of a line drawn from the division line of the counties of Charlotte and St. John, near Point Lepreau, running outside of Brier Island, to the boundary line between the counties of Digby and Yarmouth, in the province of Nova Scotia; nor shall any person, within the above described limits, *at any time*, fish for, catch, kill, buy, sell, or have in his possession, any lobster or lobsters under 10½ inches in length, measuring from head to tail, exclusive of claws or feelers.

3. No one shall fish for, catch, kill, buy, sell, or have in his possession, lobsters between the first day of July in each year, and the thirty-first day of March then next following, both days inclusive, on and along that part of the coast of the province of Nova Scotia or the waters thereof, from the aforesaid line, running S.S.E. from St. George's Island, Halifax Harbour, Nova Scotia, and coinciding with the fairway buoys in the entrance of the said harbour, extending eastwardly and following the coast line, as far as Red Point, between

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Martin Point and Point Michaux, in the Island of Cape Breton, and including Chedabucto Bay and St. Peter's Bay, and the coasts and waters of all the islands lying in and adjacent to these bays, and including the coasts and waters of the Gut of Canso, as far as a line passing from Flat Point in Inverness County, to the lighthouse in Antigonish County opposite.

4. No one shall fish for, catch, kill, buy, sell, or have in his possession, lobsters between the first day of August in each year, and the last day of April then next following, both days inclusive, on and along that part of the coast of Cape Breton Island, in the province of Nova Scotia, or the waters thereof, from Red Point, between Martin Point and Point Michaux, in the Island of Cape Breton, and extending to, and around Cape North, as far as and including Cape St. Lawrence; also the coasts and waters of all the islands known as the Magdalen Islands, including Bird Rocks and Bryon Island; also the north shore of the Gulf of St. Lawrence, from the Bay of Blanc Sablon, in the province of Quebec, westward to the head of tide, embracing the coasts and waters of all the islands adjacent to the said shore, and including the Island of Anticosti.

5. No one shall fish for, catch, kill, buy, sell, or have in his possession, lobsters between the eleventh day of August in each year, and the twenty-fourth day of May then next following, both days inclusive, along the coasts and in the waters of Northumberland Straits, between a line, on the north-west, drawn from Chockfish River in New Brunswick to West Point in Prince Edward Island, and a line on the south-east, drawn from Indian Point, near Cape Tormentine in New Brunswick, to Cape Traverse, in Prince Edward Island.

6. No one shall fish for, catch, kill, buy, sell, or have in his possession, lobsters from the eleventh day of July in each year, to the nineteenth day of April then next following, both days inclusive, in any part of Canada or the coasts or waters thereof, not embraced within the limits described in the foregoing regulations.

7. Excepting as provided by Regulations Nos. 1 and 2 as above, in which the size limits are fixed at 9 inches and 10½ inches respectively, no one shall in any part of Canada, or the coasts or waters thereof, *at any time*, fish for, catch, kill, buy, sell, or have in his possession, any lobster or lobsters under 8 inches in length, measuring from head to tail, exclusive of claws or feelers.

8. No one shall fish for, catch, kill, buy, sell, or have in his possession, for any purpose whatever, any berried lobster or lobsters, or any soft-shell lobster or lobsters. Such lobsters when caught shall be liberated alive.

9. No one shall set or place lobster traps, or other fishing apparatus, for the purpose of taking lobsters in any waters of the depth of two fathoms or under.

10. No one shall set or place lobster traps, or other fishing apparatus for the purpose of taking lobsters, at a distance of less than one hundred yards from any stationary salmon net, set for the purpose of taking salmon.

11. No one shall for canning purposes offer for sale, sell, barter, supply or purchase any fragments of lobsters, lobsters purposely mutilated or broken up, or any broken lobster meat, and all fragments of lobsters, lobsters purposely mutilated or broken up, or broken lobster meat, so offered for sale,

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sold, bartered, supplied or purchased, shall be liable to seizure and confiscation, *unless* possessed for the purpose of *domestic consumption* only, and not for canning, the proof whereof shall devolve on the owner or possessor.

Vide Canada Gazette, vol. xxxiii., p. 1164.

By Order in Council of the 11th of December, 1899, it was ordered that no pound nets be allowed in the waters of Georgian Bay, east of a line bearing north-south 25° 49' west-east (astronomic) connecting Cape Hurd, in the county of Bruce, with Buswell Point at the mouth of Spanish River, in the district of Algoma, and province of Ontario.

Vide Canada Gazette, vol. xxxiii., p. 1219.

By Order in Council of the 12th of December, 1899, certain amendments, as set forth, to the rules and regulations for the construction of Marine Steamboat boilers were approved.

Vide Canada Gazette, vol. xxxiii., p. 1220.

By Order in Council of the 15th of December, 1899, a by-law, submitted by the Pilotage Authority for the district of Halifax, in the province of Nova Scotia, amending the pilotage rates for the said district, was approved.

Vide Canada Gazette, vol. xxxiii., p. 1219.

By Order in Council of the 19th of December, 1899, in accordance with the provisions of the Harbour Masters Act, the Port of Tusket, in the county of Yarmouth, and province of Nova Scotia, established under Order in Council of 1st of March, 1875, under the provisions of the Harbour Masters Act, was divided, as follows, namely:

“1. The Harbour of Tusket shall include that portion of Tusket River lying between Tusket Bridge and a line drawn across Tusket River from Brandy Point to Dulce Island.”

“2. A new harbour shall be established to be known as the Harbour of Tusket Wedge which shall have as its northern boundary the above named boundary of the Harbour of Tusket, its southern limit to embrace all the waters inside of a line drawn from Wedge Point to the south extremity of Western Bar Island, thence to the south extremity of the Eastern Bar Island, and thence to the extremity of Wilson Point.”

Vide Canada Gazette, vol. xxxiii., p. 1219.

By Order in Council of the 21st of December, 1899, in virtue of the provisions of the Harbour Masters Act, it was ordered that the limits of the Port of Vancouver, in the province of British Columbia, for the purposes of the Harbour Masters Act, should include all navigable waters east of a straight

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line drawn from the west tangent of Gray Point to Point Atkinson Lighthouse including Burrard Inlet with Port Moody and North Arm to the head of navigation.

Vide Canada Gazette, vol. xxxiii., p. 1281.

By Order in Council of the 14th of December, 1899, in virtue of the provisions of the Act 55-56 Victoria, chapter 3, intituled "An Act respecting Fishing Vessels of the United States," the issue of licenses to United States fishing vessels during the calendar year 1900, for the purposes provided for by the said Act, was authorized, that is to say:—

(a.) The purchase of bait, ice, seines, lines and all other supplies and outfits;

(b.) The transhipment of catch and the shipping of crews.

The fee charged for such licenses to be one dollar and fifty cents per ton on actual registered tonnage, and the term thereof to expire on the 31st day of December, 1900.

Vide Canada Gazette, vol. xxxiii., p. 1347.

By Order in Council of the 29th December, 1899, under the provisions of the Harbour Masters Act, the limits of the Port of Beaver Harbour, in the county of Halifax, and province of Nova Scotia, for harbour masters purposes, were defined.

Vide Canada Gazette, vol. xxxiii., p. 1477.

By Order in Council of the 27th of March, 1900, a by-law passed by the Pilotage Authority of Victoria and Esquimalt on the 28th February, 1900, amending subsection "g" of section 18 of the amended by-laws of 1880, was approved.

Vide Canada Gazette, vol. xxxiii., p. 2106.

By Order in Council of the 27th of March, 1900, in virtue of the provisions of the Fisheries Act, chapter 95 of the Revised Statutes of Canada, the regulations established by Order in Council of the 28th December, 1893, respecting the oyster fishery, were amended by adding thereto the following clause, namely, that:—

"10. The use of drags or dredges for the purpose of taking oysters on any public bed in Prince county, in the province of Prince Edward Island, be prohibited during the year 1900."

Vide Canada Gazette, vol. xxxiii., p. 2106.

By Order in Council of Tuesday, the 10th of April, 1900, in virtue of the provisions of section 16 of the Fisheries Act, chapter 95 of the Revised Statutes of Canada, the lobster fishery regulations established by Order in Council of 7th December, 1899, were amended by adding thereto the following clauses:

Department of Marine and Fisheries.

“12. No one shall, for canning purposes, boil lobsters on board any ship, vessel, boat or floating structure of any description whatever, except under special license from the Minister of Marine and Fisheries.

“13. No one shall prepare to fish for lobsters by placing or setting any ouoys, lines or other gear used in connection with such fishing, before the day on which it is lawful to take or catch lobsters in the locality affected.”

Vide Canada Gazette, vol. xxxiii., p. 2153.

By Proclamation dated the 3rd of April, 1900, the Harbour of Grand River, in the county of Gaspé, in the province of Quebec, was designated as a port to which the “Act respecting Harbour Masters” should apply, and the limits of the said port for harbour masters purposes were declared to embrace all the navigable portion of Grand River and the coast of Chaleurs Bay for a distance of three miles east and west of lighthouse at the mouth of the river

Vide Canada Gazette, vol. xxxiii., p. 2151.

By Order in Council of the 3rd of April, 1900, it was ordered that the close season for black bass in the waters of the west end of Lake Erie, west of Point Pelee, and the waters around Pelee Island, in the province of Ontario, should be from May 25 to July 15, both days inclusive, in each year; notwithstanding the provisions of the Order in Council of May 15, 1895, whereby the close season for bass in the said province of Ontario was fixed from April 15 to June 15, both days inclusive, in each year.

Vide Canada Gazette, vol. xxxiii., p. 2153.

By Order in Council of the 5th of April, 1900, in virtue of the provisions of section 16 of the Fisheries Act, chapter 95 of the Revised Statutes of Canada, it was ordered that the general fishery regulations for the province of Nova Scotia adopted by Order in Council of the 18th July, 1889, should be amended by adding thereto the following special fishery regulations for the county of Antigonish :—

“Sec. 12a. County of Antigonish.

“1. The use of seines for the purpose of catching herring is prohibited in the waters of Harbour Bouché, or within one and one-half miles from any point in any direction whatever from an imaginary line drawn across the mouth of the said harbour; and the points between which the said line shall be drawn shall be fixed by the inspector of fisheries within whose division that part of the province of Nova Scotia lies.”

Vide Canada Gazette, vol. xxxiii., p. 2152.

By Proclamation dated the 3rd of April, 1900, the Port of Tiverton, in the province of Nova Scotia, was designated as a port to which the “Act respecting Harbour Masters” should apply, and the limits of the said port for harbour masters purposes were declared to embrace such of the waters of the

Department of Marine and Fisheries.

Bay of Fundy, Petit Passage and St. Mary's Bay, as lie within a radius of two nautical miles of Boar's Head Lighthouse at the north end of Petit Passage.

Vide Canada Gazette, vol. XXXIII., p. 2197.

By Order in Council of the 14th of April, 1900, in virtue of the provisions of section 16 of the Fisheries Act, chapter 95 of the Revised Statutes of Canada, section 3 of the general fishery regulations for the province of Manitoba and the North-west Territories, established by Order in Council of the 8th May, 1894, was amended by adding thereto the following:—

“The use of tugs in netting operations or in any method of taking and capturing fish in Lakes Manitoba and Winnipegosis is prohibited, except for the shipping of fish or the conveying of men to and from the fishing grounds.”

Vide Canada Gazette, vol. XXXIII., p. 2200.

By Order in Council of the 1st of May, 1900, in virtue of the provisions of section 16 of the Fisheries Act, chapter 95 of the Revised Statutes of Canada, the following amendments were made to the fishery regulations for the province of British Columbia:—

Clauses 1, 2, 3, 7 and 8 of the fishery regulations established by Order in Council of 29th March, 1899, were rescinded, and the following substituted in lieu thereof:—

“1. Every applicant for a fishery license shall be (a) a British subject, resident in Canada, and a *bona fide* fisherman, and (b) shall personally enter his name and address in the register kept by the inspector of fisheries, or any authorized fishery officer. Before a license is issued to any applicant (c) the required fee shall be paid by the said applicant.

“2. Each *bona fide* fisherman, being a British subject duly registered, as required under clause 1, shall be entitled to one fishing license; but such fishing license shall be valid for one fisherman only, whose name is duly enrolled in terms of the conditions stated in clause 1, such name to be inscribed on the license by the inspector or authorized officer granting the same at the time of issue. Indians shall be exempt from registration or enrolment, required under clause 1 and this clause. Each firm, company or person engaged in the canning of salmon shall be entitled to ten fishing licenses in the said firm's, company's or person's name, and each of such licenses shall be valid for and used only by a fisherman whose name is duly enrolled or registered, or shall be valid for and used only by an Indian. Each fisherman fishing under a license obtained by a firm, company or person engaged in canning salmon shall be required to carry with him such license, and in addition shall be required to carry with him a certificate from the firm, company or person holding the license, that such registered fisherman, or such Indian is authorized to fish for them or him. Such license or certificate shall be exhibited to any authorized fishery officer when required.

Department of Marine and Fisheries.

"3. A fisherman's license shall not be transferable, except with the sanction of the Inspector of Fisheries. All fishing licenses granted to any firm, company or person engaged in canning operations shall be cancelled if the cannery operated by them shall cease its operations.

"7. Any boat found engaged in salmon fishing operations without a duly licensed fisherman in charge, or a fisherman holding a license issued to any firm, company or person engaged in canning salmon, and in addition the proper certificate (as provided in clause 2) shall be liable to seizure and confiscation together with all its nets and gear, by any fishery officer.

"8. No one except an Indian shall be engaged or employed as a boat-puller or boatman on any boat engaged in salmon fishing operations under license, unless he holds a boat-puller's permit. Each applicant for such permit shall first enter his name in a list or register kept by the inspector of fisheries, or a duly authorized officer, and any person so registered or enrolled may receive one boat-puller's permit on payment of a fee of one dollar (\$1)."

2. Clause 2 of the fishery regulations, adopted by Order in Council of the 19th June, 1897, was rescinded, and the following substituted in lieu thereof:—

"2. Nets for catching "quinnat" or "spring salmon" in the tidal waters of British Columbia, shall only be used from the 1st day of March to the 31st day of October, both days inclusive, and the meshes of such nets shall not be less than 7 inches in extension measurement, and nothing shall be done to practically diminish the size of the meshes."

3. Clauses 3 and 9 of the fishery regulations adopted by Order in Council of the 3rd March, 1894, were rescinded and the following substituted in lieu thereof:—

"3. The meshes of nets for catching salmon, other than "quinnat" or "spring salmon," in the tidal waters of the province of British Columbia, shall not be less than 5½ inches in extension measurement, and shall only be used between the 1st day of July in each year and the 31st day of January following, both days inclusive, and nothing shall be done to practically diminish the size of such meshes.

"9. No one shall fish for salmon from Saturday morning at six o'clock, until the following Sunday afternoon at six o'clock, except in the rivers and waters of the province of British Columbia north of the 54th parallel of latitude, in which rivers and waters no one shall fish for salmon from Saturday at twelve o'clock, noon, until twelve p. m. midnight, of the following Sunday. All other nets or other fishing gear set or used, and all fish caught during the periods specified shall be deemed to be illegally used or caught, and shall be liable to seizure and confiscation, and the person or persons so violating the law shall also be liable to the fines and penalties provided by the Fisheries Act.

"Provided also that no one shall fish for salmon with a drag seine from Friday morning at six o'clock, until the following Sunday evening at twelve o'clock midnight, in each week.

"Licenses for fishing salmon issued to companies, firms or persons engaged in dealing in salmon for home consumption, in freezing, salting, curing or smoking salmon for domestic or foreign markets, shall be carried by

Department of Marine and Fisheries.

each fisherman fishing under such licenses, together with a certificate of authority from such company, firm or person who procured the licenses. Licenses and certificates shall be exhibited to the inspector of fisheries or any authorized officer, when required by such officer."

4. Clause 4, of the fishery regulations, adopted by Order in Council of March 3, 1894, and the amendments thereto adopted by order in Council of October 17, 1896, was rescinded and the following substituted in lieu thereof:

"4. The meshes of nets for catching "steelheads" shall be not less than 6½ inches extension measurement, and nothing shall be done to practically diminish the size of the meshes, and such nets shall be used only between the 31st day of October in each year, and the last day of February following, both days inclusive."

Vide Canada Gazette, vol. xxxiii., p. 2361.

By Order in Council of the 5th of May, 1900, in virtue of the provisions of section 16 of the Fisheries Act, chapter 96 of the Revised Statutes, section 4 of the general fishery regulations for the province of Ontario, established by the Order in Council of the 18th July, 1889, was rescinded, and the following substituted in lieu thereof:—

"Section 4.—Speckled Trout.

"No one shall fish for, catch, kill, buy, sell, or possess any speckled trout (*Salvelinus fontinalis*) from the 15th day of September to the 30th day of April next following, both days inclusive in each year."

Vide Canada Gazette, vol. xxxiii., p. 2361.

By Order in Council of the 24th of May, 1900, certain additions and amendments to the by-laws of the Harbour Commissioners of Montreal concerning pilots, passed at a meeting held on the 14th of May, 1900, were approved.

Vide Canada Gazette, vol. xxxiii., p. 2517.

By Order in Council of the 24th of May, 1900, certain resolutions adopted by the Pilotage Commissioners for the district of Miramichi, province of New Brunswick, on the 21st April, 1900, amending the Pilotage By-laws for the said district were approved.

Vide Canada Gazette, vol. xxxiii., p. 2517.

By Order in Council of the 30th of May, 1900, under the provisions of the Wreck and Salvage Act, chapter 81 of the Revised Statutes of Canada, the Wreck district in the county of Guysborough, province of Nova Scotia, known as the District of Guysborough, was divided and two districts established in lieu thereof, viz:—

A district for the purposes of the said Act to be known as the District of Canso, to extend from a line drawn due south from Flying Point on the west

Department of Marine and Fisheries.

side of White Haven, eastwards around Cape Canso, Chedabucto Bay and straits of Canso to Auld's Cove; and another like district to be known as the District of Isaac's Harbour to extend from Flying Point due south to the south side of Beckerton Harbour, due south.

Vide Canada Gazette, vol. XXXIII., p. 2560.

By Order in Council of the 12th of June, 1900, in virtue of the provisions of the Wrecks and Salvage Act, chapter 81, Revised Statutes, a district for all purposes of the said Act was constituted in the county of Prince, in the province of Prince Edward Island, such district to comprise and include all the shore line of Lots 11, 12, 13 and 14 on the north side of the county of Prince, in the province of Prince Edward Island.

Vide Canada Gazette, vol. XXXIII., p. 2661.

By Proclamation dated the 19th of June, 1900, under the provisions of the "Act respecting Harbour Masters" (R. S. C. Chap. 86), the Harbour of Rivière-du-Loup, in the province of Quebec, was designated as a port to which the said Act shall apply, and the limits of the said port for harbour masters purposes were declared to embrace all the waters of the River St. Lawrence and of Rivière-du-Loup, west of a line drawn north-west magnetically through the west extremity of the point forming the Bay at Anse au Persil, east of a line drawn north-west magnetically through the spire of Notre Dame du Portage Parish Church, and south of a line joining these limits at points distant two miles from the shore, the jurisdiction of the harbour master to extend up Rivière-du-Loup to the first high falls.

Vide Canada Gazette, vol. XXXIII., p. 2708.

Department of Public Works.

Department of Public Works.

By Order in Council of the 31st of January, 1900, in virtue of the provisions of the Act 62-63 Victoria, chapter 30, intituled "An Act for the preservation of health on Public Works," the following regulations for the preservation of health and the mitigation of disease among persons employed in the construction of public works, were made and established :—

REGULATIONS.

1. There shall be appointed by the Governor in Council a Superintendent under the said Act, whose duty it shall be—

(a.) To see that the regulations under the said Act are enforced and complied with on every "public work" or "works" to which they are applicable.

(b.) To report and recommend from time to time such additions and changes in said regulations as shall the more effectually promote and secure the intent and object of the Act.

(c.) To act as chairman when present at all meetings of the Health Board.

(d.) To notify the Chief Provincial Health Officer from time to time of all cases of contagious or infectious diseases on any "public work" or "works."

(e.) To receive reports from the medical staff engaged upon the work.

All matters of importance under the Act shall be reported by the Medical Officer to the Superintendent.

2. The Health Board shall consist of the Superintendent, all medical men engaged on the said "public work" or "works," the Government engineer in charge of the same, and in his absence any Government engineer engaged on the works, or designated by the government.

A quorum of the Health Board shall consist of at least three members, of whom in the absence of the Superintendent the Government engineer in charge or other Government engineer on the works or other engineer as the case may be shall be one, provided that, where two medical men cannot conveniently meet, an additional Government engineer may complete the quorum; provided that any act of the board shall be subject at all times to be revised or superseded by the Director General of Public Health on reference from the Superintendent.

3. (a.) All houses, tents or other quarters occupied by the employees on the works shall contain at least 250 cubic feet to each occupant with sufficient provision for heating and ventilation and shall be subject to inspection by the Health Board aforesaid.

(b.) It shall be the duty of the Health Board or a member thereof to inspect said houses, tents or other quarters occupied by said employees within ten days after occupation and at least once in every two weeks thereafter during the progress of the work, and to cause the same to be cleansed, purified and disinfected when necessary, and it shall be the duty of each medical officer to visit each camp in his district at least once a week and so to regulate his

Department of Public Works.

visits and give notice thereof in each camp that it may be known where he may be found on each day of the week as far as the circumstances of the case will permit.

(c.) There shall be at least one medical man engaged to attend the men employed on the works where the number of employes does not exceed 500 and are located within a distance of 30 miles, and an additional medical man where the number exceeds 500 men until it reaches 1,000 men, and so in the proportion of one medical man to every 500 men employed upon the works, each properly supplied with medicine and means of conveyance; provided that the district of each medical man shall not exceed 30 miles in length; provided further that the Superintendent, by writing under his hand, may alter the size of the district and increase or decrease the number of men allotted to each medical man under special circumstances that may warrant such change.

(d.) Where there is no hospital or no hospital with suitable or sufficient accommodation within reasonable distance of the "public work" or "works" the contractor of the said "public work" or "works" shall establish one or more base hospitals and at such place as the Superintendent or in his absence the Health Board may determine, but so that a patient shall not be compelled to travel more than 100 miles by rail nor more than 60 miles by vehicle to reach the same.

2. The contractors shall also provide temporary hospitals sufficient to accommodate at least six patients or more if necessary with a qualified medical man, sufficient medical supplies, nurses and attendants at each hospital and located as near the centre of each medical district as possible.

(e.) Adjacent to each temporary and base hospital, but at least two hundred yards distant, there shall be erected a hospital, tent or building sufficiently furnished and heated and suitable for isolating persons suffering from contagious or infectious diseases and capable of accommodating at least three patients, to be enlarged as occasion may require.

(f.) It shall be the duty of every contractor and sub-contractor on said "public work" or "works" to provide for each camp a tent supplied with stove, bed and bedding and attendants suitable to accommodate at least two patients, and immediately upon any person in such camp being suspected of having a contagious or infectious disease it shall be the duty of such contractor or sub-contractor to isolate such person in such tent at least two hundred yards from the nearest tent or camp and to supply him with proper food and attendance until removed and to forthwith send for the doctor of that district.

(g.) It shall be the duty of the doctor in charge of that district to take prompt and effectual means for the complete isolation of such patient, to remove him, where possible, to the isolation tent or building adjacent to the nearest temporary hospital and to use all possible means to prevent the contagious or infectious disease from spreading, and forthwith to notify the Superintendent and the government engineer in charge of the works and where there is danger of the contagion spreading to forthwith notify the Chief Health Officer of the province wherein the works are being carried on.

(h.) It shall be the duty of the sub-contractor or person in whose camp the patient is employed to convey him to the temporary hospital without charge, and it shall be the duty of the contractor to provide the patient with

Department of Public Works.

medical attendance, medicine, board and lodging whether at a temporary or other hospital that may be requisite and necessary until the patient is discharged.

(i.) It shall be the duty of each medical officer to promptly notify the Superintendent and the Government engineer in charge or other engineer acting in his place (or in case there is no Government engineer upon the works) the contractor's chief engineer on the works of all matters that require the attention of the board, and the board shall meet without delay and promptly deal with all matters requiring attention.

(j.) Where the contractor has appointed a Chief Medical Officer for the works it shall be his duty to visit the different parts of the works at least once every month and oftener where necessary or upon request of any district doctor; and to see that each temporary and base hospital and isolated hospital are properly equipped and the medical man in charge supplied with sufficient medicine.

(k.) It shall be the duty of every medical man employed on any "public work" or "works" and every Government engineer in charge of the works to assist the Superintendent in carrying out the regulations in force for the time being under said Act and to report to him promptly every breach and non-observance of the same.

(l.) For every breach or non-observance of any of the foregoing regulations contained in clauses "a" "d" "e" "f" and "g" the persons so offending shall on summary conviction before a justice be liable to a fine not to exceed \$100 or to imprisonment for any term not to exceed three months or both, and the procedure as provided in the Criminal Code for summary conviction shall be applicable to, and all justices as defined in section 839 of the Code shall have jurisdiction to try all cases for breach for non-observance of these regulations.

(m.) The conviction of any person for breach or non-observance of the regulations in force under said Act shall not be a bar to any action or suit which may be brought against such person for neglect of duty under said regulations or where otherwise maintainable.

(n.) The contractor may charge 50 cents per man per month, and deduct the same from the employees' wages to recoup him for the cost of medical attendance, hospitals, medicine and the expenses incident thereto directed by said regulations, and each employee shall be entitled to the medical service and attendance herein directed without further charge.

(o.) These regulations shall apply to every "public work" or "works" as defined in clause 1 of the said Act.

In cases where it is found difficult for the Superintendent appointed under section 1 of these regulations to give the necessary personal attention to the enforcement of the regulations on any particular work the Governor in Council may appoint another officer to be Superintendent under these regulations for and in respect of the particular work referred to, and all provisions of the regulations shall be held to apply to and include such specially appointed Superintendent as if he were the Superintendent appointed under said section 1.

Vide Canada Gazette, vol. xxxiii., p. 1657.

Department of Public Works.

By Proclamation dated 5th May, 1900, under the provisions of the Revised Statutes of Canada, chapter one hundred and fifty-one, and intituled "An Act respecting the preservation of peace in the vicinity of public works," all the provisions of the said Act except sections numbers three to twelve both inclusive were brought into force upon and after the 15th of May, 1900, in the following localities, that is to say, namely: All those portions of the province of Ontario, lying within ten miles on each side of the located line of the Ontario and Rainy River Railway already constructed and in course of construction, extending from Stanley on the line of the Port Arthur, Duluth and Western Railway to Fort Francis, a distance of about two hundred and ninety miles, except within the limits of any incorporated towns or villages.

Vide Canada Gazette, vol. xxxiii, p. 2358.

Department of Railways and Canals.

Department of Railways and Canals.

By Proclamation dated 21st September, 1899, the Act 62-63 Victoria, chapter 5, and intituled "An Act to confirm an agreement entered into by Her Majesty with the Grand Trunk Railway Company for the purpose of securing an extension of the Intercolonial Railway System to the city of Montreal," was brought into force, from and after the 26th of September, 1899.

Vide Canada Gazette, vol. xxxiii., p. 617.

By Order in Council of the 24th of October, 1899, a certain by-law, No. 14, passed at a meeting of the shareholders of the Ottawa and New York Railway Company held on the 19th September, 1899, fixing the passenger and freight rates to be charged on that railway, was approved.

Vide Canada Gazette, vol. xxxiii., p. 868.

By Order in Council of the 9th of June, 1900, By-law No. 21, dated 27th April, 1900, enacted by the directors of the Grand Trunk Railway Company of Canada, fixing the maximum freight rates, and the maximum rates for passenger traffic on the company's lines of railway in Canada was approved subject to the following modifications, namely: Section No. 3; all words after the word "thereof" at the end of the eighth line, to be struck out.

Section No. 4 to be struck out, and the following substituted therefor:—

"4. Provided, however, that the various sections of The Railway Act, 51 Vic. chap. 29, and amendments thereto, shall apply to the foregoing clauses, and be read and taken as part thereof."

Vide Canada Gazette, vol. xxxiii., p. 2602.

By Proclamation dated the 23rd June, 1900, under the provisions of the Act 62-63 Victoria, chapter 68, and intituled "An Act respecting the Great Northern Railway Company, and to change its name to "Great Northern Railway of Canada," the said Act was brought into force on the day of the publication of said Proclamation.

Vide Canada Gazette, vol. xxxiii., p. 2707.

*Department of the Secretary of State.***Department of the Secretary of State.**

By Order in Council of the 28th of July, 1899, it was ordered that the Order in Council of the 23rd day of March, 1885, whereby the second part of the Canada Temperance Act was brought into force in the county of Brome should be revoked; and that the said second part of the Canada Temperance Act should be no longer in force in the said county.

Vide Canada Gazette, vol. xxxiii., p. 233.

Letters patent have been issued, as dated below, incorporating the following companies, and notices thereof have been published in volume xxxiii (1st July, 1899 to 30th June, 1900) of *The Canada Gazette* at the pages stated:—

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The Atlantic Washing Machine Co., capital \$3,000, 24th November, 1899.....	1023
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The Consumers Cordage Co., capital reduced to \$1,000,000, 18th June, 1900.....	2668
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The Dominion Oil Cloth Co., capital increased to \$900,000, 27th October, 1899.....	820
The Dominion Trading Co., capital \$50,000, 9th March, 1900.....	1913
Capital increased to \$100,000, 2nd May, 1900.....	2315
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La Compagnie de Cigares de Saint-Henri, capital \$5,000, 15th December, 1899.....	1170
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The Lake Erie Navigation Co., capital \$40,000, 7th July, 1899.	42
The Lake of the Woods Milling Co., capital increased to \$1,500,000, 6th April, 1900.....	2109
The Lakeside Shipping Co., capital \$46,000, 20th December, 1899.....	1223
The Laurentide Pulp Co., capital increased to \$1,600,000, 11th Aug., 1899.....	277
The Lennoxville Water Works, capital \$50,000, 16th February, 1900.	1728
The Letang Hardware Co., capital \$99,900, 6th April, 1900.....	2110
The Loynachan-Scriver Co., capital \$100,000, 1st February, 1900.....	1601
The Magdalen Islands Steamship Co., capital \$100,000, 8th March, 1900.....	1963
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The Pattison Dental Manufacturing Co., capital \$30,000, 25th June, 1900.....	2711
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ACTS
OF THE
PARLIAMENT
OF THE
DOMINION OF CANADA

PASSED IN THE SESSION HELD IN THE
SIXTY-THIRD AND SIXTY-FOURTH YEARS OF THE REIGN OF HER MAJESTY
QUEEN VICTORIA

BEING THE
FIFTH SESSION OF THE EIGHTH PARLIAMENT

*Begun and holden at Ottawa, on the First day of February, and closed
by Prorogation on the Eighteenth day of July, 1900*



HIS EXCELLENCY THE
RIGHT HONOURABLE SIR GILBERT JOHN ELLIOT, EARL OF MINTO
GOVERNOR GENERAL

VOL. I.
PUBLIC GENERAL ACTS

OTTAWA
PRINTED BY SAMUEL EDWARD DAWSON
LAW PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY
ANNO DOMINI 1900



63-64 VICTORIA.

CHAP. I.

An Act for granting to Her Majesty certain sums of money required for defraying certain expenses of the public service for the financial year ending the 30th June, 1900.

[Assented to 7th May, 1900.]

MOST GRACIOUS SOVEREIGN,

WHEREAS it appears by a Message from His Excellency Preamble.
the Right Honourable Sir Gilbert John Elliot, Earl of Minto, Governor General of Canada, and the estimates accompanying the same, 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 thirtieth day of June, one thousand nine hundred: May it therefore please Your Majesty that it may be enacted, and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:—

1. This Act may be cited as *The Appropriation Act (No. 1)*, Short title.
1900.

2. From and out of the Consolidated Revenue Fund of Canada, there shall and may be paid and applied a sum not exceeding in the whole one hundred and forty-one thousand dollars, towards defraying the several charges and expenses of the public service of Canada, from the first day of July, in the year of Our Lord one thousand eight hundred and ninety-nine, to the thirtieth day of June, in the year of Our Lord one thousand nine hundred, not otherwise provided for, and set forth in the schedule to this Act. \$141,000.00 granted for financial year 1899-1900.

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

SCHEDULE.

Sums granted to Her Majesty by this Act for the Financial Year ending 30th June, 1900, and the purposes for which they are granted.

SERVICE.	Amount.	Total.
PUBLIC WORKS.	\$ cts.	\$ cts.
<i>(Chargeable to Income.)</i>		
PUBLIC BUILDINGS.		
<i>Quebec.</i>		
Hull Post Office, to rebuild.	20,000 00	
ROADS AND BRIDGES.		
Dominion Bridges, Chaudière, Ottawa, restoration	21,000 00	41,000 00
MISCELLANEOUS.		
Grant towards relief of distress caused by the recent fire in Hull and Ottawa		100,000 00
Total		141,000 00

OTTAWA : Printed by SAMUEL EDWARD DAWSON, Law Printer to the Queen's most Excellent Majesty.



63-64 VICTORIA.

CHAP. 2.

An Act for granting to Her Majesty certain sums of money required for defraying certain expenses of the public service for the financial year ending the 30th June, 1900.

[Assented to 14th June, 1900]

MOST GRACIOUS SOVEREIGN,

WHEREAS it appears by a Message from His Excellency Preamble.
the Right Honourable Sir Gilbert John Elliot, Earl of Minto, Governor General of Canada, and the estimates accompanying the same, 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 thirtieth day of June, one thousand nine hundred : May it therefore please Your Majesty that it may be enacted, and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that :—

1. This Act may be cited as *The Appropriation Act (No. 2)*, Short title. 1900.

2. From and out of the Consolidated Revenue Fund of \$96,618.00
Canada, there shall and may be paid and applied a sum not granted for
exceeding in the whole ninety-six thousand six hundred and financial year
eighteen dollars, towards defraying the several charges and 1899-1900.
expenses of the public service of Canada, from the first day of July, in the year of Our Lord one thousand eight hundred and ninety-nine, to the thirtieth day of June in the year of Our Lord one thousand nine hundred, not otherwise provided for, and set forth in the schedule to this Act.

3. A detailed account of the sums expended under the Account to be
authority of this Act shall be laid before the House of Com- rendered in
mons of Canada during the first fifteen days of the then next detail.
session of Parliament.

SCHEDULE.

Sums granted to Her Majesty by this Act for the Financial Year ending
30th June, 1900, and the purposes for which they are granted.

SERVICE.	Amount.	Total.
LEGISLATION.	\$ cts.	\$ cts.
SENATE.		
Reporting, printing, etc., of debates, and other purposes	8,000 00	
HOUSE OF COMMONS.		
Publishing debates	\$ 15,000 00	
Printing and paper for French revised edition (445 copies) of debates for session of 1899	16,530 23	
Stationery	2,000 00	
Sessional clerks, including two clerks for whips' rooms	10,500 00	
French translation	1,100 00	
Serjeant-at-arms, estimate for sessional staff	18,278 00	
	63,408 00	
LIBRARY OF PARLIAMENT.		
To recoup contingencies for amount paid to the following sessional messengers, at the rate of \$2.50 per day, during the session of 1899, from July 1 to August 11, 1899—		
H. J. Meiklejohn, 42 days at \$2.50	\$ 105 00	
A. Bordeleau, 42 days at \$2.50	105 00	
	210 00	
GENERAL.		
Printing, printing paper and binding	25,000 00	
Total	96,618 00	96,618 00

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Excellent Majesty.



63-64 VICTORIA.

CHAP. 3.

An Act for granting to Her Majesty certain sums of money required for defraying certain expenses of the public service for the financial year ending the 30th June, 1900.

[Assented to 14th June, 1900.]

MOST GRACIOUS SOVEREIGN,

WHEREAS it appears by a Message from His Excellency ^{Preamble.} the Right Honourable Sir Gilbert John Elliot, Earl of Minto, Governor General of Canada, and the estimates accompanying the same, 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 thirtieth day of June, one thousand nine hundred : May it therefore please Your Majesty that it may be enacted, and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that :—

1. This Act may be cited as *The Appropriation Act (No. 3)*, Short title. 1900.

2. From and out of the Consolidated Revenue Fund of ^{\$271,278.82} Canada, there shall and may be paid and applied a sum not ^{granted for} exceeding in the whole two hundred and seventy-one thousand ^{financial year} two hundred and seventy-eight dollars and eighty-two cents, ^{1899-1900.} towards defraying the several charges and expenses of the public service of Canada, from the first day of July, in the year of Our Lord one thousand eight hundred and ninety-nine, to the thirtieth day of June in the year of Our Lord one thousand nine hundred, not otherwise provided for, and set forth in the schedule to this Act.

3. A detailed account of the sums expended under the authority of this Act shall be laid before the House of Commons of Canada during the first fifteen days of the then next session of Parliament. ^{Account to be rendered in detail.}

SCHEDULE.

Sums granted to Her Majesty by this Act for the Financial Year ending 30th June, 1900, and the purposes for which they are granted.

SERVICE.	Amount.	Total.
ARTS, AGRICULTURE AND STATISTICS.		
	\$ cts.	\$ cts.
Paris Exhibition.....	30,000 00	
Printing of <i>Patent Record</i>	4,500 00	
Maintenance of Experimental Farms.....	8,000 00	
Drainage at Agassiz.....	754 93	
Classification of Patents.....	300 00	
Purchase of books and publications for Patent Library, \$527.02 of the amount to be paid T. McCabe.....	673 89	
Fumigation stations for nursery stock imported under amendment to San José Scale Act.....	1,600 00	
		45,828 82
QUARANTINE.		
Organized Districts.....	12,850 00	
Tuberculosis.....	5,000 00	
		17,850 00
IMMIGRATION.		
General Immigration Expenses.....		75,000 00
MILITIA AND DEFENCE.		
Annual drill—Further amount required for June camps.....		125,000 00
PUBLIC WORKS.		
<i>(Chargeable to Income.)</i>		
PUBLIC BUILDINGS.		
<i>Quebec.</i>		
Lévis Cattle Quarantine—Repairs to sheds.....	500 00	
<i>Experimental Farms.</i>		
Central Experimental Farm, Ottawa—Balance due contractors for construction of laboratory and root-house, and for other works urgently needed in connection with buildings, fittings, fencing, etc.....	4,100 00	
		4,600 00
MISCELLANEOUS.		
Commission appointed to deal with Half-breed claims in the North-west Territories, out of which payments may be made to J. A. J. McKenna and N. O. Coté as Commissioners, notwithstanding anything in the Civil Service Act.....		3,000 00
Total.....		271,278 82

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63-64 VICTORIA.

CHAP. 4.

An Act for granting to Her Majesty certain sums of money required for defraying certain expenses of the public service for the financial year ending the 30th June, 1900.

[Assented to 7th July, 1900.]

MOST GRACIOUS SOVEREIGN,

WHEREAS it appears by a Message from His Excellency Preamble.
the Right Honourable Sir Gilbert John Elliot, Earl of Minto, Governor General of Canada, and the estimates accompanying the same, 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 thirtieth day of June, one thousand nine hundred : May it therefore please Your Majesty that it may be enacted, and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that :—

1. This Act may be cited as *The Appropriation Act (No. 4)*, Short title. 1900.

2. From and out of the Consolidated Revenue Fund of \$900,000.00
Canada, there shall and may be paid and applied a sum not granted for
exceeding in the whole nine hundred thousand dollars, towards financial year
defraying the several charges and expenses of the public ser- 1899-1900.
vice of Canada, from the first day of July, in the year of Our Lord one thousand eight hundred and ninety-nine, to the thirtieth day of June, in the year of Our Lord one thousand nine hundred, not otherwise provided for, and set forth in the schedule to this Act.

3. A detailed account of the sums expended under the Account to be
authority of this Act shall be laid before the House of Com- rendered in
mons of Canada during the first fifteen days of the then next detail.
session of Parliament.

SCHEDULE.

Sums granted to Her Majesty by this Act for the Financial Year ending
30th June, 1900, and the purposes for which they are granted.

SERVICE.	Amount.	Total.
COLLECTION OF REVENUE.	\$ cts.	\$ cts.
RAILWAYS AND CANALS.		
<i>Railways.</i>		
Intercolonial.....	900,000 00

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Excellent Majesty.



63-64 VICTORIA.

CHAP. 5.

An Act for granting to Her Majesty certain sums of money required for defraying certain expenses of the public service for the financial years ending respectively the 30th June, 1900, and the 30th June, 1901, and for other purposes relating to the public service.

[Assented to 18th July, 1900.]

MOST GRACIOUS SOVEREIGN,

WHEREAS it appears by Messages from His Excellency Preamble.
the Right Honourable Sir Gilbert John Elliot, Earl of Minto, Governor General of Canada, and the estimates accompanying the same, that the sums hereinafter mentioned are required to defray certain expenses of the public service of Canada, not otherwise provided for, for the financial years ending respectively the thirtieth day of June, one thousand nine hundred, and the thirtieth day of June, one thousand nine hundred and one, and for other purposes connected with the public service: May it therefore please Your Majesty, that it may be enacted, and be enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:—

1. This Act may be cited as *The Appropriation Act (No. 5)*, Short title.
1900.

2. From and out of the Consolidated Revenue Fund of $\$2,264,728.30$
Canada there shall and may be paid and applied a sum not granted for
exceeding in the whole two million two hundred and sixty-four financial year
thousand seven hundred and twenty-eight dollars and thirty 1899-1900.
cents, towards defraying the several charges and expenses of the
public service of Canada, from the first day of July, in the year
of Our Lord one thousand eight hundred and ninety-nine, to the
thirtieth day of June, in the year of Our Lord one thousand
nine hundred, not otherwise provided for, and set forth in
schedule A to this Act, and also for the other purposes in the
said schedule mentioned.

3. From and out of the Consolidated Revenue Fund of $\$36,131,735.03$
Canada there shall and may be paid and applied a sum not granted for
exceeding in the whole thirty-six million one hundred and financial year
thirty-one thousand seven hundred and thirty-five dollars 1900-1901.
and

and three cents, towards defraying the several charges and expenses of the public service of Canada, from the first day of July, in the year of Our Lord one thousand nine hundred, to the thirtieth day of June, in the year of Our Lord one thousand nine hundred and one, not otherwise provided for, and set forth in schedule B to this Act, and also for the other purposes in the said schedule mentioned.

As to private secretaries not in the permanent civil service.

4. If the private secretary of the head of a department, or of the Solicitor General, is not a member of the permanent civil service, there may be paid to him the salary payable to a private secretary under *The Civil Service Act*; and out of the amount granted by this Act for the contingencies of the department, there may be paid to him a further salary not exceeding nine hundred dollars a year; provided the combined salaries of such secretary shall not exceed fifteen hundred dollars a year.

Special provision as to N. W. T.

5. The amounts granted by this Act for the Government of the North-west Territories shall not be deemed to have lapsed if not expended within the year for which they are granted.

Certain moneys may be paid out of appropriation for South African Contingent.

6. Out of the moneys appropriated by the Act of the present session for defraying the expenses in connection with the sending of Canadian volunteers to South Africa the following bonuses may be paid, notwithstanding anything in *The Civil Service Act*:—to B. Sulte, E. B. Holt, P. Weatherbe, G. Guy, P. Clarke, F. E. Knight, E. E. Lemieux, L. Foley, G. S. Maunsell, F. Beard and E. R. Tooley, \$100 each; and to F. X. Lambert, W. H. Aumond, T. C. Larose, F. E. P. Aldrich, W. J. Davidson, N. Casault, E. Verrault, J. Courtman and E. A. Watterson, \$50 each.

Declaratory as to certain loans authorized but not paid.

7. And whereas there remained on the thirtieth day of June, one thousand nine hundred, unborrowed and negotiable, of the loans authorized by Parliament for the construction of public works, and for general purposes, the following sums:—

Authorized and guaranteed by the Imperial Parliament for the Inter-colonial Railway.....	\$ 1,946,666 66
For public works and general purposes	11,324,965 33
	\$ 13,271,631 99

Such sums may be raised under R.S.C., c 29.

Therefore it is declared and enacted, that the Governor in Council may authorize the raising of the several sums above mentioned, as they are required for the purposes aforesaid, respectively, under the provisions of *The Consolidated Revenue and Audit Act*, and the sums so raised shall form part of the Consolidated Revenue Fund of Canada, out of which like sums shall

shall be applicable to the several purposes aforesaid, under the Application of such sums.
Acts and provisions thereunto relating respectively.

S. A detailed account of the sums expended under the Authority of this Act shall be laid before the House of Commons of Canada during the first fifteen days of the then next session of Parliament. Account to be rendered in detail.

SCHEDULE A.

Sums granted to Her Majesty by this Act for the Financial Year ending 30th June, 1900, and the purposes for which they are granted.

SERVICE.	Amount.	Total.
CHARGES OF MANAGEMENT.		
	\$ cts.	\$ cts.
Printing Dominion notes.....		5,000 00
CIVIL GOVERNMENT.		
<i>Governor General's Secretary's Office</i> —Clerical assistance....	\$ 300 00	
Printing and stationery.....	500 00	
Sundries.....	1,300 00	
	2,100 00	
<i>Queen's Privy Council for Canada</i> —Contingencies.....	1,500 00	
<i>Auditor General's Office</i> —Clerical and other assistance.....	1,000 00	
<i>Department of the Interior</i> —To increase the salary of James White, geographer of the Department, from \$1,600 to \$1,800 from July 1, 1899, notwithstanding anything in the Civil Service Act.....	\$ 200 00	
Printing and stationery.....	1,000 00	
	1,200 00	
<i>Department of Indian Affairs</i> —Clerical assistance.....	\$ 575 00	
Printing and stationery.....	1,000 00	
	1,575 00	
<i>Department of Customs</i> —Additional amount for statistical returns of imports and exports, notwithstanding anything in the Civil Service Act.....	2,000 00	
<i>Post Office Department</i> —S. J. Carter, temporary clerk in the Dead Letter Office at Winnipeg, a provisional allowance to meet the exceptional cost of living in Manitoba, from July 1, 1899, to June 30, 1900, notwithstanding anything in the Civil Service Act.....	\$ 120 00	
Clerical and other assistance.....	1,000 00	
	1,120 00	
		10,495 00
ADMINISTRATION OF JUSTICE.		
MISCELLANEOUS.		
P. Mungovan, for copying, notwithstanding anything in the Civil Service Act.....	\$ 47 62	
Circuit allowances in Manitoba.....	500 00	
	547 62	

SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
ADMINISTRATION OF JUSTICE— <i>Concluded.</i>		
EXCHEQUER COURT OF CANADA.		
Judge's and Registrar's travelling expenses, salaries of Sheriff, etc., printing, stationery, etc.....	1,000 00	1,547 62
DOMINION POLICE.		
Retiring allowance to constable Matthew Heron.....	250 95	
Further amount	1,000 00	
Special police service	1,800 00	3,050 95
PENITENTIARIES.		
Kingston.....	30,000 00	
St. Vincent de Paul.....	5,000 00	
Dorchester.....	4,000 00	
Manitoba.....	5,000 00	
General—H. Gilbert Smith, the difference between \$430 and \$500, notwithstanding anything in the Civil Service Act.....	70 00	
Investigations—Albert Horton, balance of his account, <i>re</i> Devlin.....	\$ 83 70	
E. J. Duggan, balance of account, <i>re</i> St. Vincent de Paul.....	107 50	
	191 20	44,261 20
LEGISLATION.		
SENATE.		
Sessional indemnity of Senator Reesor.....	1,000 00	
HOUSE OF COMMONS.		
Sessional indemnity of S. Hughes and J. H. Leduc, \$1,000 each, and of the late G. H. Bertram, \$1,000, and the balance of the sessional indemnity of the late A. Haley, \$573; these sums to be paid as the Treasury Board may direct.....	\$ 3,573 00	
Gratuity to the widow of Dr. Bradley, of the Hansard staff.....	333 33	
To complete payment of expenses of taking the vote under the Plebiscite Act.....	1,000 00	
	4,906 33	5,906 33
MILITIA.		
Dominion Rifle Association—Grant for its building at Rockcliff Rifle Range.....	1,500 00	
Compensation to E. W. Armstrong, 14th Field Battery, for injuries received at annual drill, June, 1898.....	500 00	
Compensation to Mrs. Kehoe, of Quebec, for damage done to her property by a snow slide.....	125 00	
Guard at Welland Canal.....	1,700 00	
Expenses of Canadian regiment temporarily serving in garrison at Halifax, to replace Imperial regiment, the removal of which was caused by the war in South Africa.....	100,000 00	
		163,825 00

SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
RAILWAYS AND CANALS.		
(<i>Chargeable to Capital.</i>)		
RAILWAYS.		
<i>Intercolonial.</i>		
Increased accommodation at Halifax.....	\$ 5,000 00	
Increased facilities along line.....	60,000 00	
Snow fences.....	5,000 00	
Dredging at Pictou Landing.....	2,550 00	
Sidings.....	12,500 00	
Grain elevator at St. John.....	32,000 00	
Grain elevator at Halifax.....	21,500 00	
Rolling stock.....	190,000 00	
Equipment of stations, etc.....	6,300 00	
Machinery at various points.....	11,200 00	
McDonald & Moffat's claim for extra work in connection with contract for wharf at Sydney	1,074 00	
Ralph Jones, half interest at 6 per cent on \$38,915.37, amount reported by commissioner on Oxford and New Glasgow Railway claim respecting "hard pan" of Stewart & Jones's contract No. 6.....	847 50	
	\$347,971 50	
<i>Prince Edward Island.</i>		
To increase accommodation, Summerside.....	710 00	
	348,681 50	
CANALS.		
<i>Lake St. Louis Channel.</i>		
Forming channel.....	\$ 10,000 00	
<i>Lachine.</i>		
Dredge vessels.....	2,000 00	
<i>Grenville.</i>		
Enlargement.....	5,000 00	
<i>Cornwall.</i>		
Gilbert Dredging Co., interest.....	\$ 22,388 00	
Enlargement.....	141,400 00	
	163,788 00	
<i>Farran's Point.</i>		
Enlargement.....	140,310 00	
<i>Galops.</i>		
Enlargement (upper entrance).....	104,000 00	
<i>North Channel.</i>		
Forming.....	170,000 00	
<i>St. Lawrence River.</i>		
Gas boya.....	37,160 00	

SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
RAILWAYS AND CANALS—Concluded.		
(Chargeable to Capital)—Concluded.		
CANALS—Concluded.		
<i>Sault Ste. Marie.</i>		
W. G. Thompson, for attending arbitration	\$ 150 00	
<i>Soulanges.</i>		
Construction	263,000 00	
<i>Culbute.</i>		
Damages to land, and expenses	3,500 00	
	898,908 00	1,247,589 50
RAILWAYS AND CANALS.		
(Chargeable to Income.)		
CANALS.		
<i>Lachine.</i>		
Repairs to dredge, steam derrick and scows	\$ 2,000 00	
Capt. C. Bertram for damage to barge <i>Georgia</i>	67 15	
	\$ 2,067 15	
<i>Cornwall.</i>		
To complete dredging in basin and lower entrance, locks 15 and 17	\$ 5,000 00	
Gilbert Dredging Co., for stone	3,750 00	
Range light at upper and lower entrances	750 00	
	9,500 00	
<i>Williamsburg.</i>		
Protection at lower entrance pier at lock 23, Morrisburg	600 00	
<i>Chambly.</i>		
Drainage works at St. Johns	\$ 500 00	
General repairs	550 00	
	1,050 00	
<i>Rideau.</i>		
Damage by fire in collector's office, Ottawa	600 00	
	13,817 15	
MISCELLANEOUS.		
Salaries of extra clerks and copyists other than those who have passed the Civil Service examination, notwithstanding anything in the Civil Service Act	\$ 700 00	
To apply a system of electric lighting to the Governor General's car, worked from the axle	1,400 00	
	2,100 00	15,917 15

SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
PUBLIC WORKS.		
<i>(Chargeable to Income.)</i>		
PUBLIC BUILDINGS.		
<i>Nova Scotia.</i>		
Windsor drill hall—Interest allowed contractor on overdue balance.....	\$ 32 99	
<i>British Columbia.</i>		
Dominion public buildings—Renewals, improvements, repairs, etc.....	2,500 00	
<i>Rents, Repairs, Furniture, Heating, etc.</i>		
Dominion quarantine station—Repairs to Grosse Isle quarantine steamer <i>Challenger</i> ..	\$ 4,050 00	
Rideau Hall—Furniture and fittings for new wing of Government House.....	5,454 50	
Rideau Hall—Re-metalling drive.....	3,000 00	
	12,504 50	
		15,037 49
HARBOURS AND RIVERS.		
<i>Nova Scotia.</i>		
Windsor harbour—Sheer dam, training dykes and deepening channel River Avon—Damage done to works.....	\$ 2,000 00	
Judique—New wharf at McKay's Point—To complete payments.....	1,113 00	
Port Latour breakwater, etc.—To complete payments.....	201 87	
Whycocomagh wharf—To complete payments..	160 80	
Canada Creek—To complete payments for repairs	460 05	
Cape Cove breakwater—Urgent works of repair.	1,300 00	
Comeauville breakwater—Damage done by gales	1,200 00	
Saulnierville wharf—Cost of renewing portions of floor broken by storms.....	400 00	
Little Brook breakwater—Damage done by storms.....	600 00	
Church Point pier—To rebuild and repair crib-work broken and displaced by heavy seas..	800 00	
Blue Rock breakwater—Urgent repairs to prevent greater damage.....	400 00	
	\$ 8,635 72	
<i>Prince Edward Island.</i>		
China Point pier	700 00	
<i>New Brunswick.</i>		
Shippegan harbour—Repairs to protection works.....	128 31	
		9,464 03
SLIDES AND BOOMS.		
St. Maurice district—Works of reconstruction and improvement in connection with booms in the River St. Maurice between Grandes Piles station and the city of Three Rivers		25,000 00

SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
PUBLIC WORKS—Concluded.	\$ cts.	\$ cts.
(Chargeable to Income)—Concluded.		
ROADS AND BRIDGES.		
Bridge over the Saskatchewan River at Edmonton, N.W.T.—To complete payments.....	5,500 00	
TELEGRAPH LINES.		
Land and cable lines, Gulf of St. Lawrence, etc.—		
Land line between Margaree and Mabou.....	\$ 1,600 00	
Extension signal service line between Ste. Flavie and Quebec.....	5,000 00	
British Columbia—		
Alternative line connecting Cape Beale and Carmanah with Victoria via extension of French Creek—Alberni line built southwardly to the south-west coast of Vancouver Island.....	1,273 50	
	7,873 50	
MISCELLANEOUS.		
Gratuity to the widow of the late Emery Lafontaine, assistant engineer on the Chief Engineer's staff of the Department of Public Works, Ottawa.....	333 33	63,208 35
OCEAN AND RIVER SERVICE.		
Outfit and stores of ss. <i>Minto</i> in Scotland, including wages of crew to Canada and extra nickel-steel propeller blades.....	12,869 00	
Alteration of ss. <i>Aberdeen</i>	7,000 00	
Gratuity to Stephen Carroll, late chief engineer of the Government steamer <i>Druid</i>	450 00	20,319 00
LIGHTHOUSE AND COAST SERVICE.		
To complete the construction of Traverse light pier by giving it additional protection by rip-rap.....	5,000 00	
J. W. G. Roberts, draughtsman in the office of the Chief Engineer, from October 24, 1899, to June 30, 1900, 8½ months at \$50 a month, notwithstanding anything in the Civil Service Act.....	448 87	5,448 87
SCIENTIFIC INSTITUTIONS.		
Gratuity to the widow of J. W. Carroll, Clerk of the Meteorological Office at Toronto.....	96 66	
Erection of time-signals at Vancouver and maintenance of the same.....	900 00	996 66
FISHERIES.		
Customs and other officers for services in compiling and forwarding daily reports in connection with the Fisheries Intelligence bureau for the season of 1899.....	382 50	
Collectors of Customs for services in connection with the issuing of fishing licenses to United States fishing vessels during 1899, equal to 5 per cent of the collections.....	413 31	

SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
FISHERIES—Concluded.		
C. W. Gauthier, in full settlement of his claim of \$2,100 for supplying fish ova to the Sandwich Hatchery from 1886 to 1890.	1,300 00	
H. H. A. Bruce, settlement in full, including interest up to June 30, 1900, of claim for damage arising out of the lease of fishery on the Richelieu River.	3,594 00	
Salaries and disbursements of fishery officers and to purchase steam launch for the Fraser River fisheries.	15,000 00	
New hatchery at Flatlands, county of Restigouche, in place of the hatchery destroyed by fire.	3,950 00	
Gratuity to Blanche G. Mitchell, only child of the late Hon. P. Mitchell, Inspector of Fisheries for Quebec and Maritime provinces, payable as Treasury Board may direct.	500 00	
		25,139 81
INDIAN AFFAIRS.		
ONTARIO AND QUEBEC.		
Cost of the defence of Indians at St. Regis, Quebec. \$	1,305 14	
Relief and medical attendance in the province of Ontario.	700 00	
Relief of distress and the purchase of seed grain in the province of Quebec.	2,000 00	
Travel of Inspectors Macrae and Chitty.	200 00	
		4,205 14
NOVA SCOTIA.		
Medical attendance and medicines.		700 00
NEW BRUNSWICK.		
Miscellaneous. \$	100 00	
Medical attendance and medicines.	800 00	
		900 00
PRINCE EDWARD ISLAND.		
Medical attendance and medicines.		300 00
MANITOBA AND NORTH-WEST TERRITORIES.		
Payment to Indians of Treaty No. 8. \$	19,550 00	
Supplies for working and destitute Indians.	10,000 00	
Mower and horse-rake, and set of double harness, for Lesser Slave Lake, Treaty No. 8.	150 00	
General expenses.	13,000 00	
		42,700 00
BRITISH COLUMBIA.		
Medical attendance and medicines. \$	1,500 00	
Relief of distress.	1,000 00	
Grant for 50 pupils, at \$60 each, at the Squamish Boarding School.	3,000 00	
		5,500 00
		54,305 14
NORTH-WEST MOUNTED POLICE.		
To compensate members of the North-west Mounted Police for services rendered carrying mails between Bennett and Dawson during the winter of 1898-99, 64,013 miles at 10 cents per mile.		6,401 30

SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
YUKON TERRITORY.		
ADMINISTRATION OF JUSTICE.		
Living expenses of sheriff	\$ 600 00	
Travelling expenses of sheriff to Dawson	651 20	
	1,251 20	
MILITIA.		
Further sum	50,000 00	
PUBLIC WORKS.		
Rent, fuel and light for public buildings	\$14,000 00	
Yukon and Lewes Rivers—Improvements, including allowance of \$1,100 per annum to superintending engineer, T. C. Taché, notwithstanding anything in the Civil Service Act.	25,000 00	
	39,000 00	
PUBLIC WORKS.		
<i>(Chargeable to Collection of Revenue)</i>		
Working expenses of Bennett-Dawson and Atlin telegraph lines	45,000 00	
GOVERNMENT OF THE TERRITORY.		
Living expenses of officials, and transport and maintenance of lunatics	\$10,000 00	
General expenses	15,000 00	
	25,000 00	
CUSTOMS.		
Additional amount	2,500 00	
POST OFFICE.		
Expenditure of the mail service in the Territory	75,000 00	
MISCELLANEOUS.		
Canadian Bank of Commerce for services in handling and shipping gold dust from Dawson :—		
4 per cent (including insurance at 1½ per cent, freight at 1½ per cent, convoy and all other charges connected therewith § of one per cent) on \$533,695.44, to June 1, 1899	\$ 21,347 80	
2 per cent commission on drafts issued free of charge to miners at Dawson, to June 1, 1899	4,285 96	
1½ per cent on revenue collections, \$664,274.83, to September 30, 1898	9,964 10	
1½ per cent on cash payments, \$252,555.51, at Dawson, to September 30, 1898	3,788 33	
2 per cent on drafts of the North-west Mounted Police	3,931 95	

SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
YUKON TERRITORY—Concluded.		
MISCELLANEOUS—Concluded.		
2 per cent on drafts of the Department of Militia and Defence.....	\$ 979 78	
3 per cent (less 2½ per cent for disbursements and insurance) on \$468,382.00, from June 1 to October 31, 1899.....	3,512 87	
1½ per cent commission on drafts issued free of charge to miners, from June 1 to October 31, 1899.....	10,971 82	
1¼ per cent commission on revenue collections of \$2,140,003.83, from October 1, 1898, to April 30, 1900.....	26,750 00	
1¼ per cent on cash payments of \$425,531.84, from October 1, 1898, to April 30, 1900.....	5,319 14	
	\$ 90,851 75	
Bank of British North America :—		
2 per cent commission on drafts issued free of charge to miners at Dawson, to June 1, 1899.....	\$ 4,589 85	
1½ per cent commission on drafts issued free of charge to miners at Dawson, from June 1, to September 30, 1899.....	4,981 25	
	9,571 10	
	100,422 85	338,174 05
DOMINION LANDS.		
<i>(Chargeable to Capital)</i>		
L. E. Fontaine difference between \$400 per annum and \$3 per day for 60 days' services from January 17, 1899, to March 18, 1899, notwithstanding anything in the Civil Service Act.....		112 67
MISCELLANEOUS.		
To recoup the North-west Mounted Police vote for relief to destitute half-breeds in the North-west Territories.....	500 00	
Miscellaneous printing.....	10,000 00	
Seed grain to settlers whose crops were destroyed in 1899.....	5,000 00	
Repairs to bridge between Banff and Anthracite in the Rocky Mountains Park.....	2,400 00	
Portraits of Hon. Alexander Mackenzie and Sir J. S. D. Thompson.....	800 00	
Henry A. Quinn, for services in connection with the rebellion of 1885.....	292 40	
Amount required in the case of Wentworth v. Mathieu.....	7,569 49	
Contribution for Canadian Law Library, London, England.....	250 00	
Expenses of Chief Justice Strong in connection with sittings of Judicial Committee of Privy Council.....	1,000 00	
Expenses connected with inquiry into labour troubles in British Columbia mines.....	7,000 00	
Expenses connected with the suit of The Queen v. British American Bank Note Co.....	5,000 00	
Aikens, Culver & McCleneghan, Winnipeg, for legal services in 1888, 1889 and 1890.....	23 00	
J. Beatty amount of gratuity.....	187 33	
Expenses in connection with arrest and trial of counterfeiters.....	4,300 00	
Expenses in connection with the arrest and trial of the officials of La Banque Ville Marie.....	9,000 00	
	53,322 22	

SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
COLLECTION OF REVENUE.		
	\$ cts.	\$ cts.
CUSTOMS.		
Salaries and contingent expenses of the several ports:—		
Province of Nova Scotia.....	\$ 2,920 00	
“ Quebec.....	13,750 00	
“ Ontario.....	9,000 00	
“ Manitoba.....	3,740 00	
“ British Columbia.....	3,545 00	
North-west Territories.....	1,560 00	
Customs laboratory.....	200 00	
	34,715 00	
EXCISE.		
Stamps for imported and Canadian tobacco.....	16,000 00	
WEIGHTS, MEASURES, GAS AND ELECTRIC LIGHT.		
Rent, fuel, travelling expenses, postage, etc., for weights and measures.....	\$ 2,500 00	
Salaries of inspectors of gas.....	250 00	
Rent, fuel, travelling expenses, postage, stationery, etc., for gas and electric light inspection, including salaries in connection with the inspection of electric light and the purchase or repair of instruments.....	1,500 00	
Salaries of officers, inspectors and assistant inspectors of weights and measures.....	850 00	
	5,100 00	
INSPECTION OF STAPLES.		
Expenses of Commission.....	9,000 00	
POST OFFICE.		
Mileage allowance to F. W. Blizzard, a railway mail clerk in the New Brunswick district, from July 1, 1898, to December 31, 1899.....	\$ 953 12	
To compensate B. F. Shephard, clerk in Victoria post office, for services rendered and injury to clothing in attending to the fumigation of the mails entering the port of Victoria, B.C., from April 1 to June 30, 1899, at \$50 a year, notwithstanding anything in the Civil Service Act.....	12 50	
Compassionate allowance to Joseph Y. Watson, father of the late B. Watson, mail courier.....	50 00	
To increase the salary of the postmaster of Halifax from \$2,400 to \$2,800 a year from July 1, 1899, notwithstanding anything in the Civil Service Act.....	400 00	
To promote W. R. Ecclestone, a third class clerk in the Hamilton post office, to the second class from January 1, 1900, at a salary of \$1,000 a year, \$100; and also to grant him a special allowance of \$100, notwithstanding anything in the Civil Service Act.....	200 00	
Mileage to railway mail clerks now on duty in South Africa, from January 1 to June 30, 1899, viz. :—		
J. Lallier.....	\$ 140 64	
T. B. Bedell.....	193 08	
K. A. Murray.....	120 45	
R. Johnston.....	256 14	
	710 31	
To reimburse C. W. Martin, a railway mail clerk in the Ottawa district, for injury sustained to clothing in a railway accident while on duty.....	26 50	
To increase the provisional allowance to the staffs of the railway mail service, Post Office and Inspectors' Offices in Manitoba and British Columbia.....	7,007 39	
To complete the payments for post office service to June 30, 1900.....	31,473 00	
	40,832 82	

SCHEDULE A—Concluded.

SERVICE.	Amount.	Total.
COLLECTION OF REVENUE—Concluded.		
	\$ cts.	\$ cts.
RAILWAYS AND CANALS.		
<i>Railways.</i>		
Prince Edward Island.....	\$ 20,000 00	
<i>Canals.</i>		
Rideau—Staff.....	\$ 120 00	
Lachine—Gratuity to F. Houle for injury received.....	91 00	
General repairs.....	2,000 00	
Beauharnois—Repairs to waste weir, lock 10, and break at lock 12.....	1,650 00	
St. Ours lock—Towards rebuilding lock gates..	1,000 00	
Grenville—Repairs to canal works.....	2,000 00	
Cornwall—Wages of staff for regulating water in winter.....	1,000 00	
House rent allowance to staff.....	2,088 00	
Williamsburg—Wages of bridge tenders for new bridges.....	1,000 00	
House rent allowance to staff.....	1,224 00	
Murray—House rent allowance to bridge tenders	420 00	
	12,593 00	
	32,593 00	
UNPROVIDED ITEMS.		
Unprovided items, 1898-9, as per Auditor General's Report, page A-5..		138,240 62
		73,166 66
Total		2,264,728 30

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
<i>CIVIL GOVERNMENT—Continued.</i>		
	\$ cts.	\$ cts.
<i>Department of Public Printing and Stationery</i>	\$ 26,550 00	
Statutory increases, 1 third class clerk \$50, 1 messenger \$30	80 00	
Three junior second class clerks at \$600	1,800 00	
<i>Department of the Interior</i> .—Including \$2,400 to T. G. Rothwell and P. G. Keyes; \$2,200 to G. U. Ryley; and \$1,800 to J. White, notwithstanding anything in the Civil Service Act.....	102,524 00	
To increase the salary of Otto J. Klotz, astronomer, from \$1,800 to \$2,000, from July 1, 1900, notwithstanding anything in the Civil Service Act.....	200 00	
<i>Office of the Comptroller of the North-west Mounted Police</i>	10,300 00	
<i>Department of Indian Affairs</i>	47,630 00	
Clerical assistance.....	825 00	
Increase of salary to the Secretary of the Department, J. D. McLean, notwithstanding anything in the Civil Service Act.....	150 00	
<i>Office of the Auditor General</i>	28,100 00	
Three junior second class clerks at \$600 (less amount in main estimates for one messenger, to be used towards the salary of a clerk).....	1,300 00	
<i>Department of Finance and Treasury Board</i>	50,137 50	
Increase to salaries of two messengers, \$30 each.....	60 00	
Increase to salary of C. W. Treadwell, chief clerk and secretary of the Department, notwithstanding anything in the Civil Service Act.....	200 00	
<i>Department of Customs</i>	37,600 00	
Addition to salaries of A. Morin \$100, and to W. H. Carlton, and W. D. P. Bales, messengers, \$30 each, notwithstanding anything in the Civil Service Act.....	160 00	
Contingencies—Statistical returns of imports and exports, notwithstanding anything in the Civil Service Act.....	15,000 00	
<i>Department of Inland Revenue</i>	38,000 00	
Chief clerk and accountant, F. R. E. Campeau, from \$2,250 to \$2,400, notwithstanding anything in the Civil Service Act.....	150 00	
Increase to one clerk, W. A. Haliday.....	50 00	
<i>Department of Agriculture</i>	54,842 50	
Increase of salary to W. J. Lynch, chief clerk Patent Branch, notwithstanding anything in the Civil Service Act.....	100 00	
Promotion of J. W. D. Verner, third class clerk at \$1,000 in main estimates, to second class clerkship.....	100 00	
Statutory increase to W. J. Walsh.....	50 00	
To provide for three junior second class clerkships, at \$600 each.....	1,800 00	
Contingencies—Appointment of an assistant Patent Examiner, notwithstanding anything in the Civil Service Act.....	800 00	
<i>Department of Marine and Fisheries</i> .—Including \$1,900 to W. J. Stewart, \$850 to J. F. Fraser, and \$1,300 to B. H. Fraser.....	56,190 00	
Increase to salaries of W. P. Anderson, chief engineer, and John Hardie, chief clerk and acting Deputy Minister, \$200 each, notwithstanding anything in the Civil Service Act.....	400 00	
Junior second class clerks, 1 at \$800, 1 at \$750, 1 at \$650, 1 at \$600.....	2,800 00	
Increase to two messengers, \$30 each.....	60 00	
Increase to S. B. Kent, from \$1,400 to \$1,450 per annum, notwithstanding anything in the Civil Service Act.....	50 00	
Increase of \$50 to R. Beaulieu.....	50 00	
<i>Department of Railways and Canals</i> .—Including \$1,400 to J. L. Payne, and \$800 each to J. H. Gleason, G. A. Bell and J. P. Wright, notwithstanding anything in the Civil Service Act.....	40,550 00	

SCHEDULE B—*Continued.*

SERVICE.	Amount.	Total.
CIVIL GOVERNMENT—Continued.		
	\$ cts.	\$ cts.
<i>Department of Railways and Canals—Concluded.</i>		
To increase salary of Secretary of Department, and chief clerk in the office of the Deputy Minister and Chief Engineer, L. K. Jones, notwithstanding anything in the Civil Service Act.....	\$ 200 00	
<i>Department of Public Works</i>	46,300 00	
Increase to T. F. McLaughlin, second class clerk, notwithstanding anything in the Civil Service Act.....	100 00	
<i>Department of the Geological Survey</i>	53,800 00	
Salary of one junior second class clerk (less messenger's salary).....	100 00	
<i>Post Office Department</i>	202,455 00	
Balancing and summarizing depositors' accounts at close of year ending June 30, 1900.....	3,275 00	
5 chief clerks, \$50 each.....	250 00	
6 first class clerks, \$50 each.....	300 00	
5 second class clerks, \$50 each.....	250 00	
48 third class clerks, \$50 each.....	2,400 00	
27 packers, sorters and messengers, \$30 each.....	810 00	
One additional first class clerkship.....	1,400 00	
To increase the salary of G. F. Everett, Supt. of the Money Order Office, notwithstanding anything in the Civil Service Act.....	200 00	
To increase the salary of J. D. Campbell, notwithstanding anything in the Civil Service Act.....	140 00	
Salaries of examiners and other expenses under the Civil Service Act, including \$200 for the secretary and \$75 for a clerk, which sums may be paid to members of the Civil Service, notwithstanding anything in the Civil Service Act.....	2,275 00	
<i>Department of Trade and Commerce.</i> —Including \$700 to Miss Shaw, notwithstanding anything in the Civil Service Act.....	8,870 00	
<i>Office of the High Commissioner for Canada in England</i>	10,100 00	
Contingencies, rent and insurance on office, income tax, fuel, light, stationery, etc., and the amount (\$2,000) required towards the contingent expenses (water, light, fuel, carriage hire and railway fare) of the High Commissioner, including the income tax on the salary of the High Commissioner.....	10,600 00	
To provide for the promotion of a second class clerk to a first class clerkship, and of a third class clerk to a second class clerkship.....	100 00	
	1,017,734 00	
CONTINGENCIES.		
<i>Governor General's Secretary's Office—</i>		
Clerical and other assistance.....	\$ 2,200 00	
Printing and stationery.....	1,200 00	
Sundries.....	11,200 00	
	\$ 14,600 00	
<i>Department of the Privy Council for Canada—</i>		
Clerical and other assistance, notwithstanding anything in the Civil Service Act.....	\$ 2,000 00	
Printing and stationery.....	2,000 00	
Sundries.....	4,000 00	
	8,000 00	
<i>Department of Justice—</i>		
Clerical and other assistance.....	\$ 2,900 00	
Printing and stationery.....	4,000 00	
Sundries.....	3,200 00	
	10,100 00	

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
CIVIL GOVERNMENT—Continued.		
CONTINGENCIES—Continued.		
Department of Militia and Defence—		
Clerical and other assistance.....	\$ 2,500 00	
Printing and stationery.....	3,000 00	
Sundries.....	1,450 00	
	\$ 9,000 00	
Department of the Secretary of State—		
Clerical and other assistance.....	\$ 1,450 00	
Printing and stationery.....	1,900 00	
Sundries.....	1,600 00	
	4,950 00	
Department of Printing and Stationery—		
Clerical and other assistance.....	\$ 1,510 00	
Printing and stationery.....	1,200 00	
Sundries.....	1,800 00	
	4,510 00	
Department of the Interior—		
Clerical and other assistance, including \$760 for J. D. Bollard and \$455 for T. W. Hodgins, notwithstanding anything in the Civil Service Act.....	\$ 5,335 00	
Printing and stationery.....	8,500 00	
Sundries.....	7,000 00	
	20,835 00	
Department of Indian Affairs—		
Clerical and other assistance.....	\$ 3,080 00	
Printing and stationery.....	3,050 00	
Sundries.....	3,000 00	
	9,130 00	
Office of the Auditor General—		
Clerical and other assistance.....	\$ 3,700 00	
Printing and stationery.....	1,250 00	
Sundries.....	700 00	
	5,650 00	
Department of Finance and Treasury Board—		
Clerical and other assistance.....	\$ 730 00	
Printing and stationery.....	2,250 00	
Sundries.....	2,920 00	
	5,900 00	
Department of Agriculture—		
Clerical and other assistance.....	\$ 8,770 00	
Printing and stationery.....	3,250 00	
Sundries.....	3,250 00	
	15,270 00	
Department of Marine and Fisheries—		
Sundries, clerical and other assistance, in- cluding \$600 each to W. J. Quinn and L. Bance, notwithstanding anything in the Civil Service Act.....	\$ 2,500 00	
Printing and stationery.....	6,000 00	
Sundries.....	2,500 00	
	11,000 00	
Department of Customs—		
Clerical and other assistance, including \$1,750 to be paid notwithstanding any- thing in the Civil Service Act.....	\$ 7,450 00	
Printing and stationery.....	2,000 00	
Sundries.....	2,730 00	
	12,180 00	
Department of Inland Revenue—		
Clerical and other assistance.....	\$ 2,000 00	
Printing and stationery.....	2,100 00	
Sundries.....	2,150 00	
	6,250 00	

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
CIVIL GOVERNMENT—Concluded.	\$ cts.	\$ cts.
CONTINGENCIES—Concluded.		
Department of Public Works—		
Printing and stationery.....\$ 4,500 00		
Sundries..... 5,500 00		
	\$ 10,000 00	
Department of Railways and Canals—		
Printing and stationery..... \$ 5,000 00		
Sundries..... 3,000 00		
	8,000 00	
Post Office Department—		
Clerical and other assistance, including \$120 to S. J. Carter, of the Dead Letter Office at Winnipeg, a provisional allowance for excessive cost of living in Manitoba, notwithstanding anything in the Civil Service Act.....\$ 32,305 00		
Printing and stationery..... 21,000 00		
Sundries..... 4,000 00		
	57,305 00	
Department of Trade and Commerce—		
Clerical and other assistance, notwithstanding anything in the Civil Service Act....\$ 3,400 00		
Printing and stationery..... 1,500 00		
Sundries..... 2,500 00		
	7,400 00	
Office of the Comptroller of the North-west Mounted Police—		
Clerical and other assistance, notwithstanding anything in the Civil Service Act.....	900 00	
Care and cleaning of the departmental buildings, including \$100 for firing noon gun, which amount may be paid to a member of the Civil Service, notwithstanding anything in the Civil Service Act.....	27,000 00	
Printing Bureau, cleaning, etc.....	1,750 00	
	249,730 00	1,267,464 00
ADMINISTRATION OF JUSTICE.		
MISCELLANEOUS.		
Miscellaneous expenditure, including North-west Territories\$ 37,000 00		
Travelling expenses of judges in the North-west Territories. 3,000 00		
Circuit allowances, British Columbia 13,000 00		
Travelling allowances, Court of Queen's Bench, and County Court judges, Manitoba 2,500 00		
Circuit allowances to judges <i>ad hoc</i> 200 00		
Travelling expenses of judges holding weekly sittings of High Court of Justice at London and Ottawa..... 1,500 00		
Expenditure under R. S. C., c. 181 700 00		
Alien labour law enforcement 9,000 00		
Office for clerk of the court and judges chambers, Prince Albert 240 00		
	67,140 00	
SUPREME COURT OF CANADA.		
The Reporter.....\$ 1,950 00		
Assistant Reporter, 1st class clerk 1,500 00		
Clerk in the office of the Registrar, 2nd class clerk..... 1,200 00		
Second clerk in the office of the Registrar, 3rd class clerk... 800 00		
Librarian 1,150 00		
3rd class clerk. 1,000 00		
Caretaker 750 00		
\$ messengers at \$500 each 1 500 00		

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
ADMINISTRATION OF JUSTICE—Concluded.		
	\$ cts.	\$ cts.
SUPREME COURT OF CANADA—Concluded.		
Contingencies and disbursements, salaries of officers (Sheriff, Registrar as editor and publisher of reports, usher, etc.), balance for printing catalogue and books for judges, not exceeding \$300	\$ 4,000 00	
Printing, binding and distributing Supreme Court Reports..	3,500 00	
Law books and works of reference for the Supreme Court library	4,500 00	
Improvements to library, etc.....	3,000 00	
	24,850 00	
EXCHEQUER COURT OF CANADA.		
1st class clerk, notwithstanding anything in the Civil Service Act	\$ 1,600 00	
3rd class clerk ..	1,000 00	
3rd class clerk.....	650 00	
Messenger	500 00	
Contingencies, Judge's and Registrar's travelling expenses, salaries of Sheriffs, etc., printing, stationery, etc., and \$50 for judge's books	4,000 00	
Printing, binding and distributing Exchequer Court Reports Additional to Registrar as editor and publisher of Exchequer Court Reports.....	300 00	
L. A. Audette, increase of salary from July 1, 1900, to June 30, 1901.....	275 00	
Charles Morse for furnishing reports of Exchequer Court decisions to legal periodicals, notwithstanding anything in the Civil Service Act.....	50 00	
Salary of Registrar in Admiralty, Quebec.....	666 66	
" Marshal " "	333 34	
To provide accommodation when necessary for Exchequer Court in Admiralty.....	300 00	
Travelling allowance for local judges and other officers.....	300 00	
	10,775 00	
		102,765 00
DOMINION POLICE.		
Dominion police	25,250 00	
Special police service. Of this a sum not exceeding \$5,000 may be expended under special audit.....	31,000 00	
		56,250 00
PENITENTIARIES.		
General ..	3,400 00	
Kingston.....	190,400 00	
Gratuities to P. O'Donnell, late storekeeper, \$2,000, and N. P. Wood, late assistant storekeeper, \$350	2,350 00	
St. Vincent de Paul	113,600 00	
Balance of expenses in connection with the commission for the investigation of the affairs of St. Vincent de Paul penitentiary.....	662 00	
Dorchester	53,600 00	
Manitoba ..	52,500 00	
British Columbia.....	48,000 00	
Regina Jail	9,500 00	
Prince Albert Jail	6,000 00	
		480,012 00
LEGISLATION.		
SENATE.		
Salaries and contingent expenses.....	\$ 68,388 00	
Reporting, printing, etc., debates.....	5,500 00	
	73,888 00	

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
LEGISLATION—Concluded.		
	\$ cts.	\$ cts.
HOUSE OF COMMONS.		
Salary of the Deputy Speaker.....	\$ 2,000 00	
Salaries.....	69,850 00	
Expenses of committees, sessional and extra clerks, etc.....	21,900 00	
Contingencies, including \$300 for clerical assistance for the leader of the Opposition.....	19,700 00	
Publishing debates.....	40,000 00	
Estimate of Serjeant-at-Arms.....	34,267 50	
Contingent expenses in connection with the voters' lists.....	32,500 00	
Expense of a judicial inquiry into certain election matters, so much thereof as the commissioners may require to be subject to their order for the payment of witnesses' fees.	20,000 00	
Harvey Atkinson, Q.C., for legal services to the Returning Officer in the recent election under the Canada Temperance Act in Westmoreland, New Brunswick, in connection with the proceedings against the validity of such election.....	101 80	
Serjeant-at-Arms estimate.....	5,357 50	
Stationery.....	5,300 00	
Provincial voters' lists.....	8,000 00	
Contingencies of the Clerk of the Crown in Chancery.....	3,000 00	
Additional amount for publishing the debates.....	20,600 00	
Increases in salary of the Accountant, Deputy Serjeant-at-Arms and four clerks, \$50.....	300 00	
Sessional clerks.....	3,120 00	
French translators.....	480 00	
	285,876 80	
LIBRARY OF PARLIAMENT.		
Salaries.....	\$ 16,650 00	
Books for the general library, including binding, etc.....	12,000 00	
" library of American history.....	1,000 00	
Contingencies.....	2,600 00	
Two sessional messengers during the session of 1901.....	500 00	
Additional to the salary of Messrs. Smith and Sylvain.....	100 00	
	32,850 00	
GENERAL.		
Printing, binding and distributing the laws.....	\$ 6,000 00	
Printing, printing paper and binding.....	85,000 00	
	91,000 00	
		483,614 80
ARTS, AGRICULTURE AND STATISTICS.		
Archives.....	8,000 00	
Patent Record.....	10,000 00	
Collection and compilation of criminal statistics (R.S.C., c. 60).....	1,800 00	
Statistical Year Book.....	3,000 00	
General statistics.....	3,200 00	
Aid to agricultural societies.....	7,000 00	
Experimental farms.....	80,000 00	
Printing and distribution of reports and bulletins of farms.....	4,000 00	
Commissioner's branch for agriculture and dairying.....	40,000 00	
To promote dairying interests by advances for milk and cream and for making butter and cheese, to be recouped out of the proceeds of sales of such butter and cheese, to be placed to the credit of the Consolidated Revenue Fund.....	60,000 00	
Cold storage on steamships, on railways, at warehouses and creameries, and for expenses in connection with trial shipments of products, and for securing improvement and recognition of the quality of Canadian farm products.....	70,000 00	

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
ARTS, AGRICULTURE AND STATISTICS—Concluded.		
	\$ cts.	\$ cts.
Classifying all Canadian patents and preparing drawings of same for classification, and for exchange with the United States in return for their patents, to be paid notwithstanding anything in the Civil Service Act.....	4,100 00	
Census.....	150,000 00	
Paris Exhibition.....	50,000 00	
Towards compiling historical data in regard to the Acadian families in Canada.....	1,400 00	
Glasgow Exhibition.....	25,000 00	
Dominion census.....	100,000 00	
Cold storage on steamships, on railways, at warehouses and at creameries, and for expenses in connection with trial shipments of products and for securing improvement and recognition of the quality of Canadian farm products.....	30,000 00	
Paris Exhibition.....	10,000 00	
		657,500 00
QUARANTINE.		
Salaries and contingencies of organized districts and public health in other districts.....	55,000 00	
Tracadie Lazaretto.....	5,500 00	
Winnipeg and St. Boniface hospitals.....	4,000 00	
Cattle quarantine.....	30,000 00	
Compensation for slaughter of hogs and sheep and all other expenses connected therewith.....	15,000 00	
Towards the prevention of the spread of tuberculosis in cattle throughout the Dominion.....	20,000 00	
Carrying out the regulations concerning the health of employees on public works under the Public Works (Health) Act, 1899.....	5,000 00	
Cattle quarantine—To pay N. W. Mounted Police for services, etc.....	1,500 00	
Organized districts and public health vote.....	20,000 00	
		156,000 00
IMMIGRATION.		
Salaries of agents and employees in Canada, Great Britain and foreign countries.....	110,000 00	
Women's Protective Immigration Society, Montreal.....	1,000 00	
Girls' Home of Welcome, Winnipeg.....	1,000 00	
Contingencies in Canadian, British and foreign agencies and general immigration expenses, including salaries of extra clerks at head office.....	283,000 00	
General expenses.....	50,000 00	
		445,000 00
PENSIONS.		
Annuity to:—		
Mrs. Delaney.....	400 00	
Miss Harriet Fraser.....	250 00	
Roderick Fraser.....	150 00	
Account of the Fenian raid.....	2,000 00	
Compensation to pensioners in lieu of land.....	136 22	
Militiamen on account of the rebellion of 1835, and active service generally.....	19,000 00	
Mounted Police, Prince Albert volunteers and police scouts on account of the rebellion of 1835.....	2,635 06	
Mrs. Grundy and children.....	246 38	
Mrs. Colebrooke and child.....	182 50	
		25,000 16
SUPERANNUATION.		
Extra allowance to Mr. Wallace, ex-postmaster at Victoria, B.C.....		240 00

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.	
MILITIA.			
<i>(Chargeable to Capital.)</i>			
Arms, ammunition and defences	240,000 00	315,000 00	
Rifle ranges	75,000 00		
MILITIA.			
<i>(Chargeable to Income.)</i>			
Pay and allowances	381,094 00	2,024,719 25	
Annual drill	275,000 00		
Salaries and wages	75,000 00		
Military properties	175,000 00		
Warlike and other stores	55,000 00		
Clothing and necessaries	110,000 00		
Provisions and supplies	125,000 00		
Transport and freight	40,000 00		
Rifle association grants	38,000 00		
Miscellaneous and unforeseen	22,000 00		
Royal Military College	73,500 00		
Government cartridge factory	110,787 00		
Defence of Esquimalt	125,000 00		
General service medals	15,000 00		
Military properties	53,200 00		
Gratuity to Mrs. T. J. Benbow	76 25		
Gratuity to family of R. Roussel, Quebec	62 00		
Monuments for battlefields	3,000 00		
Halifax provisional garrison	350,000 00		
RAILWAYS AND CANALS.			
<i>(Chargeable to Capital.)</i>			
RAILWAYS.			
<i>Intercolonial.</i>			
Building for baggage and express at Truro	\$ 2,000 00		
To extend dyke at Lepers' Brook, Truro	300 00		
Iron highway bridge, Rocky Lake	5,000 00		
Additional houses for engines	80,000 00		
Balance due on Halifax cotton factory branch	5,802 00		
Freight shed and to improve station at Rockingham	1,800 00		
To extend cotton factory branch at Halifax	70,000 00		
To extend coal trestle at Stellarton	3,500 00		
To increase station accommodation at Westville	8,000 00		
To increase accommodation at Sydney	39,000 00		
Sidings at Stellarton, near Albion Mines	2,500 00		
To re-arrange, enlarge and extend station yard at Truro	9,500 00		
To increase accommodation at Halifax	16,200 00		
Improvements at Mulgrave	25,000 00		
To complete subway at Christy's Brook, Amherst	1,800 00		
To increase accommodation at Amherst	3,500 00		
Original construction	2,000 00		
Land damages on Oxford, New Glasgow and Cape Breton divisions	2,000 00		
To strengthen bridges	100,000 00		
To change air brakes on passenger cars, etc	13,000 00		
To apply air brakes to freight cars	40,000 00		
To change car couplers on passenger cars	26,000 00		

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
RAILWAYS AND CANALS—Continued.		
<i>(Chargeable to Capital)—Continued.</i>		
RAILWAYS—Concluded.		
<i>Intercolonial—Concluded.</i>		
To equip passenger cars with vestibules.....	\$ 10,000 00	
Machinery at shops.....	5,000 00	
To change drawbars on freight cars.....	20,000 00	
Additional rolling stock.....	950,000 00	
Improved accommodation and facilities along the line of railway.....	104,000 00	
To increase facilities along the line.....	112,800 00	
To purchase tools and machinery.....	66,000 00	
To equip passenger cars with Pintsch gas ap- paratus.....	4,800 00	
To increase accommodation at Lévis.....	110,000 00	
Additional sidings along line.....	105,500 00	
Three travelling steam derricks.....	30,000 00	
New steel bridge at Etchemin—Additional cost	22,000 00	
To increase accommodation at St. John.....	203,000 00	
To dredge and blast rock at Halifax.....	11,000 00	
To raise Sydney and Louisbourg Ry. bridge...	3,300 00	
To improve ferry service at Strait of Canso...	250,000 00	
To extend I. C. Ry. to Copper Crown Works, Pictou.....	20,000 00	
Rolling stock.....	400,000 00	
Steel rails and fastenings.....	420,000 00	
Grain elevator at St. John.....	2,000 00	
Towards strengthening iron bridge.....	80,000 00	
Building new and enlarging old engine houses..	60,000 00	
Improvements at Point Tupper.....	7,000 00	
Towards building sea wall in Cape Breton.....	8,000 00	
Larger turntables.....	11,000 00	
Improvements at Mulgrave.....	10,000 00	
Towards constructing subway at Christie's Crossing.....	3,500 00	
Improving telegraph service.....	12,000 00	
Towards building rest houses at engine stations	3,000 00	
Drop pits.....	5,000 00	
	\$3,505,802 00	
<i>Prince Edward Island.</i>		
Murray Harbour branch, including Hillsboro' bridge.....	\$700,000 00	
Machinery.....	3,500 00	
Rolling stock.....	10,000 00	
To shorten main line by removal of curves.....	3,000 00	
	716,500 00	
		4,222,302 00
CANALS.		
Soulanges—Construction.....	\$350,000 00	
Sault Ste. Marie—Construction.....	40,000 00	
Hugh Ryan & Co., award and interest thereon.....	283,739 68	
Lachine—Construction of lock.....	500,000 00	
Dredging between locks 2 and 3 and basin.....	21,000 00	
Building slope walls.....	11,000 00	
Quadrant pontoon gate.....	20,000 00	
Installation of electric light.....	40,000 00	
Enlargement.....	25,000 00	
Lake St Louis—Forming channel.....	14,000 00	
Grenville—Enlargement.....	5,000 00	

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
RAILWAYS AND CANALS—Continued.		
<i>(Chargeable to Capital)—Concluded.</i>		
CANALS—Concluded.		
Lake St. Francis—Removing shoals.	\$ 5,000 00	
Cornwall—Enlargement	60,000 00	
To repair wharf at Cornwall	1,000 00	
Farran's Point—Enlargement	69,500 00	
"	60,000 00	
Galops—Enlargement	441,000 00	
Enlargement (upper entrance)	60,000 00	
North Channel—Forming	200,000 00	
Galops rapids—Forming channel	100,000 00	
St. Lawrence River and reaches—Surveying, buoying, etc. .	15,000 00	
Trent—Construction	320,000 00	
"	300,000 00	
Welland—Improvements to Port Colborne entrance	100,000 00	
"	300,000 00	
" Swing " bridge across " the canal at the fourth con-		
cession, Humberstone	15,000 00	
Rapide Plat—Enlargement	155,000 00	
	3,211,239 68	7,733,541 68
RAILWAYS AND CANALS.		
<i>(Chargeable to Income)</i>		
CANALS.		
<i>Sault Ste. Marie.</i>		
1 pair lock gates	\$ 21,500 00	
<i>Welland.</i>		
Renewal of west pier at Port Dalhousie	\$ 32,000 00	
" docking below lock 1	11,800 00	
" masonry wall, lock 24	14,000 00	
" pile fenders, 3 bridges	11,300 00	
" west pier at Port Colborne	12,000 00	
General repairs	30,000 00	
Outlet drainage at Port Colborne	6,000 00	
To renew entrance piers, Port Colborne	20,000 00	
	137,100 00	
<i>North Channel.</i>		
Range lights	1,000 00	
<i>Williamsburg.</i>		
Range lights	750 00	
<i>Cornwall.</i>		
To repair masonry, new lock	5,000 00	
<i>Lake St. Francis.</i>		
To complete protection walls	\$ 9,000 00	
Protection on south side	1,000 00	
	10,000 00	
<i>Lachine.</i>		
Soow, and fitting up with machinery	\$ 4,000 00	
Steel rollers for Wellington bridge	3,000 00	
To rebuild wall basin 2	10,000 00	
	17,000 00	
<i>St. Ours Lock.</i>		
To rebuild dam and ice breaker	10,000 00	

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
RAILWAYS AND CANALS—Continued.		
<i>(Chargeable to Income)—Continued.</i>		
CANALS—Concluded.		
<i>Carillon and Grenville.</i>		
To rebuild wall below lock 6.	\$ 1,700 00	
To rebuild guide piers.....	30,000 00	
	\$ 31,700 00	
<i>Trent.</i>		
5 guard piers.....	\$ 2,000 00	
To dredge channel below Buckhorn lock.....	1,500 00	
" " Hutchison's lock.....	2,500 00	
To dredge shoals in Otonabee River.	3,500 00	
Salary of H. S. Greenwood as assistant engineer during his absence in South Africa as a member of the second Contingent from March 1, 1900, to, say, December 31, 1900, or for such lesser period as he may be absent.	1,500 00	
Gratuity to the widow of the late G. E. Robertson.....	300 00	
	11,300 00	
<i>Soulanges.</i>		
Mamier Clement, injuries received while on duty \$75, medicine and attendance \$40.....	115 00	
<i>Beauharnois.</i>		
Surveys and defining land boundaries.....	500 00	
<i>Chambly.</i>		
To rebuild bridge on Iroquois River.....	\$ 1,000 00	
Surveying property and planting stones.....	1,000 00	
	2,000 00	
<i>St. Peter's.</i>		
General repairs and improvements.....	3,000 00	
	250,965 00	
MISCELLANEOUS.		
Miscellaneous works not provided for.....	\$ 5,000 00	
Arbitrations and awards	4,000 00	
Surveys and inspections—Canals	3,000 00	
" " Railways.....	15,000 00	
Railway statistics.....	2,500 00	
Salaries extra clerks, copyists and messengers, other than those who have passed the civil service examinations, notwithstanding anything in the Civil Service Act.....	2,600 00	
Salaries of engineers, draughtsmen, extra clerks and messengers as below:—		
The salaries herein mentioned may be paid notwithstanding anything in the Civil Service Act—1 at \$2,800, 1 at \$2,600, 1 at \$2,400, 2 at \$1,900, 1 at \$1,800, 1 at \$800, 4 at \$700, 1 at \$600, 2 at \$540, 4 at \$500.....	20,680 00	
Reporting before the Railway Committee of the Privy Council and before the Minister.....	500 00	
Costs of litigation in connection with railways and canals...	6,000 00	
Annual subscription to International Railway Congress at Brussels.....	97 33	

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
RAILWAYS AND CANALS—Concluded.		
(<i>Chargeable to Income</i>)—Concluded.		
MISCELLANEOUS—Concluded.		
Annapolis and Digby Railway—O'Neill & Campbell, interest	\$ 8,381 82	
Governor General's car—Repairs and alterations	1,000 00	
Ottawa River—Survey in view of improvement to navigation	10,000 00	
	78,759 15	
PUBLIC WORKS.		
(<i>Chargeable to Capital</i>)		
PUBLIC BUILDINGS.		
<i>Ontario.</i>		
Ottawa military buildings—New store	\$ 5,000 00	
" " " "	25,000 00	
	30,000 00	
HARBOURS AND RIVERS.		
<i>Quebec.</i>		
River St. Lawrence ship channel	\$433,000 00	
<i>Ontario.</i>		
Rainy River—Lock and dam	\$ 25,000 00	
River Kaministiquia	10,000 00	
	35,000 00	
<i>Manitoba.</i>		
St. Andrew's Rapids—Red River	125,000 00	
	593,000 00	
TRANSPORTATION FACILITIES.		
Lévis graving dock—Lengthening dock	\$ 85,000 00	
Montreal harbour (lower division)—Improvements below St. Mary's Current	300,000 00	
Port Colborne—Harbour improvements	50,000 00	
	435,000 00	
PUBLIC WORKS.		
(<i>Chargeable to Income</i>)		
PUBLIC BUILDINGS.		
<i>Nova Scotia.</i>		
Halifax post office and custom-house—		
Renewals, improvements, etc	\$ 2,500 00	
Digby post office, custom-house, etc	15,000 00	
Kentville public building	1,300 00	
Springhill	10,000 00	
Halifax new public building	25,000 00	
Halifax quarantine station on Lawlor's Island, including laboratory with microscope	2,000 00	
Sydney public building—Alteration of fittings, etc	550 00	
Kentville public building	5,000 00	
Springhill public building	5,000 00	
Liverpool public building—To complete	2,150 00	
North Sydney public building—Improvements	1,300 00	
	\$ 69,800 00	
		1,058,000 00

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
PUBLIC WORKS—Continued.		
<i>(Chargeable to Income)</i> —Continued.		
PUBLIC BUILDINGS—Continued.		
<i>Prince Edward Island.</i>		
Charlottetown Dominion building—Committee of Queen's Square grounds, Charlottetown, for keeping in order the portion of the square used in connection with the building during 1899 and 1900.....	\$ 500 00	
<i>New Brunswick.</i>		
St. John Dominion buildings—Improvements, repairs, etc.....	\$ 1,000 00	
St. John quarantine station—Improvements.....	10,000 00	
Moncton public buildings—Renewals, repairs, etc.....	2,000 00	
Marysville public building.....	8,000 00	
St. John immigrant building.....	5,000 00	
St. John Dominion public buildings—Improvements, alterations, renewals, repairs, etc....	6,000 00	
St. John quarantine station—Improvements.....	8,000 00	
St. John post office—To re-cover roof with copper.....	2,900 00	
Chatham—New bonded warehouse.....	1,300 00	
	44,200 00	
<i>Maritime Provinces Generally.</i>		
Dominion public buildings—Renewals, improvements, repairs, etc.....	8,000 00	
<i>Quebec.</i>		
Dominion public buildings—Renewals, improvements, repairs, etc.....	\$ 12,000 00	
Grosse Isle quarantine station.....	10,000 00	
Montreal public buildings—Improvements, alterations, repairs, etc., installing electric light, etc.....	5,000 00	
Quebec Citadel—Governor General's quarters—Repairs, furniture, etc.....	2,000 00	
Quebec custom-house and examining warehouse—Renewals, improvements, repairs, etc.....	2,000 00	
Quebec Immigrant buildings on Louise embankment and breakwater, and Queen's Wharf buildings.....	5,000 00	
Buckingham public building.....	8,000 00	
Victoria public building.....	8,000 00	
Chicoutimi public building.....	5,300 00	
Lévis—Cattle quarantine station—Renewals, improvement and repairs.....	5,200 00	
Drummondville public building.....	5,000 00	
Grosse Isle quarantine station.....	4,000 00	
Montreal public buildings—Improvements, alterations, repairs, installing electric light, etc.....	6,400 00	
Montreal post office—New furnaces.....	2,500 00	
Quebec Citadel—Governor General's quarters—Repairs, furniture, etc.....	2,700 00	
Quebec cartridge factory—Rolling mill.....	11,000 00	

SCHEDULE B—*Continued.*

SERVICE.	Amount.	Total.
PUBLIC WORKS—Continued.		
<i>(Chargeable to Income)—Continued.</i>		
PUBLIC BUILDINGS—Continued.		
<i>Quebec—Concluded.</i>		
Hochelaga post office.....	\$ 10,000 00	
Granby public building.....	5,000 00	
Hull public building.....	19,153 99	
	\$ 128,253 99	
<i>Ontario.</i>		
Brockville drill hall.....	\$ 10,000 00	
Dominion public buildings—Renewals, improvements, repairs, etc.....	10,000 00	
Ingersoll post office, etc.....	5,500 00	
Kingston drill hall.....	31,500 00	
London drill hall and armoury site, etc.....	20,000 00	
London post office—Additions, alterations, fittings and furniture.....	3,000 00	
Sarnia public building.....	10,000 00	
Toronto Dominion buildings—Improvements, renewals, repairs, etc.....	4,000 00	
Woodstock post office, etc.....	21,000 00	
Supreme Court, Ottawa, new boiler.....	1,200 00	
Brockville drill hall.....	9,000 00	
Deseronto public building.....	5,000 00	
London custom-house, alterations and repairs..	1,200 00	
London post office, addition to, alterations, fittings and furniture.....	2,000 00	
Sarnia public building.....	15,000 00	
Pictou public building.....	13,000 00	
Toronto post office—Extension to the Union Station room, elevator building and hoist..	7,250 00	
Toronto post office—Improvements, including automobile cars.....	10,000 00	
Toronto Junction public building.....	5,000 00	
Toronto custom-house and examining warehouse, paving.....	4,515 00	
Ottawa public buildings—Langevin block, two new boilers.....	1,300 00	
Ottawa workshops, new boiler.....	850 00	
Ottawa—Renovating, painting, etc., outside works, re-leading windows of Parliament Building, Library, Eastern block, ironwork.....	7,000 00	
Ottawa—Fitting up and furnishing offices for Customs Department, Wellington street...	6,000 00	
Ottawa post office, custom-house, new boiler...	1,600 00	
Kingston—Royal Military College, additional buildings, gymnasium and hospital.....	8,000 00	
Rat Portage post office, etc.....	2,000 00	
St. Catharines drill hall.....	10,000 00	
Windsor drill hall.....	15,000 00	
Woodstock public building.....	10,000 00	
Rideau Hall, fire protection, renewals, repairs, alterations, re-metalling, etc.....	11,800 00	
St. Thomas drill hall and armoury.....	8,000 00	
	269,715 00	
<i>Manitoba.</i>		
Dominion public buildings—Renewals, improvements, repairs, etc.....	\$ 5,000 00	
Swan River immigration building.....	1,200 00	
Winnipeg Dominion public buildings—Asphalt pavements, etc.....	2,100 00	
Winnipeg post office—Improvements, etc.....	2,500 00	
	10,800 00	

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
PUBLIC WORKS—Continued.		
<i>(Chargeable to Income)—Continued.</i>		
PUBLIC BUILDINGS—Continued.		
<i>North-west Territories.</i>		
Court-house, lock-up and police accommodation.	\$ 1,000 00	
Dominion public buildings—Renewals, improvements, repairs, etc.	4,000 00	
Medicine Hat Court-house, etc.	1,400 00	
Regina Land Titles office.	13,000 00	
Regina—Lieut. Governor's residence—Improvements, greenhouse, sidewalks, etc.	7,000 00	
Red Deer Court-house, lock-up, etc.	5,000 00	
Red Deer Land Office.	700 00	
Carnduff Court-house.	6,000 00	
Edmonton " and jail.	6,000 00	
Macleod " .	5,000 00	
Yorkton " .	5,000 00	
Prince Albert " artesian well, etc.	1,100 00	
Edmonton—Immigrant building.	3,000 00	
Calgary Court-house—Alterations, fittings, etc.	1,600 00	
" Custom-house safe.	600 00	
Battleford—Repairs to Registrar's house.	1,000 00	
Regina—North-west Government buildings—To refund to the Government of the North-west Territories amounts disbursed by it, 1897-8, for repairs, renewals, fittings, etc.	1,773 87	
Regina Government House—Improvements, repairs, etc.	1,600 00	
Regina Land Titles office.	5,000 00	
Battleford Court-house, repairs.	600 00	
	\$ 70,373 87	
<i>British Columbia.</i>		
Dominion public buildings—Renewals, improvements, repairs, etc.	\$ 6,000 00	
Kamloops, post office, etc.	2,000 00	
Nelson public building.	20,000 00	
New Westminster public building—Reconstruction of building destroyed by fire, September 11, 1898.	25,000 00	
Rossland public building.	20,000 00	
Vancouver drill hall.	18,000 00	
Williams Head quarantine station—Renewals, painting, etc.	3,000 00	
Kamloops public building.	5,500 00	
Victoria—New post office—furniture, etc.	2,500 00	
Vancouver drill hall.	20,000 00	
Williams' Head quarantine station—Second disinfecting chamber, etc.	5,000 00	
	127,000 00	
<i>Public Buildings Generally.</i>		
Public buildings generally	\$ 5,000 00	
Salaries to clerks of works, assistants, etc.	9,000 00	
Construction of armouries.	35,000 00	
	49,000 00	

SCHEDULE B—*Continued.*

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
PUBLIC WORKS—Continued.		
<i>(Chargeable to Income)</i> —Continued.		
PUBLIC BUILDINGS—Concluded.		
<i>Experimental Farms.</i>		
New buildings and improvements, renewals, repairs, etc., in connection with existing buildings, fences, etc.....	\$ 10,000 00	
<i>Rents, Repairs, Furniture, Heating, etc.</i>		
Public buildings, Ottawa, including ventilation and lighting—Repairs, materials, furniture, etc.....	\$100,000 00	
Rideau Hall, including grounds—Renewals, improvements, furniture and maintenance....	17,000 00	
Allowance for fuel and light, Rideau Hall.....	8,000 00	
Grounds, public buildings, Ottawa.....	5,000 00	
Removal of snow, public buildings, Ottawa....	2,000 00	
Heating, public buildings, Ottawa, including salaries of engineers, firemen, elevator attendants and caretakers.....	65,000 00	
Gas and electric light, public buildings, Ottawa, including roads and bridges.....	18,500 00	
Telephone service, public buildings, Ottawa....	5,000 00	
Major's Hill Park, Ottawa.....	3,500 00	
Rents—Dominion public buildings.....	18,000 00	
Furniture—Dominion public buildings.....	6,000 00	
Salaries of engineers, firemen, caretakers, etc., Dominion public buildings.....	80,000 00	
Heating Dominion public buildings—Fuel, etc.	55,000 00	
Lighting Dominion public buildings.....	45,000 00	
Water—Dominion public buildings.....	16,000 00	
Sundry supplies for caretakers, engineers, firemen, etc., Dominion public buildings.....	5,000 00	
Dominion Immigration buildings—Repairs, furniture, etc.....	4,000 00	
Dominion quarantine stations—Maintenance....	4,000 00	
Dominion public buildings—Electric and other power for running elevators, stamp cancelling machines, etc.....	5,000 00	
Department of Agriculture, steel shelving.....	700 00	
Department of the Interior—Steel file cases with drawers, etc.....	12,500 00	
Department of Customs—Iron door for vault of the store room in the basement.....	275 00	
Post Office Department—Steel file cases with drawers, etc.....	7,465 50	
Public Works Department " " ..	4,500 00	
Auditor General's office " " ..	525 00	
Agriculture Department " " ..	250 00	
Rents—Dominion public buildings.....	3,000 00	
	491,215 50	
		1,278,858 36
HARBOURS AND RIVERS.		
<i>Nova Scotia.</i>		
Advocate Harbour—Wharf.....	\$ 500 00	
Canada Creek breakwater—New block.....	2,000 00	
Cribbin's Point—Repairs to wharf.....	2,100 00	
Englishtown wharf.....	2,900 00	
Ingonish, North Bay—Breakwater.....	10,000 00	

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
PUBLIC WORKS—Continued.		
<i>(Chargeable to Income)</i> —Continued.		
HARBOURS AND RIVERS—Continued.		
<i>Nova Scotia</i> —Continued.		
Malignant Cove breakwater	\$ 8,000 00	
Meteghan Cove—Breakwater repairs	3,500 00	
" River—Reconstruction of breakwater, etc	8,850 00	
Morden—Repairs to wharf	4,500 00	
New Harbour—Breakwater	8,000 00	
Parker's Cove—Extension of wharf	1,000 00	
Petit de Grat—Reconstruction of protection work and dredging	500 00	
Pictou light—Beach protection	800 00	
Porter's Lake—Dredging and breakwater at en- trance of channel	2,000 00	
Port Hood—Repairs to wharf	800 00	
River John wharf	700 00	
Salmon River (Digby Co.)—Wharf	4,720 00	
Trout Cove breakwater—Repairs	1,200 00	
Windsor harbour—Shear dams, training dykes and deepening channel, River Avon	2,000 00	
Livingstone's Cove—To complete wharf	2,500 00	
McNair's Cove—Repairs to wharf	1,200 00	
Blue Rock breakwater—Repairs	2,000 00	
Bayfield—Repairs to wharf	300 00	
Ogden's Pond—Opening of pond and construc- tion of beach protection	2,500 00	
Port George—Detached breakwater	3,000 00	
Margaretville—Repairs to breakwater	500 00	
Port Lorne—Repairs to breakwater	2,200 00	
Clementsport—Removing obstructions in harbour	500 00	
Gabarus Bay—Breakwater	8,000 00	
Port Morien (Cow Bay)—Repairs to breakwater	7,000 00	
Little Bras d'Or wharf	3,000 00	
Eskasoni wharf	2,100 00	
Grand Narrows—Repairs to wharf	2,200 00	
Big Bras d'Or—Wharf repairs	600 00	
Great Village—Repairs to wharf	300 00	
Faulkner's Creek wharf	2,000 00	
Brule—Repairs to wharf	1,200 00	
Tatamagouche—Repairs to wharf	350 00	
Clifton—Repairs to wharf	350 00	
Parrsboro' wharf	7,500 00	
Parrsboro'—Repairs to breakwater	5,000 00	
North Wallace—Repairs to wharf	500 00	
Partridge Island—Repairs to pier	500 00	
Plympton—Repairs to breakwater	1,200 00	
Saulnierville—Repairs to breakwater	2,000 00	
Comeauville—Repairs to breakwater	2,000 00	
Digby—Repairs to pier	2,000 00	
Trout Cove—To rebuild the northern face of the shore end of the breakwater	1,200 00	
Whitehaven—Repairs to canal	3,000 00	
Ecum Secum wharf	3,000 00	
Isaac's Harbour wharf	3,000 00	
New Harbour breakwater	9,000 00	
Port Hillford breakwater	6,200 00	
Eastern passage, Halifax—Boat harbour	2,000 00	
Sheet Harbour—Repairs to wharf	800 00	
Porter's Lake—Dredging and breakwater at entrance of channel	4,000 00	
Fox Island, Launcetown—Repairs to break- water	1,500 00	

SCHEDULE B—*Continued.*

SERVICE.	Amount.	Total.
<i>PUBLIC WORKS—Continued.</i>		
<i>(Chargeable to Income)—Continued.</i>	\$ cts.	\$ cts.
<i>HARBOURS AND RIVERS—Continued.</i>		
<i>Nova Scotia—Continued.</i>		
West Chezzetcook—Repairs to breakwater.	700 00	
Three Fathom Harbour—Repairs to protection works	600 00	
East Chezzetcook wharf	3,000 00	
Burlington—Repairs to wharf	1,500 00	
Cheverie breakwater—Pier extension	3,000 00	
Walton—Repairs to breakwater	1,000 00	
Margaree Island wharf	1,000 00	
Margaree harbour—Improvement of harbour works	3,700 00	
Friar's Head boat harbour	500 00	
Sight Point boat harbour	500 00	
Mabou Harbour—Repairs to piers	1,000 00	
Port Hood Island—Repairs to protection works	1,000 00	
Finlay's Point breakwater	2,000 00	
Port Hastings—Repairs to wharf	2,000 00	
Wolfville harbour improvements	5,000 00	
Chipman Brook—Rebuilding pier	1,500 00	
Pereaux—Landing pier	2,000 00	
Avenport pier repairs	1,000 00	
Victoria Harbour—Repairs to pier	400 00	
Scott's Bay—Repairs to pier	500 00	
Ogilvie wharf—Repairs	500 00	
Bridgewater—Dredging	5,000 00	
Lunenburg—Dredging harbour	5,000 00	
Lunenburg—Blasting rock at entrance	200 00	
Broad Cove—Repairs to breakwater	500 00	
Chester—Clearing Back Harbour channel	250 00	
Merigomish—To renew inner side of wharf	250 00	
Caribou Island—To complete breakwater	1,800 00	
River John wharf	1,000 00	
Summerville—Breakwater to replace larger one lately destroyed	2,500 00	
Eagle Head—Repairs and extension of breakwater	3,500 00	
East Port Medway—Reconstruction of wharf	1,800 00	
Medway River—Improvement of navigable channel below Mill Village	500 00	
Petit de Grat—Deepening channel and raising protection works	1,800 00	
L'Ardoise West—Protection pier at La Bills Point	500 00	
Lennox Passage—Dredging Carey's Passage	1,800 00	
Bear Point wharf	2,000 00	
Lockeport—To complete breakwater	1,000 00	
Black Point wharf	2,000 00	
Haulover—To repair canal	500 00	
Cape Negro Island—Repairs and extension of breakwater	500 00	
Clark's Harbour breakwater	4,500 00	
Boularderie Centre wharf	2,000 00	
Kempt Head wharf	2,000 00	
Neil's Harbour breakwater	3,000 00	
Little Narrows—Boat harbour at Big Pond	2,000 00	
Englishtown, St. Ann's—Wharf	2,500 00	
Ingonish breakwater	4,000 00	
Yarmouth Harbour—Extension of protection works	2,800 00	
Port Maitland breakwater—Repairs	1,000 00	
Beaver River—Extension of wharf	1,200 00	

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
PUBLIC WORKS—Continued.		
<i>(Chargeable to Income)—Continued.</i>		
HARBOURS AND RIVERS—Continued.		
<i>Nova Scotia—Concluded.</i>		
Chebogue Harbour protection works.....	\$ 1,800 00	
West Pubnico—Extension of pier.....	2,250 00	
Chegoggin—Beach protection works.....	800 00	
Abbott's Harbour protection works.....	1,200 00	
Comeau's Hill breakwater.....	1,000 00	
Argyle Sound wharf.....	500 00	
Barrington Head wharf.....	2,000 00	
	\$259,620 00	
<i>Prince Edward Island.</i>		
China Point—Reconstruction of head pier.....	\$ 500 00	
Creosoted timber for general repairs to wharfs, piers and breakwaters.....	2,000 00	
General repairs to piers and breakwaters.....	6,000 00	
Miminigash breakwater.....	1,200 00	
New London—Repairs.....	1,200 00	
Souris, Knight's Point—Strengthening of break- water, etc.....	5,000 00	
Tignish breakwater—Completion of extension..	2,000 00	
Pinette pier repairs.....	500 00	
Rustico (south) pier repairs, etc.....	500 00	
Rustico breakwater repairs.....	2,000 00	
Wood Island—South breakwater extension ..	7,000 00	
Canoe Cove breakwater.....	10,000 00	
Bay View pier repairs.....	500 00	
Annandale Pier. Reconstruction of pier head.	1,250 00	
Campbell's Cove breakwater, reconstruction...	5,000 00	
Souris, Knight's Point—Strengthening of break- water.....	8,000 00	
Crapaud (Victoria)—Pier repairs and extension.	1,200 00	
Summerside Harbour breakwater.....	20,000 00	
Casumpec Harbour—Closing opening through beach.....	1,500 00	
Hurds Point—Pier repairs.....	500 00	
West Point pier—Extension.....	5,500 00	
Tignish breakwater—To complete extension and repairs.....	1,500 00	
	\$2,850 00	
<i>New Brunswick.</i>		
Buctouche—Repairs to wharf.....	\$ 550 00	
Campo Bello (Wilson's Beach)—Breakwater re- pairs, etc.....	9,000 00	
Cape Tormentine—Repairs to breakwater.....	15,000 00	
Dalhousie—Repairs to ballast wharf.....	700 00	
Hopewell Cape—Repairs to old wharf.....	1,500 00	
Main River bridge—Wharf.....	3,500 00	
Richibucto—Pier repairs.....	24,000 00	
River St. John, including tributaries.....	16,000 00	
St. John harbour—Negro Point breakwater....	5,000 00	
" Hydrographic Survey.....	500 00	
" Repairs to and extension of protection works at base of Fort Dufferin..	1,400 00	
Shippegan Harbour—Extension and repairs to protection works.....	7,000 00	
Shippegan—Wharf at Lameque.....	8,000 00	
Tracadie Lazaretto—Outbuildings.....	600 00	
Anderson's Hollow—Repairs to breakwater and removal of shoal.....	600 00	

SCHEDULE B—*Continued.*

SERVICE.	Amount.	Total.
PUBLIC WORKS—Continued.	\$	\$
<i>(Chargeable to Income)—Continued.</i>	cts.	cts.
HARBOURS AND RIVERS—Continued.		
<i>New Brunswick—Concluded.</i>		
Lord's Cove—Deer Island—Extension to wharf	\$ 1,000 00	
Campo Bello—Wilson's Beach—Breakwater repairs	6,000 00	
La Tête—Completion of extension of wharf	400 00	
L'Etang—Completion of wharf	1,200 00	
Back Bay " "	800 00	
Quaco—Breakwater repairs	500 00	
Dipper Harbour breakwater	4,000 00	
Chance Harbour breakwater	4,000 00	
Hopewell Cape—New wharf	10,000 00	
Edgett's Landing—To complete repairs to wharf	300 00	
Dorchester breakwater	5,000 00	
Main River Bridge wharf	2,500 00	
St. Louis—Wharf repairs	600 00	
Nicholas River wharf—To complete	1,500 00	
Black Brook (Loggieville) wharf	4,770 00	
Burnt Church wharf	10,000 00	
Chatham—Custom-house wharf—Reconstruction and repairs	3,000 00	
Bay du Vin wharf—To complete reconstruction	5,000 00	
Clifton (Stonehaven) breakwater	5,700 00	
Shippegan—Wharf at Lameque	2,100 00	
Grande Anse breakwater extension and repairs	9,300 00	
Tracadie wharf	1,500 00	
Campbellton—Wharf extension and repairs, etc.	6,700 00	
Campbellton—Dredging	5,000 00	
Mispec Harbour—Breakwater at mouth of	10,000 00	
Wharfs on St. John River and tributaries, in tidal waters	6,000 00	
Shepody River—New wharf	2,500 00	
Point Wolfe breakwater	3,000 00	
Lower Neguac wharf—To pay Roger Flanagan, attorney of the original contractor who completed the wharf, in full settlement of all claims preferred by him	267 50	
	\$205,987 50	
<i>Maritime Provinces Generally.</i>		
General repairs and improvements to harbour and river works	10,000 00	
<i>Quebec.</i>		
Anse aux Gascons (Port Daniel East)—Breakwater	\$ 1,300 00	
Baie St. Paul (Cap aux Corbeaux)—Extension and repairs to wharf	2,000 00	
Beauport wharf	4,500 00	
Berthier (en bas)—Repairs and open shed	1,000 00	
Carleton—Extension of landing pier	1,000 00	
Grosse Isle—Repairs to wharf	1,500 00	
General repairs and improvements to harbour, river and bridge works	10,000 00	
Lanoraie—Repairs to wharf and construction of ice breaker	2,500 00	
Longueuil wharf—Reconstruction and repairs	2,500 00	
Lower St. Lawrence—Removal of rocks	1,500 00	
Magdalen Islands breakwater	10,000 00	

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
PUBLIC WORKS—Continued.		
<i>(Chargeable to Income)—Continued.</i>		
HARBOURS AND RIVERS—Continued.		
<i>Quebec—Continued.</i>		
Matane—Extension of training pier southwardly	\$ 4,000 00	
New Carlisle—Repairs to wharf.....	500 00	
Newport breakwater.....	7,000 00	
Percé (North Cove)—Wharf.....	10,000 00	
Rimouski—Wharf repairs.....	3,000 00	
River Cap de Chatte—Pier.....	600 00	
Rivière à la Pipe—Wharf on Lake St. John, near mouth of river.....	1,000 00	
River St. Maurice—Channel between Grandes Piles and La Tuque—Dredging.....	6,300 00	
St. Alexis, Baie des Ha! Ha!—Pier.....	4,000 00	
St. Alphonse (Bagotville)—Landing pier, repairs and shed.....	500 00	
Ste. Anne de Sorel—Ice piers.....	2,000 00	
St. Fulgence—Pier and improvements.....	1,500 00	
St. Jérôme (Lake St. John)—Wharf.....	2,500 00	
St. Laurent—Repairs to wharf.....	700 00	
Coteau du Lac—Wharf on Soulanges canal....	2,800 00	
Cedars—Wharf on Soulanges canal.....	2,800 00	
Carleton—Extension of landing pier.....	6,400 00	
Maria—Isolated block.....	6,000 00	
Anse à Beaufile—Improvement of entrance to harbour.....	2,000 00	
Rivière aux Renards pier.....	2,000 00	
Percé—North Cove pier.....	10,000 00	
Cap Chatte—Extension of training pier to shore	300 00	
Grindstone Island landing pier.....	1,500 00	
Etaug du Nord—West Cove breakwater.....	2,000 00	
Lower St. Lawrence—Removal of rocks.....	1,500 00	
Bic wharf—Addition to and improvement of....	1,500 00	
Father Point landing pier.....	5,000 00	
Les Boules wharf.....	5,000 00	
Rimouski pier—Dredging berth for tenders carry- ing mails to and from ocean steamers....	2,500 00	
Rimouski pier repairs.....	4,800 00	
Bic—Pier at Pointe à Côté, etc.....	5,000 00	
Lake St. John piers, including improvements of approaches, etc.....	2,500 00	
River Saguenay, below Chicoutimi—Dredging..	4,000 00	
Ste. Anne du Saguenay wharf.....	2,500 00	
Roberval wharf—Reconstruction of superstructure, destroyed by fire.....	10,000 00	
St. Jérôme, Lake St. John—Wharf.....	4,500 00	
Tadoussac—Wharf repairs.....	2,000 00	
Chicoutimi wharf—Repairs, painting shed, etc.	1,000 00	
Cacouna—Extension of wharf.....	4,000 00	
Ile Verte—Extension of wharf and new freight shed.....	4,500 00	
Témiscouata Lake—Landing piers.....	1,200 00	
Murray Bay—Increasing height of wharf and erecting a combined freight shed and wait- ing room.....	5,700 00	
Ile aux Coudres—Addition to wharf.....	6,000 00	
Baie St. Paul—Repairs to isolated block.....	1,000 00	
St. André de Kamouraska wharf.....	4,000 00	
Kamouraska—Addition to wharf—To complete.	5,000 00	
St. Roch des Aulnais wharf.....	3,000 00	
Ile aux Grues, North Shore—Construction of wharf and purchase of land.....	9,000 00	

SCHEDULE B—*Continued.*

SERVICE.	Amount.	Total.
PUBLIC WORKS—Continued.	\$ cts.	\$ cts.
<i>(Chargeable to Income)—Continued.</i>		
HARBOURS AND RIVERS—Continued.		
<i>Quebec—Concluded.</i>		
Berthier (en bas)—Widening head of pier . . . \$	5,600 00	
Rivière du Sud—To complete protection of river banks.	1,500 00	
St. Michel de Bellechasse—Repairs to pier.	1,000 00	
St. Laurent—Repairs to wharf.	1,300 00	
Cap Santé wharf.	3,500 00	
St. Jean Deschailions—Improvement of harbour	3,600 00	
Ste. Emélie wharf.	3,000 00	
River Batiscan—Dredging channel at mouth. . .	8,000 00	
Nicolet harbour—Repairs to jetty.	2,500 00	
Yamaska lock and dam—To pay to "Le Président et les Syndics de la Commune de la Seigneurie d'Yamaska" in full and final settlement of all claims for damages to their lands resulting from the construction of the said works.	3,000 00	
Lake Megantic piers—Repairs and improvements.	2,000 00	
St. Mathias wharf—Head block.	2,000 00	
Sabrevois wharf.	2,000 00	
Richelieu River—Boom east side of entrance to draw-bridge of V. C. Railway at St John. . .	1,500 00	
Richelieu River—Piers and boom for protection of boats at Grand Trunk Railway bridge Belœil.	700 00	
St. Lambert—Cribwork protection wall.	10,000 00	
Graham wharf—To complete	4,000 00	
Isle Perrot south—Repairs to wharf.	800 00	
Pointe Valois wharf—Renewals, repairs, etc. . .	800 00	
Coteau Landing—Dredging.	2,000 00	
River Chateauguay—Dredging.	5,000 00	
Gatineau River—Protection work on east side of river	7,300 00	
Hull—Landing pier.	10,000 00	
Greece's Point wharf.	3,000 00	
Lanoraie—Repairs to wharf and construction of ice breaker.	1,500 00	
Sorel—Ice piers	8,200 00	
Sorel pier.	25,000 00	
L'Islet pier.	900 00	
Grande Vallée pier.	2,000 00	
	\$334,100 00	
<i>Ontario.</i>		
Bowmanville harbour. \$	3,000 00	
Bruce Mines wharf.	5,000 00	
Burlington channel—Repairs to piers.	20,000 00	
Collingwood—Harbour improvements.	40,000 00	
Goderich—Reconstruction of breakwater and repairs to piers.	18,000 00	
Goderich—Dredging.	2,000 00	
General repairs and improvements to harbour, river and bridge works, etc.	15,000 00	
Hawkesbury—Dredging.	1,500 00	
Owen Sound harbour—Dredging and extension of pile protection works.	11,000 00	
Port Elgin breakwater.	1,000 00	
Port Stanley—Repairs to piers and dredging. .	7,000 00	
Providence Bay wharf.	2,000 00	

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
PUBLIC WORKS—Continued.	\$ cts.	\$ cts.
<i>(Chargeable to Income)—Continued.</i>		
HARBOURS AND RIVERS—Continued.		
<i>Ontario—Continued.</i>		
Rondeau harbour—Complete repairs to piers...\$	8,000 00	
Saugeen River—Breakwater repairs	3,400 00	
Shegindah landing pier	1,000 00	
Depot Harbour breakwater	50,000 00	
Sarnia—Dredging	11,250 00	
Port Hope harbour—Dredging \$5,000, repairs to pier \$2,000	7,000 00	
Lancaster wharf	5,000 00	
Cobourg—Repairs to pier and dredging	5,000 00	
Nation River, north branch—Purchase of existing riparian rights and removal of dam, parties interested contributing	2,500 00	
Severn and Black rivers—Improvement in connection with regulation of waters of Lakes Simcoe and Couchiching	2,500 00	
Beaverton—Repairs to wharf	1,000 00	
Oshawa—Repairs to pier (provided harbour is transferred to town corporation, and that the corporation will agree to maintain it in future)	10,000 00	
Pickering harbour—Repairs to breakwaters and dredging	4,000 00	
Toronto harbour—Work at eastern entrance, etc	40,000 00	
Toronto harbour—Diversion of Don and dredging in the harbour	25,000 00	
Bronte—Harbour improvements	5,000 00	
Oakville—Repairs to west pier at mouth of harbour, etc	5,000 00	
Burlington channel—Repairs to piers and dredging	20,000 00	
McGregor's Creek—Messrs. Taylor & Williamson in full of all demands for damages to their warehouse at Chatham, resulting from the subsidence and sliding of portions of the left or south bank of this creek, caused by dredging performed by a government dredge	250 00	
McGregor's Creek—E. W. Seane in full of his claim for damages caused to property by dredging of creek	5,000 00	
Rondeau Harbour—Repairs, \$1,500; dredging, \$3,907.55	5,407 55	
Little Bear Creek—Dredging	2,000 00	
Port Burwell—Improvement of harbour	30,000 00	
Port Stanley wharf	8,000 00	
Kingsville—Repairs and improvements to wharf and breakwater	15,000 00	
Point Pelee Island wharf	6,000 00	
Leamington pier	15,000 00	
Sydenham River—Dredging	5,000 00	
Bayfield—Extension of piers	5,500 00	
Goderich harbour—Reconstruction of breakwater, etc.	20,000 00	
Goderich harbour—Dredging—To complete ...	11,000 00	
Port Albert—Dredging	1,000 00	
Goderich harbour—Balance payable to contractor L. Madigan, including security deposit and interest	5,039 98	
Goderich harbour—Blasting and removing rocky shoal in vicinity of elevator	4,700 00	

SCHEDULE B—*Continued.*

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
PUBLIC WORKS—Continued.		
<i>(Chargeable to Income)—Continued.</i>		
HARBOURS AND RIVERS—Continued.		
<i>Ontario—Concluded.</i>		
Goderich harbour—Repairs to northern entrance pier.....	\$ 2,100 00	
Port Elgin breakwater.....	3,000 00	
Port Elgin—Dredging.....	1,500 00	
Kincardine—Dredging.....	2,500 00	
Kincardine—Harbour improvements.....	5,000 00	
Warton landing pier.....	10,000 00	
Southampton—Dredging.....	2,000 00	
Saugeen River—Improvements, etc.....	5,000 00	
Colpoy's Bay—Extension of pier.....	600 00	
Lion's Head—Repairs to pier.....	1,000 00	
" Dredging.....	1,500 00	
Owen Sound harbour—Dredging and extension of pile protection works.....	30,000 00	
Oxenden—Addition to wharf.....	4,000 00	
Meaford harbour—Dredging and pile work.....	30,000 00	
Thornbury—Repairs to harbour works.....	1,000 00	
Collingwood harbour—Improvement.....	50,000 00	
Barrie—Works of reconstruction and repairs on public wharfs.....	3,000 00	
Hawkestone wharf.....	2,250 00	
Midland harbour—Dredging.....	3,300 00	
Bruce Mines wharf.....	8,000 00	
Providence Bay wharf.....	5,000 00	
Sheguindah landing pier.....	2,300 00	
Sault Ste. Marie—Harbour improvements.....	10,000 00	
Little Current—North channel improvement.....	1,000 00	
Port Findlay wharf.....	5,800 00	
Port Arthur—Dredging.....	3,500 00	
Desbarats—To complete wharf.....	1,000 00	
Hawkesbury—Dredging.....	4,000 00	
North Bay—Repairs.....	2,300 00	
Wharfs on Lake Temiscamingue.....	3,000 00	
River Ottawa—Dam on main channel above the Long Sault rapids at the foot of Lake Temiscamingue, and survey.....	5,600 00	
Scugog River—Dredging channel.....	4,000 00	
Fenelon River—Piers to regulate descent of logs.....	800 00	
Sturgeon Point—Wharf on Sturgeon Lake.....	500 00	
River Ottawa—Improvement of steamboat channel through narrows at Petewawa, above Pembroke.....	7,000 00	
Otonabee River—Improvement of navigation.....	2,500 00	
Indian River—Dredging a cut across the Devil's Elbow and also a shoal at Sandy's Landing.....	2,000 00	
Kingston graving dock wharfs—Works of reconstruction and repair.....	5,000 00	
Sparrow Lake—Widening outlet.....	1,700 00	
South Nation River—Towards the improvement at the Pitch-off.....	5,000 00	
Trenton—Dredging channel, Murray Canal to Central Ontario Railway dock, etc.....	8,400 00	
	\$716,197 53	
<i>Manitoba.</i>		
General repairs and improvements to harbour, river and bridge works.....	\$ 3,000 00	
Wharf on Lake Winnipeg.....	1,850 00	

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
PUBLIC WORKS—Continued.		
<i>(Chargeable to Income)—Continued.</i>		
HARBOURS AND RIVERS—Concluded.		
<i>Manitoba—Concluded.</i>		
Lake Manitoba—Opening of additional outlet to prevent overflow of lake, and maintenance of same at proper level for navigation purposes	\$25,000 00	
Wharf on Lake Winnipeg.....	1,000 00	
Selkirk wharf.....	6,000 00	
Hnausa—Wharf repairs and extension.....	4,000 00	
Gull Harbour wharf.....	2,900 00	
Lake Manitoba—Dredging small channel at south end of.....	1,200 00	
White Mud River—Dredging.....	5,000 00	
Lake Dauphin—Lowering of.....	5,000 00	
Amount required for removing boulders and obstructions in Rainy River.....	5,000 00	
	\$ 59,950 00	
<i>North-west Territories.</i>		
General repairs and improvements to harbour, river and bridge works, including approaches.....	5,000 00	
<i>British Columbia.</i>		
Columbia River—Improvements above Golden	\$ 500 00	
Columbia River—Protection of bank at Revelstoke, Government of British Columbia contributing a like amount.....	6,053 76	
Columbia River—Improvement in narrows between Upper and Lower Arrow Lakes...	6,000 00	
Duncan River—Improvements.....	3,000 00	
Columbia River—Removal of rocks above Revelstoke.....	3,000 00	
Fraser River—Improvement of ship channel...	15,000 00	
Kootenay River—Improvements below Fort Steele.....	2,500 00	
Nanaimo harbour—Improvement of south channel.....	5,000 00	
Skeena River.....	6,000 00	
William's Head quarantine wharf.....	2,000 00	
Columbia River—Improvements in narrows between Upper and Lower Arrow Lakes.....	15,000 00	
Columbia River—Improvements above Golden.	2,000 00	
Fraser River—Improvement of ship channel, protection works, etc.....	40,000 00	
General repairs and improvements to harbour, river and bridge works.....	3,000 00	
Victoria Harbour—Removal of Dredger rock and dredging at other points.....	15,000 00	
Anderson and Kennedy lakes—Clearing outlets	2,500 00	
Salmon River—Removal of drift wood and other obstructions to navigation, etc.....	2,500 00	
William's Head quarantine station—Wharf repairs, water service, etc.....	2,000 00	
	131,053 76	
<i>Generally.</i>		
Harbours and rivers generally.....	5,000 00	
	1,809,758 79	

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
PUBLIC WORKS—Continued.		
<i>(Chargeable to Income)—Continued.</i>		
DREDGING.		
<i>Including salaries of engineers, superintendents and clerks.</i>		
New dredging plant.....	\$ 60,000 00	
New dredging plant (new elevator dredge) Maritime provinces.....	150,000 00	
New dredging plant, British Columbia.....	75,000 00	
Dredge vessels—Repairs.....	30,000 00	
Dredging—Nova Scotia.....		
Prince Edward Island.....	87,000 00	
New Brunswick.....		
Quebec and Ontario.....	60,000 00	
Manitoba.....	8,000 00	
British Columbia.....	15,000 00	
General service.....	5,000 00	
New dredging plant—Ontario and Quebec.....	75,000 00	
" Maritime provinces.....	50,000 00	
Repairs to British Columbia dredge vessels.....	5,000 00	
	620,000 00	
SLIDES AND BOOMS.		
St. Maurice district—Improvements and reconstruction of booms between Grandes Piles station and the city of Three Rivers, in the St. Maurice River.....	\$ 45,000 00	
Generally.....	5,000 00	
Bridges over the Chaudière Slides.....	19,622 21	
	69,622 21	
ROADS AND BRIDGES.		
Des Joachims bridge—Reconstruction of.....	\$ 15,000 00	
Ottawa city—bridges over Ottawa River, the Slides and the Rideau Canal and approaches thereto—Ordinary repairs.....	5,000 00	
Ottawa—Maria Street bridge over the Rideau Canal—Reconstruction.....	15,000 00	
Portage du Fort Bridge—Aid towards reconstruction, provided the Quebec and Ontario governments contribute each \$5,000.....	5,000 00	
Belly River bridge—Aid to the North-west Territories Government towards the construction of a bridge at Pace's Crossing.....	2,000 00	
Dominion traffic bridges throughout Canada, including approaches.....	5,000 00	
Burlington channel bridge—Storage battery required for opening and closing the bridge over the Burlington channel, electric lighting plant, lamps and life lines on piers.....	3,730 00	
Kemptville bridge—Town of Kemptville in full of claims for damages to bridge on Rideau.....	2,000 00	
Des Joachims bridge—Reconstruction—The Ontario government contributing \$4,000 and the Quebec government \$2,000.....	14,500 00	
Ottawa—Maria street bridge over the Rideau Canal—Reconstruction.....	50,000 00	
Portage du Fort bridge—Reconstruction, provided the Quebec and Ontario governments contribute each \$5,000.....	19,000 00	
Ottawa city—Bridges over the River Ottawa, the Slides and the Rideau Canal and approaches thereto, ordinary repairs.....	2,000 00	
Battleford bridge—To replace old condemned superstructure.	25,000 00	
Gatineau bridge—Towards compensating municipalities of Gatineau and Hull for damage done to bridge over Gatineau River by government booms and logs.....	5,000 00	
	168,230 00	

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
PUBLIC WORKS—Continued.		
<i>(Chargeable to Income)—Continued.</i>		
TELEGRAPH LINES.		
Land and cable lines, Gulf of St. Lawrence, etc.		
Line on north shore of St. Lawrence—Extension eastward to Belle Isle Island—To complete	\$ 10,000 00	
To improve roadway, repair and increase operating facilities generally between Godbout and Pointe aux Equimaux eastward	1,000 00	
Line on the north shore of St. Lawrence, extension from Romaine eastward to Belle Island	40,000 00	
Materials for an additional wire to be put up by the Great North-western Telegraph Company between Quebec and Ste. Flavie, connecting directly with the gulf telegraph system and affording increased facilities for the signal service	5,000 00	
Contribution to the Great North-western Telegraph Company to the extent of half the cost of construction of direct short line between Gaspé and Fox River (18 miles) and for changing the government telegraph wire from the old line (28 miles) to the new one the latter to be used rent free—in full, inclusive of interest on amount (\$912.50) of account rendered	1,022 00	
Magdalen Islands—Cable between Amherst and Grindstone Islands	4,000 00	
Ontario—Pelec Island—Renewal of original portions of cable connecting the island with the mainland	6,000 00	
British Columbia—Alberni—Clahoquot—Telegraph line	6,500 00	
Ashcroft-Barkerville telegraph line—Re-poling	14,000 00	
Golden station, Canadian Pacific Railway, to Windermere—Telegraph line	9,000 00	
Telephone connection between Vancouver Island and Salt Spring island	1,550 00	
Mile House to Quesnelle Forks and Horsefly—Telegraph line	6,000 00	
	104,072 00	
MISCELLANEOUS.		
Surveys and inspections	\$ 25,000 00	
National Art Gallery, Ottawa	2,000 00	
Chief Engineer's office—Salaries of engineers, draughtsmen and clerks	45,000 00	
Chief Architect's office—Salaries of architects, draughtsmen and clerks	20,000 00	
Telegraph service—Salaries of staff	2,900 00	
Temporary clerical and other assistance, inclusive of services of all persons required who were first employed after July 1, 1882, notwithstanding anything in the Civil Service Act	25,000 00	
Monument to Hon. Alexander Mackenzie	3,000 00	
One-half of the salary of the departmental photographer	700 00	
Technical and other books of reference	500 00	
To cover balances of expenditure for works already authorized for which the appropriation may be insufficient. The amounts expended under the appropriation to be shown under the heading of the several works affected, provided the amount of each work does not exceed one hundred dollars	3,000 00	
The family of the late Frank Ricard, who was drowned in the Yukon River while engaged as foreman on the construction work of the telegraph line between Bennett and Dawson	156 00	
Statue of Her Majesty the Queen in celebration of the Diamond jubilee	13,000 00	

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
PUBLIC WORKS—Concluded.	\$ cts.	\$ cts.
<i>(Chargeable to Income)—Concluded.</i>		
MISCELLANEOUS—Concluded.		
Monument to Hon. Alexander Mackenzie	\$ 4,000 00	
Joseph R. Roy, resident engineer, British Columbia, for the loss of his personal effects at the New Westminster fire, September 11, 1898.....	700 00	
Portrait of Her Majesty the Queen, including freight charges, etc.	1,000 00	
Salaries of Chief Architect and Chief Engineer's staffs, to be paid notwithstanding anything in the Civil Service Act or any other Act.	7,400 00	
	153,356 00	
MAIL SUBSIDIES AND STEAMSHIP SUBVENTIONS.		4,203,897 36.
Ocean and mail service between Great Britain and Canada.....	150,000 00	
Steam service fortnightly between St. John and Liverpool, Great Britain, during the winter season of 1900-1, not less than ten round trips....	20,000 00	
Steam service between Halifax, St. John's, Newfoundland, and Liverpool, from July 1, 1900, to June 30, 1901.	20,000 00	
Steam service between St. John and Glasgow, during the winter of 1900-1	7,500 00	
Steam service between St. John, Dublin and Belfast, during the winter of 1900-1.....	7,500 00	
A line or lines of steamers to run during the summer months between St. John, Halifax and London, and during the winter months between St. John and London direct and Halifax and London direct.	40,000 00	
Steam communication between St. John and Digby, from July 1, 1900, to June 30, 1901.....	12,500 00	
A line or lines of steamers to run between St. John and Halifax, or either, and the West Indies and South America.....	80,700 00	
Steam service between Victoria and San Francisco.....	5,000 00	
Steam communication between Halifax and Newfoundland, via Cape Breton ports.....	2,000 00	
Steam communication during the season of 1900, i. e., from the opening to the closing of navigation, between the mainland and the Magdalen Islands.....	9,000 00	
Steam communication during the season of 1900, i. e., from the opening to the closing of navigation, between Prince Edward Island and the mainland.....	10,000 00	
Steam communication from July 1, 1900, to June 30, 1901, between Grand Manan and the mainland.....	4,000 00	
Steam communication during the season of 1900, i. e., for not less than thirty-two full round trips between St. John and Halifax, via Yarmouth and other way ports.....	7,000 00	
Steam communication during the season of 1900, i. e., from the opening to the closing of navigation between St. John and Minas Basin ports....	3,000 00	
Steam communication from July 1, 1900, to June 30, 1901, between Pictou, Murray Harbour, Georgetown and Montague Bridge.	1,200 00	
Steam communication from July 1, 1900, to June 30, 1901, between Quebec and Gaspé Basin, touching at intermediate ports.....	7,500 00	
Steam communication between a port or ports in Prince Edward Island and a port or ports in Great Britain.....	5,000 00	
Direct fortnightly steam service between Montreal, Quebec, and Manchester, England, during the summer season, and between St. John, Halifax and Manchester during the winter season.....	38,933 33	
To promote direct communication and trade between Canada and South Africa.....	5,000 00	
Steam communication during the season of 1900, i. e., from the opening to the closing of navigation, between Baddeck, Grand Narrows and Iona, and one trip each fortnight to Big Pond and East Bay	4,000 00	
Steam communication during the season of 1900, i. e., from the opening to the closing of navigation, between Port Mulgrave and St. Peter's, to extend twice each week to Irish Cove and Marble Mountain	4,000 00	

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
MAIL SUBSIDIES AND STEAMSHIP SUBVENTIONS—Con.		
	\$ cts.	\$ cts.
Steam communication during the season of 1900, i. e., from the opening to the closing of navigation, between Gaspé Basin and Dalhousie, and continuation of service after close of navigation at Dalhousie, to December 31, 1900, between New Carlisle and Gaspé Basin.....	12,500 00	
Steam communication during the season of 1900, i. e., from the opening to the closing of navigation, between Pictou and Cheticamp.....	2,000 00	
Steam communication from April 1, 1900, to March 31, 1901, between Port Mulgrave, Arichat and Canso; three times a week between Port Mulgrave and Guysborough; and from the opening to the close of navigation in 1900, twice a week between Port Mulgrave and Port Hood, such trips to be extended once a week to Margaree and Cheticamp.....	8,000 00	
Steam communication between Halifax, N.S., and the island of Porto Rico.....	8,000 00	
Steam communication between Murray Bay and River Ouelle.....	5,000 00	
Additional for steam service between Grand Manan and the mainland..	1,000 00	
Additional for steam communication during the season of 1900, i. e., from the opening to the closing of navigation between Prince Edward and the mainland.....	2,500 00	
Additional for steam service during the season of 1900 between Sydney and Whycoomagh.....	1,000 00	
Steam service during the year 1900 between St. Stephen, N.B., and St. Croix River points, Deer Island, Campo Bello and the inner islands Passamaquoddy Bay, L'Etete and Black Bay.....	1,000 00	
Arrears for steam service between Grand Manan and the mainland.....	49 31	
Arrears for steam communication in 1900 between Port Mulgrave, Arichat and Canso.....	147 41	
Additional for steam service between Port Mulgrave and St. Peter's extending twice a week to Irish Cove and Marble Mountain.....	1,000 00	
Steam service from Annapolis and Kingsport to London, four trips at \$750 each.....	3,000 00	
		489,030 05
OCEAN AND RIVER SERVICE.		
Maintenance and repairs to Government steamers.....	160,000 00	
Examination of masters and mates.....	5,000 00	
Rewards for saving life, including life saving stations.....	8,000 00	
Investigations into wrecks.....	1,000 00	
Registration of shipping.....	500 00	
Removal of obstructions in navigable rivers.....	1,000 00	
Tidal services, including salaries of assistant clerks beyond \$400 per annum, notwithstanding anything in the Civil Service Act.....	7,200 00	
Winter mail service.....	8,500 00	
Marine biological station.....	2,000 00	
Salaries and expenses of cattle inspection.....	2,800 00	
Unforeseen expenses, generally.....	5,000 00	
		201,000 00
LIGHTHOUSE AND COAST SERVICE.		
Salaries and allowances of lightkeepers.....	220,000 00	
Agencies, rents and contingencies.....	16,310 00	
Maintenance and repairs to lighthouses, including the maintenance and pay of crew of lighthouse steamer <i>Brant</i>	235,000 00	
Wages of crew and maintenance of Lurcher Shoal lightship.....	10,000 00	
Construction of lighthouses.....	47,000 00	
Salaries of temporary officers, engineers and draughtsmen at Ottawa, at rates exceeding \$400 per annum, notwithstanding anything in the Civil Service Act.....	3,000 00	
For the construction and equipment of a steel lightship for Lurcher Shoal supplied with electric light plant, compressed air siren and auxiliary screw power.....	80,000 00	
Signal service.....	6,000 00	
Repairs to wharfs.....	3,000 00	
New lighthouse and fog-alarm building on a pier on Middle Ground, Lake Erie.....	60,000 00	
		680,310 00

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
SCIENTIFIC INSTITUTIONS AND HYDROGRAPHIC SURVEYS.		
	\$ cts.	\$ cts.
Observatory, Toronto.....	2,700 00	
Meteorological service.....	72,000 00	
Hydrographic surveys.....	16,000 00	90,700 00
MARINE HOSPITALS.		
Care of sick seamen in marine hospitals and other hospitals in the maritime provinces.....	35,000 00	
Shipwrecked and distressed seamen.....	3,000 00	38,000 00
STEAMBOAT INSPECTION.		
Steamboat inspection.....	27,200 00	
Inspection of Dominion steamers and fog alarms.....	1,300 00	28,500 00
FISHERIES.		
Salaries and disbursements of fishery inspectors, overseers and guardians.....	70,000 00	
Building and maintenance of fish-breeding establishments and lobster hatcheries.....	50,000 00	
Fisheries protection service.....	100,000 00	
Building fishways and clearing rivers.....	1,000 00	
Legal and incidental expenses.....	2,000 00	
Canadian fishery exhibit.....	2,000 00	
To pay persons employed in the Department of Marine and Fisheries, for services in connection with the distribution of the fishing bounty, notwithstanding anything in the Civil Service Act.....	5,000 00	
Oyster culture.....	7,000 00	
To assist in the establishment, maintenance and inspection of cold storage for bait for deep sea-fishermen under conditions to be fixed by the Department of Marine and Fisheries.....	25,000 00	
Allowance to A. H. Belliveau, 2nd class clerk, for extra duties as an Inspector of Fisheries, Quebec, notwithstanding anything in the Civil Service Act.....	100 00	
Legal expenses of arbitration <i>re</i> seizures of the following sealing vessels by Russian cruisers, in the North Pacific Ocean in 1892, viz.:— <i>Rosie Olsen, Carmelite, Maria, Vancouver Belle, Walter P. Hall, C. H. Tupper</i> , boat of the <i>E. B. Marvin</i> and boats of the <i>W. P. Sayward</i> ..	8,000 00	
Balance for counsel fees before the Behring Sea Commission.....	3,690 00	
Fish-breeding establishment, Margaree, Cape Breton.....	5,000 00	
Construction of a steamer for fisheries and customs protection, British Columbia.....	50,000 00	
Erection of two fish hatcheries in British Columbia and a combined salmon and lobster hatchery in Gaspé county.....	12,000 00	340,790 00
SUPERINTENDENT OF INSURANCE.		
Expenses in connection with this service.....	8,500 00	
Appointment of a junior second class clerk.....	600 00	9,100 00
GEOLOGICAL SURVEY.		
Exploration and surveys.....	} 66,000 00	
Printing and publication of reports and maps, etc.....		
Wages of assistant explorers, draughtsmen, clerks and others.....		
Purchase of specimens, books, instruments, stationery, mapping materials, maintenance of museum, laboratory apparatus, chemicals and miscellaneous expenses.....		
Advances to explorers.....		

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
GEOLOGICAL SURVEY—Concluded.		
	\$ cts.	\$ cts.
Plotting surveys, plans, maps, field notes, etc., at Ottawa. Persons having technical or professional qualifications may be paid out of this sum at rates exceeding \$400 per annum, notwithstanding anything in the Civil Service Act or any other Act.....	2,000 00	62,000 00
INDIAN AFFAIRS.		
ONTARIO, QUEBEC AND MARITIME PROVINCES.		
Relief, seed, medical attendance and medicines, province of Quebec.....	\$ 3,600 00	
Relief of distress and medical attendance, province of Ontario.....	1,100 00	
Blankets and clothing, Ontario and Quebec.....	500 00	
Schools, Ontario, Quebec and Maritime provinces.....	38,765 00	
Salaries of Chiefs, Cape Croker and Gibson, and agents at St. Regis.....	150 00	
Removal of Lake of Two Mountains Indians from Oka to Gibson.....	200 00	
Payment of Robinson Treaty annuities.....	16,806 00	
Survey of Indian reserves.....	500 00	
Indian Land Management Fund.....	14,000 00	
Grant for the Agricultural Society, Munceys of the Thames	90 00	
To assist in the suppression of the liquor traffic among Indians belonging to bands in the older provinces which have no funds of their own.....	500 00	
To provide for the erection of a lock-up at St. Regis.....	500 00	
Repairs to the old Mission House at Caughnawaga.....	1,000 00	
Road through the Golden Lake Indian Reserve.....	300 00	
Claims of John Harrison, of Owen Sound, for the value of land purchased by him and afterwards cancelled by the Department of Indian Affairs, and the value of his improvements thereon.....	1,300 00	
	79,311 00	
NOVA SCOTIA.		
Salaries.....	\$ 1,150 00	
Relief and seed grain.....	2,000 00	
Medical attendance and medicine.....	3,000 00	
Miscellaneous and unforeseen.....	100 00	
Purchase of 25 acres of land as an addition to the Indian reserve at Millbrooke, Colchester county.....	250 00	
Erection of a school building on the Whyccocomagh Reserve.	200 00	
Repairs to a road through the Whyccocomagh Reserve.....	100 00	
	6,800 00	
NEW BRUNSWICK.		
Salaries.....	\$ 1,284 00	
Relief and seed grain.....	2,300 00	
Medical attendance and medicine.....	1,740 00	
Miscellaneous and unforeseen.....	300 00	
	5,624 00	
PRINCE EDWARD ISLAND.		
Salaries and travelling expenses.....	\$ 300 00	
Relief and seed grain.....	925 00	
Medical attendance and medicine.....	350 00	
Office and miscellaneous expenses.....	75 00	
	1,650 00	

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
INDIAN AFFAIRS—Concluded.		
MANITOBA AND NORTH-WEST TERRITORIES.		
Annuitants and commutations.....	\$141,745 00	
Implements, tools and hardware.....	8,192 00	
Field and garden seeds.....	1,383 00	
Live stock.....	7,344 00	
Supplies for destitute and working Indians.....	196,598 00	
Triennial clothing.....	5,918 00	
Day, boarding and industrial schools.....	280,912 00	
Surveys.....	5,000 00	
Sioux.....	4,894 00	
Grist and saw-mills.....	1,113 00	
General expenses.....	137,495 00	
Salary of a clerk and farmer at Onion Lake agency.....	480 00	
Medical attendance upon Sioux Indians at Moosejaw, N. W. T.....	384 70	
Grant for buildings and pupils for the boarding school at Thunderchild's Reserve.....	3,300 00	
Salary for the teacher at Meadow Lake, Carlton agency....	300 00	
Assistance for schools outside of treaty limits.....	1,100 00	
Salary for the teacher at the day school at Nelson House...	200 00	
Extension and repair to the irrigation system on the Black- foot Indian Reserve.....	500 00	
To advance to the Stony Indians the first cost of the irrigat- ing ditch upon their reserve to be refunded by them.....	500 00	
Purchase of agency buildings and site at Berens' River.....	2,500 00	
Expenses of officers making payments in Treaty No. 8....	1,500 00	
Repairs to building in connection with the Emanuel College for the education of Indian youths.....	1,000 00	
10 additional pupils for the Crowstand boarding school....	720 00	
Painting, renovating and repairs to Sarcee boarding school...	200 00	
Plastering the buildings at White Eagle boarding school....	450 00	
Expenses of removing buildings from Farm 3B, Crooked Lakes agency, to a more convenient point.....	300 00	
Stoves and pipes for clerk's house, Edmonton agency.....	45 00	
	804,073 70	
BRITISH COLUMBIA.		
Salaries.....	\$ 20,560 00	
Relief.....	3,500 00	
Seed.....	1,000 00	
Medical attendance and medicine.....	8,500 00	
Day schools.....	8,600 00	
Industrial and boarding schools.....	59,050 00	
Travelling expenses.....	5,000 00	
Office and miscellaneous (including hospitals, irrigation, dyk- ing and suppression of liquor traffic).....	10,920 00	
Steamer <i>Vigilant</i>	2,000 00	
Surveys and Reserve Commission.....	7,000 00	
	126,130 00	
GENERAL.		
J. A. Macrae, Inspector of Indian Agencies and Reserves..	\$ 1,800 00	
George L. Chitty, Inspector of Timber.....	1,200 00	
Travelling expenses of these officers.....	1,200 00	
	4,200 00	
		1,027,788 70

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
NORTH-WEST MOUNTED POLICE.		
	\$ cts.	\$ cts.
Pay of force.....	182,500 00	
Subsistence, forage, fuel and light.....	107,125 00	
Clothing, repairs, renewals, horses, arms and ammunition, medical stores and stationery.....	34,125 00	
Scouts, guides, billeting, transport of men, horses and stores, and con- tingencies.....	20,000 00	
New buildings and repairs.....	10,000 00	
		353,750 00
GOVERNMENT OF THE NORTH-WEST TERRITORIES.		
Expenditure connected with the Lieutenant Governor's office.....	5,880 00	
Incidental justice, etc., including clerical assistance.....	2,000 00	
Registrars, etc.....	15,000 00	
Insane patients.....	50,000 00	
Grant for schools, clerical assistance, printing, public works, civil government, legislation, etc., to be paid half-yearly in advance.....	332,979 00	
Schools in unorganized districts (including clerical assistance).....	2,000 00	
Grant to government to enable it to restore public works lately destroyed by floods.....	92,000 00	
		499,859 00
YUKON TERRITORY.		
ADMINISTRATION OF JUSTICE.		
Travelling allowances of judges.....	\$ 1,500 00	
Salary of sheriff, Territorial Court.....	2,000 00	
Salary of clerk, Territorial Court.....	2,000 00	
Additional judge of the Territorial Court.....	4,000 00	
Living expenses of two judges.....	6,000 00	
Miscellaneous expenses.....	8,000 00	
Maintenance of prisoners.....	20,000 00	
Witness and jury fees in criminal trials.....	7,000 00	
Law books, etc., and freight thereon, for the use of the bench and bar, and for stationery, etc., and freight there- on, for the Territorial Court.....	2,000 00	
Living expenses of the sheriff and of the clerk of the Territorial Court, \$1,200 each.....	2,400 00	
		54,900 00
MILITIA.		
Pay and maintenance of Yukon field force.....		20,000 00
PUBLIC WORKS.		
<i>(Chargeable to Capital.)</i>		
Public buildings.....	\$ 75,000 00	
Telegraph line—Quesnelle to Atlin, B.C.....	110,000 00	
" Dawson to Fort Cudahy or Fifty Mile River.....	12,000 00	
Trails, roads and bridges.....	50,000 00	
		247,000 00
PUBLIC WORKS.		
<i>(Chargeable to Income.)</i>		
Lewes and Yukon River improvements.....	\$ 40,000 00	
Rents.....	27,000 00	
Rents, fuel, lighting, etc., public buildings.....	19,500 00	
		86,500 00

SCHEDULE B—*Continued.*

SERVICE.	Amount.	Total.
YUKON TERRITORY—<i>Concluded.</i>		
PUBLIC WORKS.		
<i>(Chargeable to Collection of Revenue)</i>		
Telegraph lines—Working expenses, inclusive of repairs, salary of accountant, and living expenses.....	\$ 47,500 00	
Queenselle-Atlin telegraph line—Working expenses.....	40,000 00	
	87,500 00	
GOVERNMENT OF THE TERRITORY.		
Salaries and expenses in connection with the administration of the territory	235,000 00	
MOUNTED POLICE.		
Pay of force.....	\$168,000 00	
Subsistence, forage, fuel and light.....	165,195 00	
Clothing, repairs and renewals, horses, dogs, arms and ammunition, medical stores, stationery, billeting and contingencies.....	61,805 00	
Buildings.....	25,000 00	
Transport	80,000 00	
Assistant Surgeon W. E. Thompson the difference between \$1,000 and \$1,200 per annum from the 1st July, 1898, to the 3rd April, 1900.....	351 67	
	500,351 67	
CUSTOMS.		
Expenditure.....	31,000 00	
RAILWAYS AND CANALS.		
<i>(Chargeable to Income)</i>		
For a survey to ascertain the most practicable route for an all Canadian railway from some point on an existing railway into the Klondike district and to an ocean port in British Columbia.....	15,000 00	
POST OFFICE.		
Expenditure.....	125,000 00	
	1,402,251 67	
DOMINION LANDS.		
<i>(Chargeable to Capital)</i>		
Surveys, examination of survey returns, printing of plans, and including \$10,000 for irrigation surveys, etc. Salaries of temporary officers and clerks may be paid out of this sum at rates exceeding \$400 per annum, notwithstanding anything in the Civil Service Act.....	200,000 00	
Surveys	40,000 00	
	240,000 00	
DOMINION LANDS.		
<i>(Chargeable to Income)</i>		
Commissioner's salary	3,000 00	
Superintendent of Mines' salary.....	3,000 00	

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
DOMINION LANDS—Concluded.		
<i>(Chargeable to Income)—Concluded.</i>		
Salaries of Inspectors, Dominion Lands and Crown Timber agents, sub-agents and clerks in the outside service.....	65,500 00	
Inspector's expenses, travelling expenses of Commissioner, Superintendent of Mines and Homestead Inspectors, contingencies of Dominion Lands and Crown Timber Agents and at head office, removal expenses, stationery, printing and expenses connected with forestry protection.....	31,000 00	
Members of the Board of Examiners of Dominion Lands Surveyors, including contingent expenses of the board (the authority required by the Civil Service Act is hereby given for paying out of this sum such amounts as may be required to pay for services of members of the board who are members of the Civil Service).....	700 00	
Salaries of extra clerks at head office, advertising, etc.....	7,000 00	
Salary of one carpenter.....	732 00	
Salaries of extra clerks at head office, advertising, etc.....	3,000 00	
Protection of timber lands in Manitoba and the North-west Territories and tree culture in the North-west Territories.....	10,000 00	
		123,932 00
MISCELLANEOUS.		
Canada Gazette.....	6,000 00	
Miscellaneous printing.....	30,800 00	
Expenses in connection with distribution of parliamentary documents...	1,000 00	
Plant for Printing Bureau.....	5,000 00	
Unforeseen expenses, expenditure thereof to be under Order in Council, and a detailed statement to be laid before Parliament within the first fifteen days of the next session.....	20,000 00	
Commutation in lieu of remission of duties on articles imported for the use of the army and navy.....	2,250 00	
Expenses of litigated matters which may be paid for services in connection with the litigation conducted within the Department of Justice, notwithstanding anything in the Civil Service Act.....	15,000 00	
Expenses in connection with the Canada Temperance Act.....	500 00	
Compensation to members of the North-west Mounted Police for injuries received in the discharge of duty.....	2,000 00	
Salaries and contingencies of the office of the Paris agency.....	3,500 00	
Payment of extra clerks for services rendered in preparation of returns ordered by Parliament.....	2,000 00	
Academy of Arts.....	2,000 00	
To assist in the publication of the proceedings of the Royal Society.....	5,000 00	
Cost of arbitration respecting the accounts between the Dominion of Canada and the provinces of Ontario and Quebec (payment on account of services rendered may be made to members of the Civil Service, notwithstanding anything in the Civil Service Act).....	3,000 00	
Expenses of taking evidence concerning the Public Accounts and reporting the same to the Auditor General under authority of section 57 of the Consolidated Revenue and Audit Act, and to pay for legal advice to the Auditor General.....	500 00	
Classification of old records of Canada in the office of the Privy Council. Payment on account of this service may be made notwithstanding anything in the Civil Service Act.....	1,000 00	
To assist in defraying the cost of publication of documents issued by the Canadian Mining Institute.....	1,000 00	
Cost of investigations and demarcations, and other astronomical work of the Department of the Interior. Salaries of temporary officers and clerks may be paid out of this sum at rates exceeding \$400 per annum, notwithstanding anything in the Civil Service Act.....	15,000 00	
Expenses and salaries connected with the commission appointed to inquire into half-breed claims in North-west Territories, out of which payment may be made to N. O. Côté, as Half-breed Commissioner, notwithstanding anything in the Civil Service Act.....	5,000 00	

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
MISCELLANEOUS—Concluded.		
	\$ cts.	\$ cts.
Expenses of Government in District of Keewatin.....	2,190 00	
Maintenance of lunatics from Keewatin.....	2,000 00	
Relief of distressed Canadians in foreign countries other than the United States.....	500 00	
Maintenance, construction of roads, bridges and other necessary works in connection with the Hot Spring Reservation, near Banff station, North-west Territories.....	11,920 00	
Cost of litigation (Department of Interior).....	1,000 00	
Survey of the boundary between the Yukon Territory and British Columbia from Teslin Lake to the Alseck River.....	14,000 00	
Relief dispensed to distressed half-breeds in the Birch River district, North-west Territories.....	5,000 00	
Expenses of relief party and furnishing provisions to distressed people along the Liard and Dease Rivers.....	20,000 00	
Expenses in connection with a commission to be appointed to investigate the Chinese and Japanese question.....	10,000 00	
Grant to the Interwestern Exhibition at Calgary.....	2,000 00	
Schools in unorganized districts.....	4,500 00	
Rocky Mountains Park of Canada.....	2,500 00	
Commission appointed to deal with Half-breed claims in the North-west Territories.....	10,000 00	
Interest on amounts contributed to the superannuation fund by E. Kelly, from December 1, 1888, to December 31, 1896, \$47.89; and by J. B. Ryan, from September 28, 1886, to Dec. 31, 1896, \$75.02.....	122 91	
Towards the expenses of visit of American Institute of Mining Engineers to Canada.....	2,000 00	
To make good to Caleb C. Carlton of Souris, P.E.I., amount of duties paid by him to United States customs on fish and fish oil, recommended to be paid by Commissioner appointed by Dominion Government.....	208 50	
Printing plant—Web perfecting press.....	19,000 00	
Envelope machinery.....	2,000 00	
Consolidation of the Dominion statutes, notwithstanding anything in the Civil Service Act.....	20,000 00	
Preparing and printing Dr. Rand's English-Micmac dictionary.....	1,000 00	
Expenses under Conciliation Act, 1900.....	10,000 00	
		260,491 41
COLLECTION OF REVENUE.		
CUSTOMS.		
Salaries and contingent expenses of the several ports—		
Province of Nova Scotia.....	\$115,005 00	
Province of New Brunswick.....	89,670 00	
Province of Prince Edward Island.....	18,715 00	
Province of Quebec.....	230,735 00	
Province of Ontario.....	322,590 00	
Province of Manitoba.....	45,060 00	
North-west Territories.....	12,750 00	
Province of British Columbia.....	102,350 00	
Unforeseen expenditures.....	1,000 00	
Salaries and travelling expenses of Inspectors of Ports and travelling expenses of other officers on inspection and preventive service.....		
Board of Customs—Including \$800 salary of Commissioner of Customs as chairman of the board.....	67,500 00	
Customs laboratory—Testing of sugar, molasses, etc., including pay of officers appointed or employed for that purpose.....		
Miscellaneous—Day books, ledgers, bookbinding, printing and stationery, subscriptions to commercial papers, flags, dating stamps, locks, instruments, etc., for various ports of entry, legal expenses and uniforms for Customs officers.....	30,000 00	

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
COLLECTION OF REVENUE—Continued.		
<i>CUSTOMS—Concluded.</i>		
Maintenance of revenue cruisers and preventive service.....	\$ 30,000 00	
Amounts to be paid Department of Justice to be disbursed by and accounted for to it for secret preventive service..	5,000 00	
Board of Customs—For Dominion appraisers and special officers of Customs.....	5,000 00	
		1,075,375 00
EXCISE.		
Salaries of officers and inspectors, and to provide for increases depending upon the result of Excise examinations.....	\$312,042 50	
Extra duty pay to officers at large distilleries and other factories.....	6,000 00	
Duty pay to officers serving longer hours at other than special survey.....	1,000 00	
Preventive service.....	13,000 00	
Travelling expenses, rent, fuel, stationery, etc.....	50,000 00	
Stamps for imported and Canadian tobacco.....	20,000 00	
Collectors of Customs, allowance for duty collected by them for 1899-1900.....	5,500 00	
Commission to sellers of stamps for Canadian twist tobacco..	100 00	
L. A. Frechette for special technical translation.....	100 00	
To enable the department to supply methylated spirits to manufacturers, the cost of which will be recouped by manufacturers to whom they are supplied; and to pay for rent, light, power, freight, salaries, etc.....	50,000 00	
Methylated spirits.....	24,000 00	
		481,742 50
CULLING TIMBER.		
Supervision.....	\$ 2,100 00	
Specification clerks.....	3,000 00	
Bookkeeper.....	850 00	
Cullers.....	4,200 00	
Superannuated cullers.....	5,400 00	
Contingencies.....	3,000 00	
		18,550 00
WEIGHTS, MEASURES, GAS AND ELECTRIC LIGHT INSPECTION.		
Salaries of officers, inspectors and assistant inspectors of weights and measures.....	\$ 48,710 00	
Salaries of inspectors of gas.....	16,050 00	
Rent, fuel, travelling expenses, postage, stationery, etc., for weights and measures.....	22,000 00	
Rent, fuel, travelling expenses, postage, stationery, etc., for gas and electric light inspection, including salaries in connection with the inspection of electric light and the purchase or repair of instruments.....	10,000 00	
Metrical instruments.....	500 00	
		97,260 00
INSPECTION OF STAPLES.		
Purchase and distribution of standards of grains, flours, and other expenditure under the Act, including salary of raw hide inspector.....		4,500 00
ADULTERATION ACT, AND THE LAW RELATING TO FRAUDULENT MARKING.		
Expenditure.....		25,000 00

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
COLLECTION OF REVENUE—Continued.		
	\$ cts.	\$ cts.
MINOR REVENUES.		
To improve road at Grand Falls, N.B.....	\$ 400 00	
Ordnance lands.....	1,300 00	
Surveys.....	500 00	
Inland Revenue.....	200 00	
	2,400 00	
RAILWAYS AND CANALS.		
<i>Railways.</i>		
Intercolonial.....	\$ 4,100,000 00	
Rental to Grand Trunk Railway.....	140,000 00	
Prince Edward Island.....	275,000 00	
Windsor Branch.....	30,000 00	
To pay Messrs J. J. Wallace and J. M. Lyons increase of salary of \$25.00 each per month from 1st October, 1899, to 10th April, 1900.....	316 66	
	\$ 4,545,316 66	
<i>Canals.</i>		
Repairs and operating expenses.....	\$ 597,100 00	
Salaries and contingencies, collectors' offices	34,600 00	
Additional amount to pay persons employed permanently in the public service and remuneration to any other persons for services rendered for and in connection with passing vessels through the canals of the Government of Canada from midnight on Saturday to midnight on Sunday, notwithstanding anything in the Civil Service Act	15,000 00	
House rent allowance to bridge tenders on Murray, Cornwall and Williamsburg canals.....	3,732 00	
Rideau—Salaries and expenses.....	1,300 00	
Lachine—Gratuity to the widow of the late John Conway.....	183 00	
Welland—Staff.....	300 00	
	652,215 00	
	5,197,531 66	
PUBLIC WORKS.		
Collection of slide and boom dues—including salaries of clerks in connection with this service.....	\$ 5,000 00	
Repairs and working expenses, harbours, docks and slides...	96,400 00	
Upper Ottawa Improvement Company, the authorized allowance for management, etc., in connection with logs to be passed through the Chenaux boom, Ottawa River, during fiscal year 1900-1.....	1,800 00	
Telegraph line between Prince Edward Island and the mainland.....	2,000 00	
Land and cable telegraph lines of the sea-coasts and islands of the lower rivers and Gulf of St. Lawrence and Maritime provinces, including cost of working steamer <i>Newfield</i> or other vessels when required for cable service.	32,000 00	
Telegraph lines, North-west Territories.....	20,000 00	
Telegraph lines, British Columbia.....	12,000 00	
Telegraph and signal service generally.....	2,750 00	
Public Works agency, British Columbia.....	2,500 00	
Land and cable telegraph lines, Gulf of St. Lawrence, etc., special operator at Father Point, etc.....	500 00	
	174,950 00	

SCHEDULE B—Concluded.

SERVICE.	Amount.	Total.
COLLECTION OF REVENUE—Concluded.		
POST OFFICE.		
Mail service.....	\$ 2,207,000 00	
Salaries and allowances, including the salaries of present temporary employees who are to be permanently appointed at their present salaries, notwithstanding anything in the Civil Service Act.....	1,232,263 00	
Miscellaneous.....	214,170 00	
Compassionate allowance.....	2,000 00	
For additional appointments and for increases in salaries of the outside service as follows:—		
Salaries of 5 additional letter carriers for Toronto post office at \$360 each.....	1,800 00	
One additional first class clerk for Toronto post office.	1,200 00	
Increase of salary of F. Hawken, Post Office Inspector at Ottawa.....	121 12	
Increase of salary of one first class clerk in Inspector's office at Ottawa.....	50 00	
Increases to be paid and promotions made notwithstanding anything in the Civil Service Act:—		
A. Curran, 2nd class clerk, \$150; R. S. Cox, letter carrier at Winnipeg, \$90; James Murray, third class clerk in the Victoria post office Inspector's office, \$100; and the promotions of J. H. Fearnside and C. W. W. Fielding to third class clerkships at \$700 a year each.....	1,740 00	
Compassionate allowance for Mrs. Mary Starkey, widow of the late railway mail clerk Walter Starkey, killed while on duty, 2nd July, 1894.....	2,000 00	
Engraving postal maps of Ontario and Manitoba.....	6,300 00	
To recoup the Imperial Government the military pay of the Canadian postal clerks in South Africa from the 17th February to 31st December, 1900.....	1,306 00	
To increase the provisional allowance to the staffs of the railway mail service, post offices and Inspectors' offices in Manitoba and British Columbia to meet the exceptional cost of living.....	8,617 39	
Assistant postmaster at St. John.....	1,600 00	
Gratuity of two months' salary of her late husband, night watchman at Charlottetown, to Mrs. J. D. Mason.....	33 33	
	3,680,200 84	
TRADE AND COMMERCE.		
Administration of the Chinese Immigration Act, including remuneration to Trade and Commerce and Customs officers.....	\$ 3,500 00	
Canada's proportion of expenditure in connection with the International Customs Tariffs Bureau.....	600 00	
Commercial agencies, including expenses in connection with negotiations of treaties or in extension of commercial relations.....	20,000 00	
	24,100 00	
Total.....		10,781,610 00
		36,131,735 03

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63-64 VICTORIA.

CHAP. 6.

An Act to provide for the expenses of the Canadian volunteers serving Her Majesty in South Africa.

[Assented to 4th April, 1900.]

WHEREAS, hostilities having broken out between Great Britain and the South African Republic and the Orange Free State during the period when Parliament was not in session, the Government of Canada deemed it expedient to anticipate the action of Parliament by authorizing the appropriation of certain sums of money for the purpose of equipping and forwarding Canadian volunteers to the seat of war; and whereas it is expedient that such appropriations and the expenditures made thereunder be ratified and confirmed, and that further provision be made as hereinafter enacted: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. From and out of the Consolidated Revenue Fund of Canada there shall and may be paid and applied a sum, not exceeding in the whole the sum of eight hundred and fifty thousand dollars, being the sum of two hundred and fifty thousand dollars authorized under Order in Council, dated the fourth day of November, one thousand eight hundred and ninety-nine, and the sum of six hundred thousand dollars authorized by Order in Council, dated the fifth day of January, one thousand nine hundred, towards payment of the expenditure incurred, or to be incurred, in sending the contingents of Canadian volunteers to South Africa, or in connection therewith; and the members of the Queen's Privy Council for Canada, and the officers and persons who authorized or made the expenditure of any of the said sums under the Orders in Council above referred to, or under any warrant of the Governor General issued in consequence of or on the authority thereof, are hereby indemnified and exonerated from all liability by reason of having used or authorized the use of the above mentioned sums of money, or any portion thereof, without due

Preamble.

Expenditure authorized for sending volunteers to South Africa.

Certain persons indemnified from liability.

legal authority, and all expenditure heretofore made of any of the said sums shall be held to have been lawfully made.

Further expenditure authorized.

2. In addition to the said sum of eight hundred and fifty thousand dollars referred to in the preceding section, there shall and may be paid and applied, from and out of the Consolidated Revenue Fund of Canada, a further sum, not exceeding in the whole the sum of one million one hundred and fifty thousand dollars, towards defraying any further expenditures that may be incurred in connection with the sending of Canadian volunteers for active service in South Africa, and for providing as hereinafter mentioned for a fund by way of allowance to such volunteers or their dependents.

"Expenditure" defined.

Equipment, transportation, etc.

Pay of volunteers.

Separation allowances.

Disposal of pay while on service in Africa.

3. The word "expenditure" in this Act includes—

(a) expenses of every kind in connection with the raising, enrolling, arming, equipping, provisioning, despatching and transporting of the said volunteers up to the time of their arrival at the place of debarkation in South Africa ;

(b) the pay and allowances of each such volunteer (both before and after the date of his debarkation in South Africa) at the rates named in the Order in Council dated the thirteenth day of March, one thousand nine hundred, set forth in the schedule to this Act,—the provisions of which Order in Council are hereby approved and confirmed ;

(c) the separation allowances payable under the provisions of the last mentioned Order in Council.

4. The amounts payable to any such volunteer under the Order in Council set forth in the schedule to this Act, after the time of the debarkation of such volunteer in South Africa, shall not be paid to such volunteer while he is on service, but shall be placed to his credit and shall be applied, in such manner as the Governor in Council determines, for the benefit of those dependent upon him, or, if not so applied, shall be paid to him, or his representatives, at the close of his period of service.

SCHEDULE.

EXTRACT from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency on the 13th day of March, 1900.

On a Memorandum dated 12th March, 1900, from the Minister of Militia and Defence, recommending that the pay of Officers, Non-Commissioned Officers and men of the Canadian Contingents on Special Service in South Africa be as follows :—

1. Up to and inclusive of the date of disembarkation in South Africa :—

(a.)

(a.) 1st Contingent, comprising the 2nd (Special Service) Battalion, Royal Canadian Regiment and reinforcements :—

Rank.	Pay.	Allowances.	Total.
	\$ cts.	\$ cts.	\$ cts.
Lieut.-Colonel.....	4 00	0 75	4 75
Major.....	3 50	0 75	4 25
Captain.....	2 82		2 82
Lieutenant.....	2 00		2 00
Adjutant, according to rank.....		0 50	
Quartermaster.....	2 82		2 82
Medical Officer.....	3 00		3 00
Regimental Sergeant Major.....	1 25		1 25
Quartermaster Sergeant.....	1 00		1 00
Staff Sergeants.....	1 00		1 00
Colour Sergeants.....	1 00		1 00
Sergeants.....	0 80		0 80
Corporals.....	0 70		0 70
Privates.....	0 50		0 50
Buglers.....	0 50		0 50

Being the rates of pay provided for the permanent corps of Canada, and allowances, with the exception that the pay of privates is at the rate of 50 cents per diem, the rate of pay of a private in the several corps of the Active Militia, instead of 40 cents, the rate provided for the permanent corps.

And in addition to the foregoing, in the case of officers in permanent employment, such amounts as will make their pay equal to that of the pay and allowances of their appointment, and, in the case of officers of the permanent corps, amounts equal to such increments of pay as have accrued to them under the regulations governing the pay of the permanent corps (Part III., Sec. 3, Para. 15, Regulations and Orders for the Militia, 1898).

(b.) The 2nd Contingent, comprising the Canadian Mounted Rifles and the Brigade Division of the Royal Canadian Artillery :—

OFFICERS.

N. W. Mounted Police.

Special Service Force.

Commissioner.....	Lieut.-Colonel.....	\$ 7 12
Assistant Commissioner.....	Major.....	4 88
Superintendent.....	Captain.....	3 84
Inspector.....	Lieutenant.....	2 75
Surgeon.....	Medical Officer.....	3 84
Veterinary Surgeon.....	Veterinary Officer.....	2 75

N. C.

N. C. OFFICERS AND MEN.

<i>N. W. Mounted Police.</i>		<i>Special Service Force.</i>	
	Per diem.		Per diem.
Staff Sergts. (higher rate)	\$2 00	Regimental Sergt. Maj.	\$2 00
		{ Battery or Squadron	
		Sergeant Major.....	1 50
Other Staff Sergts. (higher rate).....	1 50	{ Battery or Squadron	
		Qr. Master Sergeant..	1 50
		Orderly Room Sergt..	1 50
		Hospital Sergeant....	1 50
Other Non-Commissioned Officers, Sergeants..	1 00	Pay Sergeant.....	1 50
		{ Orderly Room Clerk..	1 00
Other Non-Commissioned Officers, Corporals..	0 85	Sergeants.....	1 00
		{ Corporals.....	0 85
Private.....	0 75	Bombardier.....	0 80
		Private.....	0 75
		Farrier Qr. Master Sergt	1 75
		Sergeant.....	1 50
Other Artificers.....		{ Corporal,	
		Bombardier, }.....	1 25
		Private.	
		Trumpeter.....	1 00

Being the rates of pay provided for the North-west Mounted Police, with the exception that the pay of privates is at the maximum rate of pay for privates in that force, viz.: 75 cents per diem instead of at the rate of from 50 to 75 cents per diem, according to service.

(2.) From the date of debarkation in South Africa :

(a.) 1st Contingent and reinforcements :—

By Her Majesty's Government, as agreed upon :

The rates of pay provided for infantry in the Royal Warrant for pay ;

By the Government of Canada :

Such additional amounts as will be required to make the total pay of each Officer, N. C. Officer and man equal to that specified in paragraph 1 (a) above.

(b.) 2nd Contingent :—

By Her Majesty's Government, as agreed upon :

The rates of pay provided, in the case of the Mounted Rifles, for Cavalry : and in the case of the Field Artillery, for Field Artillery, in the royal warrant for pay.

By the Government of Canada—

Such additional amounts as will be required to make the total pay of each Officer, N. C. Officer and man equal to that specified in paragraph 1 (b).

The Minister further recommends that all officers attached to the army for instructional or other purposes at the request and with the approval of the Government of Canada, including chaplains with the relative rank of captain, and nurses with

the relative rank of lieutenant, be paid the rates of pay provided for the rank in the permanent corps with which they are attached, except in the case of officers belonging to the permanent corps or in permanent employment, who shall be paid, in addition, such allowances and increments as they may be entitled to under the Regulations and Orders for the Militia, 1898, and that such part of their pay as is not paid by Her Majesty's Government, be paid by the Government of Canada.

The Minister further recommends that separation allowances as hereunder be paid :—

In the case of Officers : One-half the amount of such Officer's pay to the wife.

In the case of N. C. Officers and men :—

Rank.	Wife.	Son under 14 Years.	Daughter under 16 Years.
Sergeant	0 50	0 05	0 05
Corporal	0 35	0 05	0 05
Private.....	0 25	0 05	0 05

such allowances to be paid from and inclusive of the date of embarkation.

The Committee submit the same for Your Excellency's approval.

JOHN J. MCGEE,
Clerk of the Privy Council.



63-64 VICTORIA.

CHAP. 7.

An Act respecting the construction of a Branch Railway from Charlottetown to Murray Harbour.

[Assented to 18th July, 1900.]

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

1. Notwithstanding anything contained in section 2 of 1899, c. 4. chapter 4 of the statutes of 1899, the agreement set forth in Agreement confirmed. the schedule to this Act is ratified and confirmed.

SCHEDULE.

An agreement made in duplicate this eighteenth day of April, one thousand nine hundred,

Between Her Majesty the Queen, represented by the Minister of Railways and Canals of Canada, acting under the authority of the Act of the Parliament of Canada, 62-63 Victoria, chapter 4, hereinafter called the "Dominion Government," of the first part; and Her Majesty the Queen, represented by the Premier and the Commissioner of Public Works of the province of Prince Edward Island, acting by virtue of the Acts of the Legislature of the province of Prince Edward Island, 62 Victoria, chapters 2 and 3, and under the authority of an Order of the Lieutenant-Governor in Council, dated the 22nd day of March, 1900, hereinafter called the "Provincial Government," of the second part.

Whereas, by virtue of the aforementioned Act of the Parliament of Canada, it is provided that the Minister of Railways and Canals may enter into an agreement with the Provincial Government for the construction of a bridge over the Hillsborough River, in the said province, adapted and suitable for public highway and railway purposes, the Provincial Government to contribute the sum of twelve thousand dollars annually towards the interest on the cost thereof.

And whereas, under the above mentioned Acts of the Legislature of the province of Prince Edward Island, power was given to the Provincial Government to enter into an agreement for the purposes aforesaid.

And whereas, plans and specifications of the said bridge have been prepared and approved on behalf of the said parties and are now on file in the Department of Railways and Canals at Ottawa; and it appearing that the cost of the construction of the said bridge will not be as great as was estimated at the time of the passing of the aforementioned Dominion Act, the contribution to be made by the Provincial Government towards the construction and maintenance of the said bridge has been settled at the sum of nine thousand seven hundred and fifty dollars per annum,—and the Dominion Government has agreed to procure legislation confirming the same.

It is therefore agreed by and between the said parties, that, in consideration of the premises, the Dominion Government shall construct a railway and highway bridge in accordance with the plans and specifications aforementioned, over the Hillsborough River from the shipyard on the northern side of the said river to Mutch's Point on the southern side thereof, at a place located by the engineer of the Department of Railways and Canals, as set forth in the report of such engineer, dated the twenty-third day of January, 1900.

The Provincial Government shall keep and maintain in good repair the planking or flooring on the portion of the said bridge used for highway purposes, being so much of the flooring of the said bridge as shall be exclusive of the portion thereof lying between the rails forming the railway track thereon; that, excepting as above, the Dominion Government shall keep and maintain the said bridge in good and safe order and condition, painting the same where necessary and keeping the flooring between the said rails in good order and condition.

The Provincial Government shall furnish the lighting of the said bridge for highway purposes (if required) and the Dominion Government for railway purposes (if required); the Provincial Government shall use all necessary means for the protection and safety of all foot-passengers and persons using the highway portion of the said bridge.

The Provincial Government shall contribute annually towards the interest on the cost of the construction and maintenance of the said bridge the sum of nine thousand seven hundred and fifty dollars per annum, in semi-annual payments of four thousand eight hundred and seventy-five dollars each; that such contribution shall be deducted half-yearly by the Dominion Government from the grants, subsidies or allowances payable by the Dominion Government to the said province, the first deduction on account thereof to be made from the grant, allowance or subsidy due and payable to the said province next after the completion of the said bridge, *pro rata*, according to the number of days elapsing between the date of such completion and the date of the payment of such first allowance.

The Provincial Government shall have the exclusive right and power to levy and collect tolls and charges for the use of

the said bridge, railway traffic of any nature and railway employees alone excepted.

The Dominion Government shall secure legislation amending the above recited Act of the Parliament of Canada in so far as the provisions thereof may be inconsistent with this agreement.

In witness whereof the said Minister of Railways and Canals has hereto set his hand and has caused the seal of the Department of Railways and Canals to be hereto affixed and these presents to be signed by the Secretary of the said Department and the said Premier and the Commissioner of Public Works of Prince Edward Island have hereto set their hands and seals the day and year first above written.

SIGNED, sealed and delivered by the Dominion Govern- ment in manner aforesaid in the presence of :	}	ANDW G. BLAIR, <i>Minister of Railways & Canals.</i> L. K. JONES, <i>Secretary Dept. Rys. & Canals.</i>
GERARD G. RUEL.		

SIGNED, sealed and delivered by the Provincial Govern- ment in manner aforesaid in in the presence of :	}	D. FARQUHARSON, <i>Premier of Prince Edward Isld.</i> JAMES R. MACLEAN, <i>Commissioner of Public Works.</i>
L. E. PROWSE.		

OTTAWA : Printed by SAMUEL EDWARD DAWSON, Law Printer to the Queen's
most Excellent Majesty.



63-64 VICTORIA.

CHAP. 8

An Act to authorize the granting of subsidies in aid of the construction of the lines of railway therein mentioned.

[Assented to 18th July, 1900.]

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

1. In this Act, unless the context otherwise requires, the expression "cost" means the actual, necessary and reasonable cost and shall include the amount expended upon any bridge, up to and not exceeding \$25,000, forming part of the line of railway subsidized not otherwise receiving any bonus, but shall not include the cost of equipping the railway nor the cost of terminals and right of way of the railway in any city or incorporated town; and such actual, necessary and reasonable cost shall be determined by the Governor in Council, upon the recommendation of the Minister of Railways and Canals, and upon the report of the Chief Engineer of Government Railways, certifying that he has made or caused to be made an inspection of the line of railway for which payment of subsidy is asked, and careful inquiry into the cost thereof, and that in his opinion the amount upon which the subsidy is claimed is reasonable, and does not exceed the true, actual and proper cost of the construction of such railway.

Interpretation: "cost."

Cost, how determined.

2. The Governor in Council may grant a subsidy of \$3,200 per mile towards the construction of each of the undermentioned lines of railway (not exceeding in any case the number of miles hereinafter respectively stated) which shall not cost more on the average than \$15,000 per mile for the mileage subsidized, and towards the construction of each of the said lines of railway not exceeding the mileage hereinafter stated, which shall cost more on the average than \$15,000 per mile for the mileage subsidized, a further subsidy beyond the sum of \$3,200 per mile of fifty per cent on so much of the average cost

Subsidies authorized.

cost of the mileage subsidized as is in excess of \$15,000 per mile, such subsidy not exceeding in the whole the sum of \$6,400 per mile :—

1. For a railway from a point at or near the junction of the Irondale, Bancroft and Ottawa Railway and the Grand Trunk Railway to the village of Minden, in the county of Haliburton, Ontario, not exceeding 12 miles.

2. To the Strathroy and Western Counties Railway Company, for a railway commencing at a point at or near Caradoc station, on the Canadian Pacific Railway, and extending to the town of Strathroy, Ontario, not exceeding 7 miles.

3. For a line of railway from a point on the Pembroke Southern Railway at or near Golden Lake, towards a point on the Irondale, Bancroft and Ottawa Railway at or near Bancroft, Ontario, for the further extension of such railway westerly from the western terminus of the 20 miles subsidized by chapter 4 of 1897, for a distance not exceeding 20 miles.

4. To the Algoma Central Railway Company for 25 miles of its line of railway from its terminus at Michipicoten Harbour, Lake Superior, towards the main line of the Canadian Pacific Railway, and for a further extension of this company's line of railway from Sault Ste. Marie towards Michipicoten River and Harbour, Ontario, towards the main line of the Canadian Pacific Railway, 25 miles in all, not exceeding 50 miles.

5. To the Central Ontario Railway Company, for a further extension of their railway from, at or near Bancroft to a point on the Canada Atlantic Railway between Whitney and Barry's Bay, Ontario, not exceeding 20 miles.

6. To the Manitoulin and North Shore Railway Company, for a line of railway between Little Current, on Manitoulin Island, and Sudbury, Ontario, on the Canadian Pacific Railway, the company undertaking to bridge between Little Current and the main land, the bridge to be so constructed and maintained as to afford suitable facilities, in the opinion of the Minister of Railways and Canals, for free vehicular and passenger traffic, the same as upon a public highway, the work to be begun and prosecuted from Little Current and Sudbury, one-half of the subsidy to be applicable, as earned, in respect of the work beginning at Little Current and carried on towards Sudbury, and one-half thereof to be applicable, as earned, in respect of the work beginning at Sudbury and carried on towards Little Current, the course of the line of railway to cross the Sault Ste. Marie branch of the Canadian Pacific Railway, not exceeding 66 miles.

7. For a railway from Bracebridge, in Muskoka, to a point at or near Baysville, Ontario, not exceeding 15 miles.

8. For a railway beginning at a point northerly 20 miles from Parry Sound, and extending from that point to the French River, Ontario, not exceeding 35 miles.

9. For a railway from a point 20 miles north-easterly from the village of Haliburton, via the village of Whitney, towards the village of Mattawa, Ontario, not exceeding 40 miles.

10. To the Kingston and Pembroke Railway Company, for a branch line of railway to iron mines in Bedford township, Ontario, not exceeding 12 miles.

11. To the Thousand Islands Railway Company, for an extension of their railway from the present northerly terminus to a point easterly thereof, not exceeding 2 miles;

And also for an extension from a point on the railway to connect their railway with the Brockville, Westport and Sault Ste. Marie Railway, the Bay of Quinté Railway, the Kingston, Smith's Falls and Ottawa Railway, or the waters of the Rideau Canal, the balance remaining of the subsidy granted by chapter 5 of 1892, not exceeding $9\frac{1}{2}$ miles.

12. For a railway from Dymont, on the Canadian Pacific Railway, to the New Klondike mining district, Ontario, not exceeding 7 miles.

13. To the Schomberg and Aurora Railway Company, for an extension of their line from its easterly terminus to a point at or near Bond's Lake, Ontario, not exceeding 4 miles.

14. To the Nipissing and James Bay Railway Company, for a railway from, at or near North Bay station, on the Canadian Pacific Railway, towards James Bay or Lake Tamagaming, Ontario, not exceeding 20 miles.

15. In aid of the Ottawa and New York Railway Company's bridge over the St. Lawrence River, and for the Canadian portion of such bridge, a sum not exceeding \$90,000.

16. To the Grand Trunk Railway Company of Canada, towards the cost of the rebuilding and enlargement of the Victoria Bridge over the St. Lawrence River, Quebec, in addition to the amount received by the company on account of the subsidy granted by chapter 4 of 1897, viz. : \$270,000, to make up the grant in aid of the undertaking to \$500,000, upon condition that the tolls upon the bridge for passenger and vehicular traffic shall be subject to the approval of the Governor in Council, a sum not exceeding \$230,000.

17. For a railway and traffic bridge over the Ottawa River at Nepean Point, between the city of Ottawa, Ontario, and the city of Hull, Quebec, upon condition that the bridge be so constructed as to provide suitable facilities, to the satisfaction of the Minister of Railways and Canals, for free vehicular and foot passenger traffic, the same as upon a public highway, in addition to the \$112,500 already granted,—and, notwithstanding anything in the said Act, the subsidy hereby granted, together with the grant of \$112,500 under chapter 4 of 1897, shall be paid upon the completion of the bridge and its approaches, upon the Chief Engineer's report of such completion and the recommendation of the Minister,—a sum not exceeding \$100,000.

18. To the Canadian Northern Railway Company, in further extension of their railway north of Swan River towards Prince Albert, North-west Territories, in addition to the grant by chapter 7 of 1899, a further mileage not exceeding 100 miles.

19. For a railway from the westerly end of the Waskada branch of the Canadian Pacific Railway, Manitoba, further westward, not exceeding 20 miles.

20. For a railway from a point on the Alberta Railway and Coal Company's Railway towards Cardston, Alberta, N.W.T., for 30 miles of railway at \$2,500 per mile.

21. To the Kaslo and Lardo-Duncan Railway Company, for a railway from Duncan Lake towards Lardo or Arrow Lake, British Columbia, or from Lardo to Arrow Lake, not exceeding 30 miles.

22. To the Restigouche and Western Railway Company, for the company's railway, in addition to the 15 miles subsidized by chapter 7 of 1899, on the easterly section of the line, and in continuation from the westerly end of the said 15 miles, a further distance of 15 miles towards the St. John River; and for the said railway, in addition to the 12 miles subsidized by the said chapter on the westerly section of the said line, a further distance from the easterly end thereof of 15 miles, towards Campbellton, N.B., not exceeding 30 miles.

23. For a line of railway from St. Charles Junction on the Intercolonial Railway towards the St. Francis branch of the Temiscouata Railway, Quebec, not exceeding 45 miles, and from the mouth of the St. Francis River, N.B., westerly towards St. Charles Junction, 15 miles, in all not exceeding 60 miles.

24. For a line of railway from Bristol, in the county of Carleton, New Brunswick, on the Canadian Pacific Railway, easterly, a distance not exceeding 17 miles.

25. For a line of railway from Shediac, county of Westmoreland, New Brunswick, to Shemogue, and towards Cape Tormentine, in the said county, a distance not exceeding 38 miles.

26. For a railway from Lockeport, Nova Scotia, to Sable River, or other convenient point of railway connection, not exceeding 20 miles.

27. To the Inverness and Richmond Railway Company, for a railway in extension of the company's line northward from Broad Cove to Cheticamp, C.B., Nova Scotia, not exceeding 40 miles.

28. For a railway from Bridgetown to Victoria Beach, Nova Scotia, not exceeding 30 miles.

29. For a railway from a point on the Intercolonial Railway, Pictou branch, to Kempt Town, county of Colchester, Nova Scotia, not exceeding $4\frac{1}{2}$ miles.

30. For a railway from Brazil Lake, on the Dominion Atlantic Railway, to Kemptville, Nova Scotia, not exceeding 11 miles.

31. To the Montfort and Gatineau Colonization Railway Company, to enable it to extend its railway from Arundel to a point in the municipality of the united townships of Preston and Hartwell, province of Quebec, not exceeding 30 miles.

32. To the Chateauguay and Northern Railway Company, for a railway from a point in Hochelaga ward, Montreal, to a point on the Great Northern Railway in or near the town of

Joliette, passing near the town of L'Assomption, Quebec, together with a spur into the said town, not exceeding 42 miles.

33. To the Chateauguay and Northern Railway Company, for a single-track standard railway bridge, with two roadways 10 feet wide, for free vehicular and foot passenger traffic, the same as upon a public highway, from Bout de L'Isle to Charlemagne, at the junction of the Ottawa and St. Lawrence rivers, \$150,000.

34. To the Chateauguay and Northern Railway Company, towards the construction of a bridge across the Lac Ouareau River, \$15,000.

35. To the Arthabaska Railway Company, for a railway from Victoriaville to West Chester, province of Quebec, a distance not exceeding 12 miles.

36. To the Great Northern Railway Company, for a branch line from the town or from near the town of Joliette towards Ste. Emélie, touching the parishes of Ste. Beatrix and St. Jean de Matha, not exceeding 20 miles.

37. For a railway from Farnham, province of Quebec, to Frelighsburg and the International Boundary Line, not exceeding 21 miles.

38. Towards the construction of a railway bridge over the St. Francis River, in lieu of the grant under chapter 7 of 1899, at St. François du Lac, on the condition that the bridge, with approaches, be built so as to allow the municipalities to make use thereof, to establish and maintain a suitable roadway for the free passage of foot passengers, vehicles and animals, to be approved by the Minister of Railways and Canals, \$50,000.

39. Towards the construction of a railway bridge over the Nicolet River at Nicolet, in lieu of the grant under chapter 7 of 1899, \$15,000.

40. For a line of railway from Halifax towards a point on the Central Railway of Nova Scotia, in the county of Lunenburg, in addition to and in extension of the 20 miles subsidized by chapter 7 of 1899, not exceeding 20 miles.

3. The subsidies hereby granted and any subsidies heretofore granted under any Act of the Parliament of Canada, still in force, but not fully paid, towards the construction of any railway or bridge, shall be payable out of the Consolidated Revenue Fund of Canada, and may, unless in this Act otherwise expressly provided, at the option of the Governor in Council, on the report of the Minister of Railways and Canals, be paid as follows:—

(a.) upon the completion of the work subsidized; or

(b.) by instalments on the completion of each ten-mile section of the railway, in the proportion which the cost of such completed section bears to that of the whole work undertaken; or

(c.) upon progress estimates on the certificate of the Chief Engineer of Railways and Canals, that in his opinion, having regard to the whole work undertaken and the aid granted,

the progress made justifies the payment of a sum not less than sixty thousand dollars ; or

(d.) with respect to (b) and (c), part one way, part the other.

Conditions.

4. The subsidies hereinbefore mentioned as to be granted to companies named for that purpose shall, if granted by the Governor in Council, be granted to such companies respectively ; the other subsidies may be granted to such companies as are approved by the Governor in Council as having established to his satisfaction their ability to construct and complete the said railways respectively ; all the lines for the construction of which subsidies are granted, unless they are already commenced, shall be commenced within two years from the first day of August next, and completed within a reasonable time, not to exceed four years from the said first day of August, to be fixed by Order in Council, and shall also be constructed according to descriptions and specifications and upon conditions to be approved by the Governor in Council, on the report of the Minister of Railways and Canals, and specified in an agreement to be made in each case by the company with the Government, which agreement the Government is hereby empowered to make ; the location also of every such line of railway shall be subject to the approval of the Governor in Council.

As to running powers.

5. The granting of such subsidies, and the receipt thereof by the respective companies, shall be subject to the condition that the Governor in Council may at all times provide and secure to other companies such running powers, traffic arrangements and other rights as will afford to all railways connecting with those so subsidized reasonable and proper facilities in exercising such running powers, fair and reasonable traffic arrangements with connecting companies, and equal mileage rates between all such connecting railways ; and the Governor in Council shall have absolute control at all times over the rates and tolls to be levied and imposed by any of the companies or upon any of the railways hereby subsidized.

As to Canadian steel rails.

6. The Governor in Council may make it a condition of the subsidies hereby granted, or of any heretofore granted by any Act of Parliament as to which a contract has not yet been entered into between Her Majesty and the company for the construction of the railway, that the company shall lay its road with new steel rails made in Canada, if such rails are procurable in Canada of suitable quality upon terms as favourable as other rails can be obtained upon, of which the Minister of Railways and Canals shall be the judge.

Public transportation.

7. Every company receiving a subsidy under this Act, its successors or assigns, and any person or company controlling or operating the railway or portion of railway subsidized under this Act, shall each year furnish to the Government

of Canada transportation for men, supplies, material and mails over the portion of its line in respect of which it has received such subsidy, and, whenever required, shall furnish mail cars, properly equipped, for such mail service; and such transportation and service shall be performed at such rates as are agreed upon between the minister of the department of the Government for which such service is being performed and the company performing it, and in case of disagreement, then at such rates as are approved by the Governor in Council; and in or towards payment for such charges the Government of Canada shall be credited by the company with a sum equal to three per cent per annum on the amount of subsidy received by the company under this Act.

8. As respects all railways for which subsidies are granted by this Act, the company at any time owning or operating any of the said railways shall, when required, produce and exhibit to the Minister of Railways and Canals, or any person appointed by him, all books, accounts and vouchers showing the cost of constructing the railway, the cost of operating it, and the earnings thereof. Production of accounts.

9. Paragraph 20 of section 2 of chapter 7 of the statutes of 1899, c. 7, s. 2 is amended by inserting after the word "railway," in the third line, the words "or to connect the said lines." amended.

10. The subsidy provided for by chapter 7 of the statutes of 1899 towards the construction of a railway bridge over the St. Lawrence River at Chaudière Basin, near Quebec, shall be deemed to be applicable, as to one-third thereof, to the substructure and approaches, and as to two-thirds thereof to the superstructure, and the said subsidy may be paid upon that basis by authority of the Governor in Council, upon progress estimates to be furnished from time to time by the Chief Engineer of Government Railways and Canals, so that one-third of such subsidy, and no more, may be paid in respect of and upon completion of the masonry of the substructure and approaches of the said bridge, one-third, and no more, upon the work and material of one-half of the superstructure being done and supplied, in respect of such work and material, and the remaining one-third upon the completion of the whole work. As to subsidy under 1899, c. 7, for railway bridge over the St. Lawrence at Quebec.



63-64 VICTORIA.

CHAP. 9.

An Act to amend the Act relating to Ocean Steamship Subsidies.

[Assented to 14th June, 1900.]

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

1. Section 2 of chapter 2 of the statutes of 1889, intituled ^{1889, c. 2,} *An Act relating to Ocean Steamship Subsidies*, is repealed. _{new s. 2.}

2. The Governor in Council may grant a subsidy for steamship service between British Columbia and China and Japan for such period or periods of time as he deems expedient, not however to exceed in the aggregate ten years, and may pay therefor a subsidy or subsidies, as the case may be, not exceeding the sum of fifteen thousand pounds sterling per annum for a monthly service, or not exceeding the sum of twenty-five thousand pounds sterling per annum for a fortnightly service. Subsidy for service to China and Japan.

OTTAWA: Printed by SAMUEL EDWARD DAWSON, Law Printer to the Queen's most Excellent Majesty.



63 - 64 VICTORIA.

CHAP. 10.

An Act to authorize contracts with certain steamship companies for Cold Storage accommodation.

[Assented to 7th July, 1900.]

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

1. The Governor in Council may enter into contracts with H. and A. Allan and Robert Reford and Company, to provide cold storage on steamships from Montreal to the United Kingdom, during the seasons of one thousand nine hundred, and one thousand nine hundred and one, on such terms and conditions as the Governor in Council deems expedient,—the sum to be paid for such cold storage not to exceed twenty-eight thousand seven hundred and fifty dollars in one year.

Contracts authorized.

Limitation of amount to be paid.

OTTAWA : Printed by SAMUEL EDWARD DAWSON, Law Printer to the Queen's most Excellent Majesty.



63-64 VICTORIA.

CHAP. II.

An Act respecting Inscribed Stock of Canada in the United Kingdom.

[Assented to 14th June, 1900.]

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

1. The Governor in Council may from time to time direct that the whole or any portion of the stock of the Dominion of Canada, heretofore issued or inscribed, or hereafter issued or inscribed, and forming the whole or part of the public debt of Canada, be inscribed and transferred in a register kept in the United Kingdom at such place and by such bank, colonial officer, or person as he from time to time appoints. Register in U. K. for inscribed stock of Canada.

2. The Governor in Council is hereby authorized to make any declaration and take any steps necessary to record such inscribed stock, or any portion thereof, under and in accordance with the provisions of the Imperial Act known as *The Colonial Stock Act, 1877*. Governor in Council to have such stock recorded.

3. The Minister of Finance and Receiver General may, out of the Consolidated Revenue Fund of Canada, pay, satisfy and discharge any judgment, decree, rule, or order of the court in England, which under the provisions of section 20 of *The Colonial Stock Act, 1877*, is to be complied with by the registrar of the inscribed stock of Canada in England. Payment authorized.

OTTAWA : Printed by SAMUEL EDWARD DAWSON, Law Printer to the Queen's most Excellent Majesty.



63 - 64 VICTORIA.

CHAP. 12.

An Act to consolidate and amend the law relating to the Election of Members of the House of Commons.

[Assented to 18th July, 1900.]

HER 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 Dominion Elections Act*, Short title. 1900.

APPLICATION.

2. The following provisions of this Act shall apply to elections in the North-west Territories, so far as the same are applicable and are not inconsistent with the provisions of *The North-west Territories Representation Act*, as amended, that is to say: Sections 4 to 7, both inclusive; section 9; section 41, paragraphs (c), (d), (e) and (h), and subsection 2; sections 43 to 59, both inclusive; sections 62 to 64, both inclusive; sections 69 to 150, both inclusive; and sections 152 to 154, both inclusive; together with the forms mentioned in the said sections and parts of sections; but otherwise, except as provided by *The North-west Territories Representation Act*, or any amendment thereto, this Act shall not apply to the North-west Territories.

INTERPRETATION.

3. In this Act, unless the context otherwise requires,—
(a.) The expression “election” or “Dominion election” means an election of a member to serve in the House of Commons, and the expression “provincial election” means an election of a member to serve in the legislative assembly or house of assembly or general assembly of a province and in the Province of Prince Edward Island means an election of an assemblyman;

Interpretation.
“Election.”
“Dominion election.”
“Provincial election.”

"Electoral district."

(b.) The expression "electoral district" means any place or territorial area in Canada entitled to return a member to serve in the House of Commons ;

"Elector,"
"voter."

(c.) The expression "elector" or "voter" means any person entitled to vote at an election under the provisions of this Act, or of the Franchise Act, 1898, or any amendment thereto ;

"List of voters."

(d.) The expression "voters' list," or "list of voters" includes any official list of persons entitled to vote at an election ;

"Polling division."

(e.) The expression "polling division" includes any polling subdivision, polling district or subdistrict or other territorial area for which there is a separate voters' list, or in which a poll may be held ;

"Candidate."

(f.) The expression "candidate at an election" or "candidate" means any person elected to serve in the House of Commons at such election, and any person who is nominated as a candidate at such election, or is declared by himself or by others to be a candidate, on or after the day of the issue of the writ for such election, or after the dissolution of parliament or the occurrence of the vacancy in consequence of which such writ has been issued : provided that where a person has been nominated as a candidate or declared to be a candidate by others without his consent, nothing in this Act shall be construed to impose any liability upon him unless he has afterwards given his assent to such nomination or declaration or has been elected ;

"Election petition."

(g.) The expression "election petition" means a petition presented in pursuance of *The Dominion Controverted Elections Act*, being chapter 9 of the Revised Statutes ;

"Judge."

(h.) The expression "judge" includes Chief Justice, and when used with reference to the province of Ontario, also includes the Chancellor ;

"Personal expenses."

(i.) The expression "personal expenses," as used in this Act with respect to the expenditure of any candidate in relation to the election at which he is a candidate, includes the reasonable travelling expenses of such candidate, and the reasonable expenses of his living at hotels, or elsewhere, for the purpose of and in relation to such election ;

"Form."

(j.) The expression "form" means a form in Schedule One to this Act.

QUALIFICATION OF MEMBERS.

Qualification of candidates.

4. Except as hereinafter provided, any British subject may be a candidate for a seat in the House of Commons.

2. No qualification in real estate shall be required of any candidate.

Disqualifications.

5. The following persons shall not be eligible as candidates :—

On account of corrupt practices.

(a.) Every person disqualified for corrupt practices or other offences by sections 126, 128 or 129 of this Act ;

(b.) Every person disqualified by section 9 or 10 of the *Act respecting the Senate and House of Commons*, being chapter 11 of the Revised Statutes, by reason of his holding certain offices of emolument or being interested in a contract or agreement with the Crown ;

Holding certain offices.
Contractors with Government.

(c.) Every person disqualified by section 1 of the *Act respecting the House of Commons*, being chapter 13 of the Revised Statutes, by reason of his being a member of the legislature of any province.

Members of provincial legislatures.

6. If a person declared ineligible by paragraph (a) or (b) of the next preceding section is nevertheless returned as a member, his election and return shall be null and void.

Election of disqualified person to be void.

2. If a member of the legislature of any province, notwithstanding his disqualification as in the next preceding section mentioned, receives a majority of votes at an election, such majority of votes shall be thrown away, and the returning officer shall return the person having the next greatest number of votes, provided he is otherwise eligible.

Votes for member of provincial legislature to be thrown away.

QUALIFICATION OF VOTERS.

7. The following persons shall be disqualified and incompetent to vote at any Dominion election, whether disqualified and incompetent or not to vote at a provincial election :—

Who shall not vote.

(a.) The judges of every court now existing or hereafter created whose appointment rests with the Governor General ;

Judges.

(b.) Persons disfranchised for corrupt practices under sections 126 and 129 of this Act ;

Persons disqualified by sections 126 and 129.

(c.) Persons disfranchised for taking bribes under section 15 of the *Act to disfranchise voters who have taken bribes*, being chapter 14 of the statutes of 1894.

Bribed voters.
1894, c. 14.

8. The following persons shall be disqualified and incompetent to vote at an election for the electoral district for which or for a portion of which they hold their offices or positions, whether disqualified and incompetent or not to vote at a provincial election :—

Certain officers and others may not vote at election at which they are employed.

(a.) Returning officers and election clerks, but not deputy returning officers, poll clerks or constables, whether appointed by the returning officer or by a deputy returning officer, employed in connection with the election ;

(b.) Any person who at any time, either before or during the election, has been or is employed at the same election or in reference thereto by any person as counsel, attorney, solicitor, agent or clerk at any polling place at any such election, or in any other capacity, and who has received or expects to receive, either before, during or after the said election from any person for acting in any such capacity as aforesaid, any sum of money, fee, office, place or employment, or any promise, pledge or security for any sum of money, fee, office, place or employment.

Exception in case of tie.

2. The returning officer may, nevertheless, as hereinafter provided, vote in the case of an equality of votes between candidates.

Disqualification under section 113.

9. Every person guilty at an election of the unlawful act mentioned in section 113 is disqualified from voting at such election.

WRITS OF ELECTION.

Date and return of writ.

10. Every writ for an election shall be dated and be returnable on such days as the Governor General determines.

Address.

2. It shall be addressed and forwarded by the Clerk of the Crown in Chancery to the person appointed by the Governor General as hereinafter provided.

Transmission.

3. It shall be transmitted to such person by mail, unless otherwise ordered by the Governor General.

Form.

4. It shall be in the form A.

ELECTION OFFICERS.

Returning officers.

11. The person to whom a writ is addressed, as hereinbefore provided, shall be the returning officer at the election to which such writ relates; Provided always, that if the person to whom the writ has been addressed refuses, or is disqualified or unable to act, the Governor General may appoint another person to be such returning officer.

Proviso.

Who shall not act as election officers.

12. None of the persons following shall be appointed returning officers, or deputy returning officers, election clerks or poll clerks :—

(a.) Members of the Queen's Privy Council for Canada or of the Executive Council of any province;

(b.) Members of the Senate or members of the Legislative Council of any province;

(c.) Members of the House of Commons or members of the Legislative Assembly of any province;

(d.) Ministers, priests or ecclesiastics of any religious faith or worship;

(e.) Judges of the courts of superior, civil or criminal jurisdiction, or judges of any county or district court, insolvent court or admiralty court;

(f.) Persons who have served in the Parliament of Canada in the session immediately preceding the election, or in the then present session of Parliament;

(g.) Persons who have been found guilty by the House of Commons, or by any court for the trial of controverted elections, or other competent tribunal of any offence or dereliction of duty in violation of this Act, or of an offence in violation of a provincial Act relating to elections, or of the *Act to disfranchise voters who have taken bribes*, being chapter 14 of the statutes of 1894;

(h.) Persons who have been convicted of an indictable offence.

13. No person shall be appointed deputy returning officer or election clerk or poll clerk who is not a resident of the electoral district within which he is to act. Residence of election officers.

14. None of the following persons, unless they are sheriffs, registrars, town clerks or assessors, shall be obliged to act as returning officers, deputy returning officers, election clerks or poll clerks, that is to say:— Who shall not be bound to act as such.

(a.) Professors in any university, college, high school or academy;

(b.) Physicians or surgeons;

(c.) Millers;

(d.) Postmasters, customs officers, or clerks in post offices or customs offices;

(e.) Persons of sixty years of age or upwards;

(f.) Persons who have previously served as returning officers at a Dominion election.

15. The returning officer shall, on receiving the writ of election, forthwith endorse thereon the date on which he receives it, and before taking any further action thereon he shall take the oath of office in the form B. Endorsing receipt of writ; oath of returning officer.

16. The returning officer, by a commission under his hand, in the form C, shall appoint an election clerk, and may, at any time during the election, appoint, in the same manner, another election clerk, if the one first appointed resigns, or refuses or is unable to perform his duties as such clerk. Appointment of election clerk.

17. The election clerk shall, before acting as such, take the oath of office in the form D. Oath of office.

18. The election clerk shall assist the returning officer in the performance of his duties, and act in his stead as returning officer whenever the returning officer refuses or is disqualified or unable to perform his duties and has not been replaced by another. Duties.

19. Every officer and clerk who is guilty of any wilful misfeasance or any wilful act or omission in violation of this Act shall forfeit to any person aggrieved by such misfeasance, act or omission, a sum not exceeding five hundred dollars, in addition to the amount of all actual damages thereby occasioned to such person. Misfeasance, etc., by election officers. Penalty.

20. Every returning officer, deputy returning officer, election clerk or poll clerk, who refuses or neglects to perform any of the obligations or formalities required of him by this Act shall, Neglect of duty by election officers.

Penalty. for each such refusal or neglect, forfeit the sum of two hundred dollars to any person who sues therefor.

Copies of Act and instructions to be sent to the returning officer.

21. Immediately after the issue of the writ of election the Clerk of the Crown in Chancery shall transmit to the returning officer a sufficient number of copies of voters' lists, if there are any, one copy of this Act, and of such instructions approved by the Governor in Council as are required to carry out the election according to the provisions of this Act (with a copious alphabetical index prefixed), for the returning officer himself, one copy for the election clerk, and one for each of the deputy returning officers, and also for each deputy returning officer a blank poll-book and all the blank forms necessary for the purposes of such election, except forms E, I, and P, which the returning officer shall himself cause to be printed.

What instructions shall include.

2. The instructions referred to in subsection 1 of this section shall contain forms of the oaths referred to in sections 65, 66 and 68 of this Act, the same having been made applicable to the election being held, and in the case of returning officers in the province of Prince Edward Island they shall be accompanied by the sections of the provincial law relating to the qualifications of voters.

POLLING DIVISIONS AND VOTERS' LISTS.

Returning officer to obtain voters' lists, etc.

22. Forthwith after the receipt of the writ for a Dominion election the returning officer shall obtain from the officers who are the legal custodians thereof or of duly certified duplicates or copies thereof, such certified copies of by-laws, orders, proclamations or other documents or proceedings defining the several provincial polling divisions situate either wholly or partially within the territory comprised in the electoral district for which such election is to be held as are necessary, or as he deems necessary, to the performance of his duties as returning officer, and such provincial voters' lists, or certified copies thereof or extracts therefrom, as he requires in addition to the lists supplied by the Clerk of the Crown in Chancery; and every such officer who omits or refuses to furnish within a reasonable time any such voters' list or copy thereof, or extract therefrom, or any such copy of a by-law, or order, or proclamation or other document or proceeding demanded by the returning officer shall be guilty of an indictable offence and incur a penalty not exceeding two thousand dollars and not less than two hundred dollars.

Penalty for not furnishing them.

Fees.

2. The legal custodian from whom any such document is so obtained shall be paid therefor the same fees (if any) as in the case of such document being obtained by a returning officer for the purposes of a provincial election.

Any person entitled to copy of list on payment of fee.

3. The legal custodian of any voters' list shall deliver certified copies thereof, or of any part thereof, as last revised and corrected, to any person applying therefor, on payment therefor of a fee not exceeding the fee (if any) allowed by the provincial

provincial law in the like case, and not exceeding in any case ten cents for a printed list and one cent for every two names in writing if the list or part of the list is written.

23. Where under the laws of the province there are no polling divisions for the purpose of provincial elections, the returning officer shall forthwith after the receipt of the writ subdivide the electoral district into as many polling divisions as he deems necessary for the convenience of the electors, adopting so far as he deems it expedient the polling divisions, if any there were, at the last Dominion election, and so that, as far as is possible, a polling division shall contain not more than three hundred and not fewer than two hundred qualified voters' names; and he shall number or otherwise designate such polling divisions, and fix upon a suitable polling station in each.

Where under provincial law there are no polling divisions.

PROCLAMATION BY RETURNING OFFICER.

24. Within the shortest possible time after the reception of the writ in the electoral districts of Algoma, in the province of Ontario, of Gaspé and Chicoutimi and Saguenay, in the province of Quebec, and of Burrard and Yale and Cariboo, in the province of British Columbia, and within eight days after its reception in the other electoral districts of Canada, the returning officer shall, by a proclamation under his hand, issued in the English and French languages in every electoral district in the province of Quebec and in the province of Manitoba, and in the English language only in the other electoral districts, indicate—

Proclamation by returning officer.

(a.) The place and time fixed for the nomination of candidates;

(b.) The day on which the poll for taking the votes of the electors is to be held, in case a poll is demanded;

(c.) The several polling stations fixed by him, including those fixed under the next preceding section, and the territorial limits to which they respectively apply;

(d.) The time when and the place where the returning officer will add up the number of votes given to the several candidates.

2. Such proclamation shall be in the form E.

Form.

25. The proclamation shall be posted up in all the electoral districts, at least eight days before the day fixed for the nomination of candidates, neither the last day of posting it up nor the day of nomination being reckoned.

Posting up proclamation.

26. The returning officer shall cause the said proclamation to be posted up at four of the most prominent and conspicuous places in each city, town and village (or ward of such city, town or village, when it is subdivided into wards), and at four of the most prominent and conspicuous places in each parish, township

How to be published.

township or division of parish or township, within the electoral district for which the election is to take place.

THE NOMINATION.

Nomination day, how fixed.

27. The Governor General shall, except as hereinafter mentioned, fix the day for the nomination of candidates at the election.

For general election.

2. At every general election he shall fix one and the same day for the nomination of candidates in all the electoral districts, except in the electoral districts of Algoma in the province of Ontario, of Gaspé and Chicoutimi and Saguenay, in the province of Quebec, and of Burrard and Yale and Cariboo, in the province of British Columbia.

Exception.

Day to be named in the writs.

28. The day so fixed by the Governor General shall be named in the writs of election for the several electoral districts respectively to which such day applies.

Nomination and polling days in certain districts.

29. In the electoral districts of Algoma, in the province of Ontario, of Gaspé and Chicoutimi and Saguenay, in the province of Quebec, and of Burrard and Yale and Cariboo, in the province of British Columbia, the returning officers shall fix the day for the nomination of candidates, and also the day and places for holding the polls; the nomination in the said electoral districts shall take place not less than eight days after the proclamation hereinbefore required has been posted up,—neither the last day of posting it up nor the day of nomination being reckoned; and the day for holding the polls shall be at as early a date thereafter as possible, but not less than seven days after nomination, and at a general election it shall, if possible, be the same day as that fixed by the Governor General for the other electoral districts, but not sooner.

Postponement of nomination in case of unforeseen event.

30. Whenever from unforeseen accident or delay, or otherwise, the proclamation hereinbefore mentioned cannot be posted up so as to leave the required delay between the posting up of the proclamation and the nomination day appointed by the Governor General, or by the returning officer, as the case may be, the returning officer shall fix another day for the nomination of candidates,—which day shall be the nearest day possible after allowing the number of days required by the next preceding section between the posting up of the proclamation and the nomination day; and in every such case the returning officer shall, with his return, make to the Clerk of the Crown in Chancery a special report of the causes which occasioned the postponement of the election.

Place of nomination.

31. The place fixed for the nomination of candidates shall be the court house, city or town hall, or some other public or private building, in the most central or most convenient place for the majority of the electors of each electoral district.

32. The time appointed for the nomination of candidates shall be from the hour of twelve at noon until the hour of two in the afternoon of the day fixed for that purpose. Hours for nomination.

33. Any twenty-five electors may nominate a candidate or as many candidates as are required to be elected for the electoral district for which the election is held, by signing a nomination paper in the form F, stating therein the name, residence and addition or description of each person proposed, in such manner as sufficiently to identify such candidate, and by causing the said nomination paper to be produced to the returning officer at the time and place indicated in the said proclamation or to be filed with the returning officer as hereinafter mentioned. Form of nomination.

2. Each candidate shall be nominated by a separate nomination paper; but the same electors, or any of them, may subscribe as many nomination papers as there are members to be elected. Each candidate separately.

3. Such nomination papers may also be filed with the returning officer at any other place, and at any time between the date of the proclamation and the day of nomination with the same effect as if produced at the time and place fixed for the nomination; and at the close of the time for nominating the candidates, the returning officer shall deliver to every candidate or agent of a candidate applying therefor a duly certified list of the names of the several candidates who have been nominated; and any votes given at the election for any other candidates than those so nominated shall be null and void. Nomination papers may be filed with returning officer at other places and times. Votes for candidates not nominated, null.

34. No nomination paper shall be valid and acted upon by the returning officer unless it is accompanied by the consent in writing of the person therein nominated, except when such person is absent from the province in which the election is to be held,—in which case such absence shall be stated in the nomination paper; and unless a sum of two hundred dollars, in legal tender or in the bills of any chartered bank doing business in Canada, is deposited in the hands of the returning officer at the time the nomination paper is filed with him. Consent of candidate. Deposit by him.

2. The receipt of the returning officer shall, in every case, be sufficient evidence of the production of the nomination paper, of the consent of the candidate, and of the payment herein mentioned. Evidence thereof.

3. The sum so deposited by any candidate shall be returned to him in the event of his being elected or of his obtaining a number of votes at least equal to one-half the number of votes polled in favour of the candidate elected,—otherwise, except in the case provided for by section 39, it shall belong to Her Majesty for the public uses of Canada; and the sums so paid and not returned as herein provided shall be applied by the returning officer towards the payment of the election expenses; and an account thereof shall be rendered by him to the Auditor General of Canada. Deposit, how to be dealt with.

Nomination
paper to be
attested.

35. The returning officer shall require the person, or one or more of the persons, producing or filing as aforesaid any such nomination paper, to make oath before him that he knows or they know that the several persons who have signed such nomination paper are electors duly entitled to vote, and that they have signed it in his or their presence, and that the consent of the candidate had been signed in his or their presence, or that the person named as candidate is absent from the province, as the case may be.

Form of oath.

2. Such oath may be in the form G, and the fact of its having been taken shall be stated on the back of the nomination paper.

Return when
no more
candidates
than members
to be elected.

36. Whenever only one candidate, or only such a number of candidates as are required by law to be elected to represent the electoral district for which the election is held, have been nominated within the time fixed for that purpose, the returning officer shall forthwith make his return to the Clerk of the Crown in Chancery that such candidate or candidates, as the case may be, is or are duly elected for the said electoral district,—of which return he shall send within forty-eight hours a duplicate or certified copy to the person or persons elected: and such return shall be in the form H.

Report with
return.

37. The returning officer shall accompany his return to the Clerk of the Crown in Chancery with a report of his proceedings and of any nomination proposed and rejected for non-compliance with the requirements of this Act.

Withdrawal
of candidates.

38. Any candidate nominated may withdraw at any time after his nomination, and before the closing of the poll, by filing with the returning officer a declaration in writing to that effect, signed by himself; and any votes cast for the candidate who has so withdrawn shall be null and void; and if, after the withdrawal, there remains but one candidate, or no more than the number to be elected, then the returning officer shall return as duly elected the candidate or candidates so remaining, without waiting for the day fixed for holding the poll, or for the closing of the poll if such withdrawal is filed on the polling day.

If no more
remain than
there are
members to
be elected.

Death of
candidate.

39. If a candidate dies after being nominated and before the closing of the poll, the returning officer may fix another day for the nomination of candidates,—which day shall be the nearest day possible after allowing the number of days required by section 26 between the posting up of the proclamation and the nomination day; and in such case the returning officer shall, with his return, make to the Clerk of the Crown in Chancery a special report of the death of the candidate having occasioned the postponement of the election.

Deposit, how
to be dealt
with.

2. In such case the candidate's deposit shall be returned to his personal representatives.

40. If more candidates than the number required to be elected for the electoral district are nominated in the manner required by this Act, the returning officer shall grant a poll for taking the votes of the electors.

Granting
of poll.

PROCEEDINGS BETWEEN NOMINATION AND POLL.

- 41.** On a poll being granted, the returning officer shall,—
- (a.) cause to be posted up notices of his having granted such poll, indicating the names, residences and occupations of the candidates nominated, in the order in which they are to be printed on the ballot papers hereinafter mentioned, and in Prince Edward Island such notice or advertisement regarding the qualification of voters as is required to be posted under the provincial law,—which notices shall, as soon as possible after the nomination, be placarded at all the places where the proclamation for the election was posted up, and shall be in the form I ;
- (b.) appoint, by a commission under his hand, in the form J, one deputy returning officer for each polling division in the electoral district, who shall, before acting as such, take the oath of office in the form K ;
- (c.) furnish each deputy returning officer with a copy of this Act and one copy of the voters' list, if there is one, for the polling division for which he is appointed,—such copy of the voters' list being first certified by himself,—and one copy of the instructions approved by the Governor in Council as provided in section 21 of this Act ;
- (d.) deliver to each deputy returning officer, two days at least before the polling day, a blank poll book, forms of oaths to be administered to voters, envelopes, sealing wax and a ballot box, and also a screen if one is required ;
- (e.) furnish each deputy returning officer with a sufficient number of ballot papers (all being of the same description and as nearly as possible alike) to supply the number of voters on the list of such polling division, and a certificate of the number of such ballot papers, and with the necessary materials for voters to mark their ballot papers,—every ballot paper so furnished by the returning officer being stamped by him with a stamp furnished to him for that purpose by the Clerk of the Crown in Chancery, the stamp being so placed on the ballot paper that when the latter is folded by a voter the stamp can be seen without the ballot paper being opened ;
- (f.) furnish each deputy returning officer with at least ten copies of printed directions, in the form L, for the guidance of voters in voting,—which printed directions the deputy returning officer shall, before or at the opening of the poll, on the day of polling, cause to be posted up in some conspicuous places outside of the polling station, and also in each compartment of the polling station ;
- (g.) and shall, at least two days before the day fixed for polling, furnish to each candidate or his agent, a list of all deputy returning

Duties of
returning
officer.

Notice of poll.

Deputies.

Copies of Act
and of voters'
list.

Ballot boxes,
forms, etc.

Ballot papers.

To be
stamped.

Directions for
voters.

Lists of
deputies.

returning officers appointed to act in such election, with the name or number of the booth at which each of them is to act.

Returning officer's stamp.

2. The stamp referred to in paragraph (e) of subsection 1 of this section shall be specially designed and made for the purposes of each election, and shall be forwarded by the Clerk of the Crown in Chancery to the returning officer, so as to reach him on or about the day of the nomination of candidates. It shall show the name of the electoral district and the year of the election, and shall be of such design that an impression made from it shall be readily recognizable.

Poll clerk.

42. Each deputy returning officer shall forthwith appoint by commission under his hand, in the form M, a poll clerk, who, before acting as such clerk, shall take the oath in the form N.

Information as to deputies and poll clerk.

2. Each deputy returning officer shall, if practicable, furnish to the returning officer, not later than nine o'clock in the morning of the day prior to the day fixed for polling, the name and occupation or addition of such poll clerk; and the returning officer shall, not later than twelve o'clock noon of the day prior to the day fixed for polling, post up in his office a list of the deputy returning officers and poll clerks, with the occupation or addition of each, showing the booth where each is to act, and shall permit free access to and afford full opportunity for inspection of such list by any candidate, agent or elector up to at least six o'clock of the evening of the same day.

Poll clerk to act as deputy in certain cases.

43. Whenever a deputy returning officer refuses or is unable to act, the returning officer may appoint another person to act in his place as deputy returning officer; and if no such appointment is made, the poll clerk, without taking another oath of office, shall act as deputy returning officer.

And appoint poll clerk under him.

2. Whenever the poll clerk acts as deputy returning officer, he shall, by a commission in the form O, appoint a poll clerk, to act in his stead, who shall take the oath required by the next preceding section of this Act.

Furnishing of ballot boxes by Clerk of the Crown in Chancery.

44. The Clerk of the Crown in Chancery may cause to be made for each electoral district such number of ballot boxes as are required; or may give to the returning officers such instructions as are deemed necessary to secure ballot boxes of a uniform size and shape,—such instructions being first approved of by the Governor in Council.

Ballot boxes, etc., furnished by sheriff and registrar.

45. The sheriff or the registrar of the county or registration division, or the postmaster of the locality, in which the nomination has been held shall, immediately after the granting of the poll, deliver to the returning officer the ballot boxes deposited in his custody in accordance with this Act.

If ballot box or screen is not furnished.

46. Whenever the returning officer fails to furnish the ballot box and screen, or either of them, to the deputy returning

ing officer for any polling division within the time prescribed by this Act, such deputy returning officer shall cause them, or whichever of them is wanting, to be made.

47. The ballot box shall be made of some durable material, with one lock and key, and a slit or narrow opening in the top, and so constructed that the ballot papers may be introduced therein, but cannot be withdrawn therefrom unless the box is unlocked.

Construction of ballot boxes.

48. The ballot of each voter shall be a printed paper, in this Act called a ballot paper, on which the names of the candidates, alphabetically arranged in the order of their surnames, shall be printed exactly as they are set out in the nomination paper; and the ballot paper shall also be provided with a blank counterfoil and a stub, the whole as in form P.

Ballot papers, form of.

2. Where two members are to be elected for the electoral division and there are more than two candidates, the candidates may, within an hour after the time appointed for the nomination, agree to their names being arranged otherwise than alphabetically, and in such case the returning officer shall have the names arranged accordingly on the ballot paper.

Names on ballot paper.

3. The ballot shall be printed upon thick writing paper of the following weight: if foolscap paper is used, it shall be of a weight of not less than sixteen pounds to the ream; if large post paper is used, it shall be of a weight of not less than twenty-five pounds to the ream.

Description of paper to be used

4. The paper required for the printing of the ballot papers shall be furnished to the returning officer by the Clerk of the Crown in Chancery when the writ for the election is transmitted to him.

Clerk of the Crown in Chancery to furnish paper.

5. The ballot papers shall be numbered on the stub and shall be bound or stitched in books containing 25, 50 or 100 ballots, as may be most suitable for supplying the polling divisions proportionately to the number of voters in each.

Binding and numbering.

6. The ballot papers shall bear the name of the printer who prints them.

Printer's name.

7. The printer shall, upon delivering the ballot papers to the returning officer, file in his hands an affidavit setting forth the description of the ballot papers so printed by him, the number of ballot papers supplied to such returning officer, and the fact that no other ballot papers have been supplied by him to any one else.

Printer's affidavit.

49. The property of the ballot boxes, ballot papers, envelopes and marking instruments procured for or used at any election shall be in Her Majesty.

Property of ballot boxes, etc.

THE POLL.

50. Except as hereinbefore provided, the day for holding the poll shall be the seventh day next after the expiration of the

Polling day.

the day fixed for the nomination of candidates, that is on the same or corresponding day of the week next after that on which the nomination has taken place, or if such seventh day is a statutory holiday, then on the next following day not being a Sunday or a statutory holiday.

Where the poll shall be held.

Compartments.

Table to be provided.

Instructions by Clerk of the Crown in Chancery.

Hours for polling.

Who may be present in the polling station.

Agents authorized in writing.

Who may act as agents for candidates.

As to provisions requiring presence of agents, etc.

51. The poll shall be held in each polling division in a room or building of convenient access, with an outside door for the admittance of voters, and having, if possible, another door through which they may leave after having voted; and one or two compartments shall be made within the room, so arranged that each voter may be screened from observation, and may, without interference or interruption, mark his ballot paper; and a table or desk with a hard and smooth surface shall be provided, upon which the voter may mark his ballot paper; and a suitable black lead pencil shall be provided and kept properly sharpened throughout the hours of polling for the use of the voters in marking their ballots.

2. The Clerk of the Crown in Chancery may give to the returning officers such instructions as are deemed necessary as to the mode of making the compartments,—such instructions being first approved by the Governor in Council.

52. The poll shall be opened at the hour of nine of the clock in the forenoon and kept open until five of the clock in the afternoon of the same day, and each deputy returning officer shall, during that time, in the polling station assigned to him receive, in the manner hereinafter prescribed, the votes of the electors duly qualified to vote at such polling station.

53. In addition to the deputy returning officer and the poll clerk, the candidates and their agents (not exceeding two in number for each candidate in each polling station), and, in the absence of agents, two electors to represent each candidate on the request of such electors, and no others, shall be permitted to remain in the room where the votes are given, during the time the poll remains open.

Provided always, that any agent bearing a written authorization from the candidate shall always be entitled to represent such candidate in preference to, and to the exclusion of, any two electors who might otherwise claim the right of representing such candidate under this section.

54. Any person producing to the returning officer or deputy returning officer, at any time, a written authority from a candidate to represent him at the election or at any proceeding of the election, shall be deemed an agent of such candidate within the meaning of this Act.

55. Whenever in this Act any expressions are used, requiring or authorizing any act to be done, or implying that any act or thing is to be done, in the presence of agents of the candidates,

candidates, such expressions shall be deemed to refer to the presence of such agents of the candidates as are authorized to attend, and as have, in fact, attended at the time and place where such act or thing is being done ; and the non-attendance of any agents or agent at such time and place shall not, if the act or thing is otherwise duly done, invalidate in any wise the act or thing done.

56. A candidate may himself undertake the duties which any agent of his, if appointed, might have undertaken, or may assist his agent in the performance of such duties, and may be present at any place at which his agent may, in pursuance of this Act, be authorized to attend.

Candidate may act as his own agent.

57. Every returning officer or deputy returning officer of an electoral district, and every partner or clerk of either of them, who acts as agent for any candidate in the management or conduct of his election for such electoral district, is guilty of an indictable offence.

Who may not act as agents.

58. One of the agents of each candidate, and, in the absence of such agent, one of the electors representing each candidate, if there is such elector, on being admitted to the polling station, shall take an oath to keep secret the names of the candidates for whom any of the voters has marked his ballot paper in his presence, as hereinafter required,—which oath shall be in the form Q.

Oath of secrecy.

59. Agents and electors entitled to be present in the room of the polling station during polling hours, shall be entitled to have the packets of ballot papers intended for use thereat carefully counted in their presence before the opening of the poll, and shall be entitled to inspect such ballot papers and all other papers, forms and documents relating to the poll, provided such agents or electors are in attendance at least fifteen minutes before the hour fixed for opening the poll.

Inspection of ballot papers, etc., before opening of poll.

60. Where there is a voters' list each elector shall, subject to the provisions contained in the next following section of this Act, be entitled to vote only at the polling station of the polling division or one of the polling divisions, upon the list of voters for which his name is entered as such voter, and at no other except as otherwise provided by paragraph (f) of section 5 of *The Franchise Act, 1898*.

Where electors shall vote.

2. In the province of Prince Edward Island, subject to the provisions contained in the next following section of this Act, every elector qualified to vote in the electoral district in which he resides shall vote in such district in the electoral division, or, in case such electoral division is subdivided, in the polling division thereof in which he resides, and not elsewhere ; and every elector qualified to vote in an electoral district in which he does not reside, shall vote in the polling division thereof

In P. E. I.

thereof in which is situate the property on which he claims to vote, and not elsewhere.

Provision as to election officers or agents entitled to vote.

61. The returning officer, on the request of any elector entitled to vote at one of the polling stations, who is appointed deputy returning officer or poll clerk, or who is named the agent of any of the candidates for a polling station other than the one where he is entitled to vote, shall give to such elector a certificate that such deputy returning officer, poll clerk or agent is entitled to vote at such election at the polling station where such elector is stationed during the polling day, and on the production of such certificate such deputy returning officer, poll clerk or agent shall have the right to vote at the polling station where he is placed during the polling day, instead of at the polling station where he would otherwise have been entitled to vote: provided that no such certificate shall entitle any such elector to vote at such polling station unless he has been actually engaged as such deputy returning officer, poll clerk or agent during the day of polling: provided also that no more than two agents of any candidate shall have the right to vote at any one polling place under such certificates.

Proviso.

Proviso.

Limitation.

2. The returning officer shall not grant such certificate for more than two agents for each candidate at or for each polling station.

Form of oath.

3. Every person so appointed deputy returning officer, poll clerk or agent, and claiming to vote by virtue of such certificate, shall, if required, before voting, take the oath in the form R.

Oath to be filed.

4. Such oath, with the corresponding certificate of the returning officer, shall be filed with the deputy returning officer at the polling station where the person taking it has voted.

Opening the poll; showing and locking ballot box.

62. At the hour fixed for opening the poll, the deputy returning officer and the poll clerk shall, in the presence of the candidates, their agents, and such of the electors as are present, open the ballot box and ascertain that there are no ballot papers or other papers therein, after which the box shall be locked, and the deputy returning officer shall keep the key thereof.

Calling voters.

63. Immediately after the ballot box is locked, as above provided, the deputy returning officer shall call upon the electors to vote.

Voters not to be impeded.

2. The deputy returning officer shall secure the admittance of every elector into the polling station, and shall see that he is not impeded or molested at or about the polling station.

Electors to declare his name, etc.

64. Not more than one elector for each compartment shall, at any one time, enter the room where the poll is held, and each elector upon so entering shall declare his name and addition, and in the province of Prince Edward Island his qualification also,—which particulars shall be entered in the

poll book by the poll clerk, a number being prefixed to the name.

2. The poll book shall be kept in the form S.

Poll book.

3. If the elector's name is found on the list of voters for the polling division of the polling station, he shall, subject to the provisions hereinafter contained, be entitled to vote.

If name is on list.

4. If, in any polling division where by or under the provincial law no list of voters is required or provided, he is qualified, he shall be entitled to vote.

If there is no list.

5. If his name has been omitted from the list of voters on account of some disqualifying provision of the provincial law specified in section 6 of *The Franchise Act, 1898*, he shall be entitled to vote upon his taking or offering to take the oath in the form T : Provided that his right so to vote shall be subject to the provisions of sections 65 to 68 of this Act and to the other provisions hereinafter contained.

If name omitted on account of provincial disqualification.

6. If the name of any person is found on the voters' list to be used at any polling division of an electoral district situate wholly or partly within the limits of a city or incorporated town, and—

Voter in city changing his residence.

if, between the time when such list came into force for the purposes of a Dominion election and the polling day at such election, such person has changed his residence from one part of such city or town to another part thereof,—

then, notwithstanding anything to the contrary in the provincial law as applicable, under *The Franchise Act, 1898*, or under this Act, to such election, such person shall not be disqualified from voting in such polling division.

7. From any oath which any such person offering his vote at such election may be required to take there shall be omitted any statements as to residence which he cannot, by reason of such change of residence as is mentioned in the next preceding subsection, truthfully make, and instead of such statements the following paragraph may be added to such oath :—

Oath to be modified.

“That you are now actually a resident of and domiciled in the city (or town) of [insert here the name of the city or town] of which this polling division is a part.”

65. An elector, if required by the deputy returning officer, the poll clerk, one of the candidates, or an agent of a candidate, or by any elector present shall, before receiving his ballot paper, take such oath of qualification as by the law of the province he may in the like case at a provincial election be required to take, such changes having been made in the form of oath as are necessary to make it applicable to the election being held, and shall also, if so required, take the oath in the form U.

Oath by elector.

66. In the province of Prince Edward Island an elector, if required by the deputy returning officer, the poll clerk, one of the candidates, or an agent of a candidate, or by any elector present, shall, before receiving his ballot paper, answer such questions

Oaths, etc., in P.E.I.

questions and produce such certificate or receipt, (or in case such certificate or receipt cannot be produced, take the oath in such cases prescribed), and take such other oath of qualification as by the law of the province he may in the like case at a provincial election be required to answer, produce, or take, such changes having been made in the form of oaths as are necessary to make them applicable to the election being held.

Objections
to voters in
P. E. I.

67. In the province of Prince Edward Island, if any person desires to vote whose right to vote is objected to on the ground of want of qualification, and if a candidate, or any agent of a candidate, or (in the absence of such agent) any elector acting in the interest of a candidate, so objects in the presence of the elector, the deputy returning officer, in addition to placing his initials on the back of the ballot paper, as provided by section 70, shall also place on the back thereof a number corresponding to that placed opposite the voter's name in the poll book; and such person having taken, if required, the oaths prescribed by this Act and the laws of the province, and having otherwise complied with the requirements of the law, shall be entitled to receive such ballot paper and to vote.

Penalty for
offences by
deputy return-
ing officer.

2. In Prince Edward Island, if the deputy returning officer refuses a ballot and the right to vote to any person who is entitled to vote and is willing to take the oaths prescribed by this Act and the provincial law, and has otherwise complied with the requirements of the law, or gives a ballot to and allows to vote any person who refuses to take such oaths or to otherwise comply with the requirements of the law, he shall, for such offence, be liable, to any person who sues therefor, to a penalty of two hundred dollars.

Voter refusing
to be sworn
or to answer
questions.

68. No voter who has refused to take the oath or affirmation, or to answer questions or produce evidence as to qualification as aforesaid, or to take the oath in the form U, when required to do so, shall receive a ballot paper or be admitted to vote.

Qualification
of voters
absent on mi-
litary service.

69. Notwithstanding anything contained in any Act of Parliament or in any Act of a provincial legislature, no person otherwise qualified to vote at an election of a member to serve in the House of Commons shall be incompetent to vote at such election by reason only of his having been absent from the electoral district in which such election is held, and in which he would otherwise be entitled to vote, by reason of his serving with or being attached to any corps despatched from Canada for military service, or performing military service within Canada, whether as an officer, a non-commissioned officer, or a private, or in any other capacity, or while serving Her Majesty in any military capacity, or acting as a war correspondent in connection with any war in which a Canadian contingent is serving.

2. From any oath which any person tendering his vote at such an election may be required to take, there shall in the case of any person within the meaning of subsection 1 of this section be omitted any statements as to residence which such person cannot by reason of such absence as aforesaid truthfully make, and there may be added to any such oath one of the following paragraphs :—

“That you served with (or were attached to) the corps known as _____ as (an officer, non-commissioned officer, or private, or otherwise, as the case may be),—or

“That you served Her Majesty in connection with the _____ war in a military capacity as _____,—or

“That in connection with the _____ war you acted as a war correspondent and that you were in consequence absent from this electoral district from the _____ day of _____ to the _____ day of _____ 19 _____.”

3. If the name of any such person is not upon the list of voters, and it might have been put thereon had he not been so absent, such person shall nevertheless be entitled to vote upon his offering to take, and taking if so requested, before the deputy returning officer or other person in charge of the polling station, any oath he might otherwise have been required to take, omitting statements therein as to his name being upon the list which he cannot by reason of such absence truthfully make, and one of the paragraphs prescribed in subsection 2 being added thereto as well as the following paragraph :

“That you were qualified to have your name upon the list of voters at the time such list was prepared except for the fact of your absence from Canada as aforesaid.”

70. The votes shall be given by ballot, and each elector who is entitled to vote shall receive from the deputy returning officer a ballot paper, on the back of which such deputy returning officer has previously put his initials, so placed that when the ballot is folded they can be seen without opening it, and on the counterfoil of which he has placed a number corresponding to that placed opposite the voter's name in the poll book.

71. The deputy returning officer shall instruct the elector how and where to affix his mark, and how to fold his ballot paper, but without inquiring or seeing for whom the elector intends to vote, except in the case provided for in section 75.

72. The elector, on receiving the ballot paper, shall forthwith proceed into one of the compartments of the polling station and there mark his ballot paper, making a cross with a black lead pencil within the white space containing the name of the candidate, or of each of the candidates, for whom he intends to vote, and shall then fold up the ballot paper so that

that the initials and stamp on the back of it and the number on the counterfoil can be seen without opening it, and hand it to the deputy returning officer, who shall, without unfolding it, ascertain by examining his initials and the stamp and the number on the counterfoil, that it is the same which he furnished to the elector, and shall then, in full view of those present, including the elector, remove the counterfoil and destroy it and place the ballot paper in the ballot box, which box shall be placed on a table in full view of those present.

Elector spoiling his ballot paper.

73. A voter who has inadvertently dealt with the ballot paper given him in such manner that it cannot be conveniently used shall, on returning it to the deputy returning officer, who shall deface it, obtain another ballot paper in its place.

Elector in whose name another has previously voted.

74. If a person, representing himself to be a particular elector, applies for a ballot paper after another person has voted as such elector, the applicant, upon taking the oath in the form V if his name is on the list of voters, in the form T if his name is not on the list of voters, or in the form required by the provincial law in such case if there is no list of voters, and otherwise establishing his identity to the satisfaction of the deputy returning officer, shall be entitled to receive a ballot paper, on which the deputy returning officer shall put his initials, together with a number corresponding to the number entered on the poll-book opposite the name of such voter, and he shall thereupon be entitled to vote as any other elector.

Entry in poll-book.

2. The name of such voter shall be entered in the poll-book, and a note shall be made of his having voted on a second ballot paper issued under the same name, and of the oath of qualification having been required and made, as well as of any objections made on behalf of any and which of the candidates.

Voter unable to mark his ballot paper.

75. The deputy returning officer, on the application of any voter who is unable to read or is incapacitated by blindness or other physical cause from voting in the manner prescribed by this Act, shall assist such voter by marking his ballot paper in the manner directed by such voter, in the presence of the sworn agents of the candidates, or of the sworn electors representing them in the polling station, and of no other person, and by placing such ballot paper in the ballot box; and the deputy returning officer shall require the voter making such application, before voting, to make oath of his incapacity to vote without such assistance, in the form W.

Interpreter to be sworn in certain cases.

2. Whenever the deputy returning officer does not understand the language spoken by any such elector claiming to vote, he shall swear an interpreter, who shall be the means of communication between him and such elector with reference to all matters required to enable such elector to vote; and in case no interpreter is found, such elector shall not be allowed to vote.

If interpreter cannot be found.

Deputy to enter reasons for marking by him.

3. The deputy returning officer shall enter in the poll book opposite the names of the voters whose ballot papers have been

so marked, in addition to what is required by section 78, the reason why each ballot paper was marked by him.

76. Every elector shall vote without undue delay, and shall quit the polling station so soon as his ballot paper has been put into the ballot box. No delay in voting.

77. No person shall vote more than once in the same electoral district at the same election, but each elector may vote for as many candidates as are required to be elected to represent the electoral district for which the election is held. Voting more than once in same electoral district forbidden.

78. The poll clerk shall enter in the poll book to be kept by him as aforesaid, opposite the name of each elector voting, the word "*Voted*," as soon as his ballot paper has been deposited in the ballot box, and he shall enter in the same book the word "*Sworn*" or "*Affirmed*" opposite the name of each elector to whom the oath or affirmation as to qualification has been administered, and the words "*Refused to be sworn*" or "*Refused to affirm*" or "*Refused to answer*" opposite the name of each elector who has refused to take any oath or to affirm, when he has been legally required so to do, or has refused to answer questions which he has been legally required to answer, and in Prince Edward Island, the words "*Objected to*" opposite the name of persons voting, whose right has been objected to under section 67 of this Act. Entries in poll book.

2. The poll clerk shall also enter in the poll book the words "*Provincial disqualifications oath taken*" opposite the name of each elector to whom the oath prescribed by subsection 2 of section 6 of *The Franchise Act, 1898*, has been administered, and the words "*Refused to take provincial disqualifications oath*," opposite the name of each elector who has refused to take that oath.

79. Every one who—

(a.) forges, counterfeits, fraudulently alters, defaces or fraudulently destroys a ballot paper or the initials of the deputy returning officer signed thereon, or— Offences.

(b.) without authority supplies a ballot paper to any person, or—

(c.) fraudulently puts into a ballot box a paper other than the ballot paper which he is authorized by law to put in, or—

(d.) fraudulently takes a ballot paper out of the polling station, or—

(e.) without due authority destroys, takes, opens or otherwise interferes with a ballot box or book or packet of ballot papers then in use for the purposes of the election, or—

(f.) forges or counterfeits any stamp for the stamping of ballot papers as provided by paragraph (e.) of section 41 of this Act, or uses any such stamp for any purpose other than the stamping of ballot papers pursuant to the said paragraph, or, not being a returning officer, has in his possession any such stamp or any counterfeit or imitation thereof, or—

(g.) being a deputy returning officer, fraudulently puts, otherwise than as authorized by section 70 of this Act, his initials on the back of any paper purporting to be or capable of being used as a ballot paper at an election, or—

(h.) with fraudulent intent, prints any ballot paper or what purports to be or is capable of being used as a ballot paper at an election, or—

(i.) being authorized by the returning officer to print the ballot papers for an election, with fraudulent intent prints more ballot papers than he is authorized to print, or—

(j.) attempts to commit any offence specified in this section,—

Penalty.

is guilty of an indictable offence, and shall be liable, if he is a returning officer, deputy returning officer or other officer engaged at the election, to a fine not exceeding one thousand dollars and not less than three hundred dollars, or to imprisonment for a term not exceeding five years and not less than one year, with or without hard labour, in default of paying such fine,—and if he is any other person, to a fine not less than one hundred dollars and not exceeding five hundred dollars, or to imprisonment for any term not exceeding two years and not less than six months, with or without hard labour, in default of paying such fine.

PROCEEDINGS AFTER THE CLOSE OF THE POLL.

Counting
votes by
deputy return-
ing officers.

80. Immediately after the close of the poll, the deputy returning officer shall first place all the spoiled ballots in an envelope and seal it up, and shall then count the number of voters whose names appear on the poll book as having voted, and make an entry thereof on the line immediately below the name of the voter who voted last, thus:— "*The number of voters who voted at this election in this polling division is. . . (stating the number),*" and he shall sign his name thereto; then, in the presence of and in full view of the poll clerk and the candidates or their agents—and if the candidates and their agents or any of them are absent, then in the presence of such, if any, of them as are present, and of at least three electors,—he shall open the ballot box and proceed to count the number of votes given for each candidate, giving full opportunity to those present to examine each ballot.

Rejecting
ballots.

2. In counting the votes he shall reject all ballot papers which have not been supplied by the deputy returning officer, all those by which votes have been given for more candidates than are to be elected, and all those upon which there is any writing or mark by which the voter could be identified, other than the numbering by the deputy returning officer in the cases hereinbefore provided for.

Objections to
ballot papers.

81. The deputy returning officer shall take a note of every objection made by any candidate, or his agent or any elector present, to any ballot paper found in the ballot box, and shall

decide every question arising out of the objection; and the decision of the deputy returning officer shall be final, subject to reversal on recount or on petition questioning the election or return.

2. Each objection to a ballot paper shall be numbered, and a corresponding number placed on the back of the ballot paper, and initialled by the deputy returning officer. To be numbered.

3. This section shall not apply, in the province of Prince Edward Island, to the determination of the qualification or non-qualification of any voter whose ballot paper has been numbered and initialled under section 67 of this Act. Exception as to P. E. I.

82. The other ballot papers being counted and a list kept of the number of votes given to each candidate, and of the number of rejected ballot papers, all the ballot papers indicating the votes given for each candidate respectively shall be put into separate envelopes or parcels, and those rejected, those spoiled and those unused shall be put respectively into separate envelopes or parcels, and all such envelopes or parcels shall be endorsed so as to indicate their contents, and shall be sealed by the deputy returning officer, and shall be marked with the signatures of any agents present in the polling station who are willing to do so, by writing their signatures across the flap thereof, such agents affixing their seals on the flap if they desire to do so. Duty of deputy returning officer, after counting the votes.

2. In the province of Prince Edward Island, the deputy returning officer shall also, in counting the ballots, place in a separate envelope or parcel all ballot papers numbered and initialled under section 67 of this Act, such ballot papers having been previously counted for the candidate for whom respectively they have been cast. Counting ballot papers in P. E. I.

83. The deputy returning officer and the poll clerk, immediately after the completion of the counting of the votes, shall take and subscribe respectively the oaths in the forms X and Y, which shall remain attached to the poll book: after which the deputy returning officer shall make out a statement in triplicate, in the form Z, one copy to remain attached to the poll book, one copy to be retained by the deputy returning officer, and the third copy to be inclosed by him in a special envelope supplied for the purpose,—which envelope he shall seal and deposit in the ballot box. Oaths by deputy returning officer and poll. Statement by deputy returning officer.

2. The deputy returning officer shall then deliver to each of the candidates, or to their agents or, in the absence of such candidates or agents, to the electors present representing the candidates, a certificate, in the form AA, of the number of votes given for each candidate, and of the number of rejected ballot papers; and he shall also forthwith after the close of the poll mail to each candidate, by registered letter, to the address stated in the ballot paper, a like certificate. Certificate to candidates or their representatives.

3. The poll book, the envelopes containing the ballot papers, the envelope containing the voters' lists, and all other documents Documents to be inclosed in ballot box.

documents which served at the election shall then be placed in the large envelope supplied for the purpose, and this large envelope shall then be sealed and placed in the ballot box.

Ballot box to be sealed and delivered.

4. The ballot box shall then be locked and sealed with the seal of the deputy returning officer, and shall be forthwith delivered by the deputy returning officer to the returning officer, or to the election clerk, who shall receive the same, or to one or more persons specially appointed for that purpose by the returning officer, and such person or persons shall, on delivering the ballot boxes to the returning officer, take the oath in the form BB.

Safe-keeping of ballot boxes.

84. The returning officer, upon the receipt by him of each of the ballot boxes, shall take every precaution for its safe-keeping and for preventing any person other than himself and his election clerk from having access thereto, and shall immediately upon the receipt of each ballot box seal it under his own seal in such a way that it cannot be opened without the seal being broken, and this he shall do without effacing or covering the seals thereto affixed.

Addition of votes by returning officer.

85. The returning officer, at the place, day and hour appointed by his proclamation, and after having received all the ballot boxes, shall proceed to open them, in the presence of the election clerk, the candidates or their representatives, if present, or of at least two electors, if the candidates or their representatives are not present, and to add together the number of votes given for each candidate, from the statements contained in the several ballot boxes returned by the deputy returning officers of the ballot papers counted by them.

Declaration thereupon.

2. The candidate who, on the addition of the votes, is found to have a majority of votes, shall then be declared elected.

Casting vote of returning officer.

86. Whenever, on the addition of votes by the returning officer, an equality of votes is found to exist between any two or more of the candidates, and an additional vote would entitle any of such candidates to be declared elected, the returning officer shall give such additional or casting vote.

Adjournment if ballot boxes are missing.

87. If the ballot boxes are not all returned on the day fixed for adding up the number of votes given to the several candidates, the returning officer shall adjourn the proceedings to a subsequent day,—such subsequent day not being more than a week later than the day originally fixed for the purpose of adding up the votes.

Adjournment for other causes.

2. In case any deputy returning officer has not duly inclosed in the ballot box the statement of the ballot papers counted by him as required by this Act, or if, for any other cause, the returning officer cannot at the day and hour appointed by him for that purpose ascertain the exact number of votes given for each candidate, the returning officer may thereupon adjourn to a future day and hour the said adding up of the number of

votes given for each candidate, and so from time to time,—such adjournment or adjournments not in the aggregate to exceed two weeks.

88. If the ballot boxes or any of them have been destroyed or lost, or for any other reason are not forthcoming within the time fixed as in the first subsection of the next preceding section provided, the returning officer shall ascertain the cause of the disappearance of such ballot boxes, and shall call on each of the deputy returning officers whose ballot boxes are missing, or on any other person having them, for the lists, statements and certificates, or copies of the lists, statements and certificates, of the number of votes given to each candidate required by this Act, the whole verified on oath; and if such lists or statements, or any of them, or copies thereof, cannot be obtained, he shall ascertain, by such evidence as he is able to obtain, the total number of votes given to each candidate at the several polling places, and to that end may summon any such deputy returning officer, his poll clerk, or any other person, to appear before him at a day and hour to be named by him, and to bring all necessary papers and documents with him,—of which day and hour and of the intended proceedings the candidates shall have due notice; and the returning officer may then and there examine on oath such deputy returning officer or poll clerk, or any other person, respecting the matter in question.

Provision in case of loss of ballot boxes.

2. In case of an adjournment by reason of any deputy returning officer not having placed in the ballot box a statement of the ballot papers counted by him, the returning officer shall in the meantime use all reasonable efforts to ascertain the exact number of votes given for each candidate in the polling division of such deputy returning officer, and to that end shall have the powers set out in the next preceding subsection.

Duty of returning officer if statement is not in ballot box.

3. In any case arising under this section the returning officer shall return the candidate appearing to have the majority of votes, and shall mention specially in this report to be sent with the return the circumstances accompanying the disappearance of the ballot boxes, or the want of any statement as aforesaid, and the mode by which he ascertained the number of votes given to each candidate.

Return of candidate appearing to have majority.

4. Any person refusing or neglecting to attend on the summons of a returning officer issued under this section shall be guilty of an indictable offence and liable to a penalty of two hundred dollars or to imprisonment for a term not exceeding two years, with or without hard labour, or to both.

Not obeying summons, an indictable offence.

89. After the close of the election the returning officer shall cause to be deposited in the custody of the sheriff or of the registrar of deeds in the county or registration division, or of the postmaster in the locality, in which the nomination was held, the ballot boxes used at the election; and the sheriff, registrar or postmaster shall, at the next ensuing election, deliver

Custody of ballot boxes after election.

deliver such ballot boxes to the returning officer named for such election.

RECOUNT OR FINAL ADDITION BY JUDGE.

Provision for recount or final addition of votes by a judge.

Grounds for application.

Security for costs.

Time to be appointed.

Notice.

Service of notice.

Order of judge to returning officer.

Who may be present at the recount or final addition.

90. If, within four days after that on which the returning officer has made the addition of the votes for the purpose of declaring the candidate or candidates elected, it is made to appear, on the affidavit of a credible witness, to the judge of the county court of the county or union of counties, or to the judge of the judicial district in which the electoral district or any part thereof is situated, or in the province of Quebec to a judge of the Superior Court ordinarily discharging his duties in the judicial district in which the electoral district or any part thereof is situated, that a deputy returning officer at an election in such electoral district in counting the votes—(1) has improperly counted, or (2) has improperly rejected any ballot papers at such election, or (3) has made an incorrect statement of the number of ballot papers cast for any candidate, or (4) that the returning officer has improperly added up the votes, and if the applicant deposits within the said time, with the clerk of the county or district court or with the prothonotary of the said Superior Court in the said judicial district, as the case may be, the sum of one hundred dollars, in legal tender or in the bills of any chartered bank doing business in Canada, as security for the costs, in connection with the recount or final addition, of the candidate appearing by the addition to be elected,—the said judge shall appoint a time, within four days after the receipt of the said affidavit by him, to recount the votes if the said application is made in relation to one of the first three grounds of application, or to make the final addition if the said application is made in relation to the last-mentioned ground of application, as the case may be.

2. The judge shall give notice in writing to the candidates or their agents of the time and place at which he will proceed to recount the votes, or to make such final addition, as the case may be; and the judge may, at the time of the application or afterwards, direct that service of the notice upon the candidates or their agents may be substitutional, or may be made by mail or by posting, or in such other manner as he thinks fit.

3. The judge shall summon and command the returning officer and his election clerk to attend then and there with the parcels containing the ballot papers used at such election, or the original statements of the deputy returning officers, as the case may be, with respect to or in consequence of which such recount or final addition is to take place,—which command the returning officer and his election clerk shall obey.

4. At such recount of votes or final addition by the judge the returning officer and his election clerk shall be present, and each candidate shall be entitled to be represented by not more

than three agents appointed to attend, and may himself be present if he desires; but in case any candidate is not represented, then any three electors may declare their desire to attend in his behalf and shall be entitled to attend; and except with the sanction of the judge, no other person shall be present at such recount or final addition.

5. At the time and place appointed, and in the presence of the said persons, the judge shall proceed to make such final addition in the manner prescribed by section 85, or to recount all the votes or ballot papers returned by the several deputy returning officers, as the case may be, and shall, in the latter case, open the sealed packets containing— (1) the used ballot papers which have been counted, (2) the rejected ballot papers, (3) the spoiled ballot papers—and no other ballot papers.

Making final addition or opening packets of ballots and recounting the votes.

6. The judge shall, as far as practicable, proceed continuously, except on Sunday, with the final addition or recount of the votes, allowing only time for refreshment, and excluding (except so far as he and the persons aforesaid agree) the hours between six o'clock in the afternoon and nine in the succeeding forenoon; and during such excluded time and recess for refreshments, the judge shall place the ballot papers and other documents relating to the election closed under his own seal and the seal of such other of the said persons as desire to affix their seals, and shall otherwise take precautions for the security of such papers and documents.

Proceedings to be continuous.

During excluded time documents to be under seal.

7. The judge shall, in the case of a recount, proceed to recount the votes according to the rules set forth in section 81 and shall verify or correct the ballot paper account and statement of the number of votes given for each candidate; and upon the completion of such recount, or as soon as he has so ascertained the result of the poll, he shall seal up all the said ballot papers in separate packets.

Mode of proceeding with the recount.

8. The judge shall also, if necessary or required, review the decision of the returning officer with respect to the number of votes given for a candidate at any polling place, where the ballot box used was not forthcoming when he made his decision, or when the proper certificates or papers were not found therein; and for the purpose of arriving at the facts, shall have all the powers of a returning officer with regard to the attendance and examination of witnesses.

Powers of judge.

9. The judge shall forthwith certify the result of the recount or final addition to the returning officer, who shall then declare to be elected the candidate having the highest number of votes; and in case of an equality of votes, the returning officer shall give the casting vote.

Casting vote in case of tie.

10. The returning officer, after the receipt of notice from the judge of the recount or final addition, shall delay making his return to the Clerk of the Crown in Chancery until he receives a certificate from the judge of the result of such recount or final addition; and upon receipt of such certificate the returning officer shall proceed to make his return.

Return not to be made until judge's certificate is received.

As to costs
and disposal
of deposit.

11. If the recount or final addition does not so alter the result of the poll as to affect the return, the judge shall order the costs of the candidate appearing to be elected to be paid by the applicant, and the moneys deposited as security for costs shall be paid out to the said candidate on account thereof, so far as necessary; and the judge shall tax the costs on giving his decision; and if the deposit is insufficient, the party in whose favour costs are allowed shall have his action for the balance.

How costs
shall be taxed.

12. In taxing the costs the judge shall, as nearly as may be, follow the tariff of costs to be allowed with respect to proceedings in the county court, or in the province of Quebec in the Superior Court.

Failure of
judge to act.

91. In case of any omission, neglect or refusal of the judge to comply with the foregoing provisions of the next preceding section, or to proceed with the recount or final addition therein provided for, then any party aggrieved may, within eight days thereafter, make application—

(a.) in the province of Ontario, to a judge of any division of the High Court of Justice;

(b.) in the province of Quebec, to a judge of the Court of Queen's Bench;

(c.) in the provinces of Nova Scotia, New Brunswick, Prince Edward Island and British Columbia, to a judge of the Supreme Court of the province; and

(d.) in the province of Manitoba, to a judge of the Court of Queen's Bench;

Remedy.

for an order commanding the judge to comply with such directions, and to proceed with and complete such recount or final addition.

Order of court
for hearing.

2. Such application may be made upon affidavit, which need not be entitled in any matter or cause, setting forth the facts relating to such omission, refusal or neglect; and the judge to whom the application is made shall, if it appears that there is such omission, refusal or neglect, make an order appointing a time, within eight days, and a place for the consideration of such application, and directing the attendance of all parties interested at such time and place, and giving such directions for the service of the order, and of the affidavit or affidavits upon which the order was granted, upon the judge so alleged to be in default, and upon the other parties interested, as he thinks proper, and, if the circumstances appear to the judge to warrant it, may direct that service upon any of such parties may be substitutional, or may be made by mail, or by posting, or in such other manner as he thinks fit.

Notice to
judge and
others.

Affidavits
may be filed.

3. The judge complained of, or any of the parties interested, may file in the office of the clerk, registrar or prothonotary of the court, to a judge of which the application is made, affidavits in reply to those filed by the applicant, and upon demand shall furnish him with copies thereof.

4. At the time and place appointed by the judge or at any other time and place to which the hearing may be adjourned, after hearing the parties, or such of them as are present or their counsel, the judge, or some other judge of the same court, shall make such order as the facts of the case in the opinion of the judge warrant, either dismissing the application or commanding the judge in default to take such action as is necessary in order to a compliance with the directions of this section, and to proceed with and complete such recount or final addition as aforesaid, and may make such order as to costs as the judge thinks proper.

Order of court after hearing.

5. A judge so found to be in default as aforesaid shall forthwith carry out the directions of any order so made, and there shall be the same remedies for the recovery of the costs awarded by such order as for that of the costs in ordinary cases in the same court.

Judge to obey order.

Costs.

ELECTION RETURN.

92. The returning officer shall, immediately after the sixth day after the final addition by him under section 85, or the ascertainment by him under section 88, of the number of votes given for each candidate, unless before that time he receives notice that he is required to attend before a judge for the purpose of a recount or final addition by such judge of the votes given at the election, and, where there has been a recount or final addition by the judge, immediately thereafter, transmit his return to the Clerk of the Crown in Chancery that the candidate having the largest number of votes has been duly elected, and shall forward to each of the candidates a duplicate or copy thereof; and such return shall be in the form CC.

Return of candidate elected.

Form of return.

2. The returning officer shall accompany his return to the Clerk of the Crown in Chancery with a report of his proceedings, in which report he shall make any observations he thinks proper as to the state of the ballot boxes or ballot papers as received by him.

Report by returning officer.

3. The returning officer shall also transmit to the Clerk of the Crown in Chancery the writ, with his return, the stamp furnished him for stamping the ballot papers and all the ballot papers, including those unused, the original statements of the several deputy returning officers, hereinbefore referred to, together with the lists of voters and poll-books used in the several polling divisions, and all other lists and documents used or required at such election, or which have been transmitted to him by the deputy returning officers.

Certain documents to be sent with return.

4. Such return and report shall be sent through the post office, after being registered.

How sent.

5. In the event of the returning officer making a return and report to the Clerk of the Crown in Chancery not complying with the provisions of this section or section 90, or making a return and report pending an application under section 91,

If return is irregular.

the Clerk of the Crown in Chancery shall return the said report and return, together with all ballot papers, to the returning officer on presentation of an order signed by any judge who has jurisdiction under the latter section.

Liability of returning officer not returning candidate elected.

93. If any returning officer wilfully delays, neglects or refuses duly to return any person who ought to be returned to serve in the House of Commons for any electoral district, such person may, if it has been determined on the hearing of an election petition respecting the election for such electoral district that such person was entitled to have been returned, sue the returning officer who has so wilfully delayed, neglected or refused duly to make such return of his election, in any court of record in the province in which such electoral district is situate, and recover from him a sum of five hundred dollars, together with all damages he has sustained by reason thereof, and costs; provided that, notwithstanding anything in *The Criminal Code, 1892*, such action is commenced within one year after the commission of the act on which it is grounded, or within six months after the conclusion of the trial of the petition relating to such election.

Proviso.

Notice of return in *Canada Gazette*.

94. The Clerk of the Crown in Chancery shall, on receiving the return of any member elected in the House of Commons, enter it in a book to be kept by him for such purpose in the order in which such return is received by him, and thereupon immediately give notice in the ordinary issue of *The Canada Gazette* of the name of the candidate so elected and in the order in which it was received.

Duty of Clerk of the Crown in Chancery as to retention of papers, etc.

95. The Clerk of the Crown in Chancery shall, subject to the provisions of subsection 5 of section 92 and of section 98, retain in his possession the papers transmitted to him by any returning officer, with the return, for at least one year, if the election is not contested during that time, and if the election is contested, then for one year after the termination of such contestation.

SECRECY OF VOTING.

Secrecy during poll.

96. Every candidate, officer, clerk and agent in attendance at a polling place shall maintain and aid in maintaining the secrecy of the voting at such polling place; and no such candidate, officer, clerk or agent shall, before the poll is closed, communicate to any person any information as to whether any person on the list of voters has or has not applied for a ballot paper or voted at that polling place.

Interfering with voter marking ballot paper.

2. No candidate, officer, clerk, agent or other person shall interfere with, or attempt to interfere with a voter when marking his ballot paper, or otherwise attempt to obtain at the polling place information as to the candidate for whom any voter at such polling place is about to vote or has voted.

3. No elector shall, except in the case provided for in section 75, show his ballot paper, when marked, to any person so as to allow the name of the candidate for whom he votes to be known.

Ballot paper not to be displayed.

4. No person shall, directly or indirectly, induce or endeavour to induce any voter to show his ballot paper after he has marked it so as to make known to any person the name of the candidate for or against whom he has so marked his vote.

Inducing voter to display ballot paper.

5. No candidate, officer, clerk, agent, or other person shall communicate at any time to any person any information as to the number on the back of the ballot paper given to any voter at a polling station, except to a court or judge lawfully requiring him so to do, or attempt to ascertain at the counting of votes the number on the back of any ballot paper.

Number on ballot paper not to be disclosed.

Exception.

6. No candidate, officer, clerk, agent or other person shall communicate at any time to any person any information obtained at a polling place as to the candidate for whom any voter at such polling place is about to vote or has voted.

Vote not to be disclosed.

7. Every candidate, officer, clerk and agent in attendance at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting; and no such candidate, officer, clerk or agent shall attempt to obtain at such counting any information or communicate any information obtained at such counting as to the candidate for whom any vote is given in any particular ballot paper.

Secrecy respecting counting of votes.

8. Every one who violates any of the provisions of this section shall be guilty of an indictable offence and liable to a penalty not exceeding two hundred dollars, and to imprisonment for any term not exceeding six months, with or without hard labour, in default of payment of such penalty.

Penalty.

97. No person who has voted at an election shall, in any legal proceeding questioning the election or return, be required to state for whom he voted.

Secrecy of vote protected.

98. Except as provided by subsection 5 of section 92 of this Act, no person shall be allowed to inspect any ballot paper in the custody of the Clerk of the Crown in Chancery, except under the rule or order of a superior court or a judge thereof,— which rule or order may be granted by such court or judge on being satisfied by evidence on oath that the inspection or production of such ballot papers is required for the purpose of instituting or maintaining a prosecution for an offence in relation to ballot papers, or for the purpose of a petition which has been filed questioning an election or return; and any such rule or order for the inspection or production of ballot papers may be made subject to such conditions as to persons, time, place and mode of inspection or production as the court or judge thinks expedient, and shall be obeyed by the Clerk of the Crown in Chancery.

Inspection of ballot papers in custody of Clerk of the Crown in Chancery.

KEEPING THE PEACE AND GOOD ORDER AT ELECTIONS.

Returning officers and their deputies to be conservators of the peace.

99. Each returning officer and each deputy returning officer from the time he takes the oath of office until the day after the closing of the election shall be a conservator of the peace, invested with all the powers appertaining to a justice of the peace.

May command assistance, etc.

100. Every returning officer or deputy returning officer may require the assistance of justices of the peace, constables or other persons present, to aid him in maintaining peace and good order at such election; and may also, on a requisition made in writing by any candidate, or by his agent, or by any two electors, swear in such special constables as he deems necessary.

Special constables.

May arrest disturbers.

101. Every returning officer or deputy returning officer may arrest or cause by verbal order to be arrested, and place in the custody of any constables or other persons, any person disturbing the peace and good order at the election, and may cause such person to be imprisoned under an order signed by him until an hour not later than the close of the poll.

May demand offensive weapons.

102. The returning officer or deputy returning officer may, during the nomination day and polling day at any election, require any person within half a mile of the place of nomination or of the polling station to deliver to him any firearm, sword, stave, bludgeon or other offensive weapon in the hands or personal possession of such person; and every person who refuses to deliver such weapon shall be liable to a penalty not exceeding one hundred dollars, and, in default of payment of such penalty, to imprisonment for a term not exceeding three months.

Strangers not to enter polling districts armed.

103. Except the returning officer, the deputy returning officer, the poll clerk and the constables and special constables appointed by the returning officer or the deputy returning officer for the orderly conduct of the election or poll and the preservation of the public peace thereat, no person, who has not had a stated residence in the polling division for at least six months next before the day of such election, shall come during any part of the day upon which the poll is to remain open into such polling division armed with offensive weapons of any kind, such as firearms, swords, staves, bludgeons or the like; and no person being in such polling division shall arm himself, during any part of the day, with any such offensive weapon, and thus armed approach within the distance of one mile of the place where the poll of such polling division is held, unless called upon so to do by lawful authority.

Flags, etc., not to be furnished or carried.

104. No person shall furnish or supply any ensign, standard or set of colours, or any other flag, to or for any person

with intent that it shall be carried or used in such electoral district on the day of election, or within eight days before such day, or during the continuance of such election or the polling, by any person, as a party flag to distinguish the bearer thereof and those who follow it as the supporters of any candidate, or of the political or other opinions entertained, or supposed to be entertained, by such candidate; and no person shall, for any reason, carry or use any such ensign, standard, set of colours or other flag, as a party flag, within such electoral district on the day of any such election or polling or within eight days before such day, or during the continuance of such election.

105. No person shall furnish or supply any ribbon, label or like favour, to or for any person with intent that it be worn or used within such electoral district on the day of election or polling, or within eight days before such day, or during the continuance of such election, by any person, as a party badge to distinguish the wearer as the supporter of any candidate, or of the political or other opinions entertained, or supposed to be entertained, by such candidate; and no person shall use or wear any ribbon, label, or other favour, as such badge, within such electoral district, on the day of any such election or polling, or within eight days before such day, during the continuance of such election.

Ribbons or favours not to be furnished or worn.

106. Every one who offends against any of the provisions of the three sections next preceding is guilty of an indictable offence and liable, on summary conviction, to a penalty not exceeding one hundred dollars, or to imprisonment for a term not exceeding three months, or to both, in the discretion of the court.

Punishment for contravention.

107. No spirituous or fermented liquors or strong drinks shall be sold or given at any hotel, tavern, shop or other place within the limits of any polling division, during the whole of the polling day at an election; and every one who violates the provisions of this section shall be liable, on summary conviction, for each offence, to a penalty of one hundred dollars, and to imprisonment for a term not exceeding six months in default of payment of such penalty.

No intoxicating liquors to be sold on polling day.

Penalty.

CORRUPT PRACTICES AND OTHER ILLEGAL ACTS.

108. The following persons are guilty of bribery and shall be punishable accordingly:—

Certain acts to be deemed bribery.

(a.) Every person who, directly or indirectly, by himself or by any other person on his behalf, gives, lends or agrees to give or lend, or offers or promises any money or valuable consideration, or promises to procure, or to endeavour to procure, any money or valuable consideration, to or for any voter, or to or for any person on behalf of any voter, or to or for any person,

(giving money, etc., to procure votes.

person, in order to induce any voter to vote, or refrain from voting, or corruptly does any such act on account of such voter having voted or refrained from voting at any election ;

Giving or promising employment.

(b.) Every person who, directly or indirectly, by himself or by any other person on his behalf, gives or procures, or agrees to give or procure, or offers or promises any office, place or employment, or promises to procure or to endeavour to procure any office, place or employment, to or for any voter, or to or for any other person, in order to induce such voter to vote, or refrain from voting, or corruptly does any such act as aforesaid, on account of any voter having voted or refrained from voting at any election ;

Gift or promise in order to obtain return of any person.

(c.) Every person who directly or indirectly, by himself or by any other person on his behalf, makes any gift, loan, offer, promise, procurement or agreement as aforesaid, to or for any person, in order to induce such person to procure or endeavour to procure the return of any person to serve in the House of Commons, or the vote of any voter at any election ;

Procuring return in consequence.

(d.) Every person who, upon or in consequence of any such gift, loan, offer, promise, procurement or agreement, procures or engages, or promises or endeavours to procure the return of any person to serve in the House of Commons, or the vote of any voter at an election ;

Advancing money to be used in bribery.

(e.) Every person who advances or pays, or causes to be paid, any money to or to the use of any other person, with the intent that such money or any part thereof shall be expended in bribery or corrupt practices at any election, or who knowingly pays or causes to be paid any money to any person in discharge or repayment of any money wholly or in part expended in bribery or corrupt practices at any election ;

Demanding bribe of candidate or agent.

(f.) Every person who, directly or indirectly, by himself or by any other person on his behalf, on account of and as payment for voting or for his having voted, or for illegally agreeing or having agreed to vote for any candidate at an election, or on account of and as payment for his having illegally assisted or agreed to assist any candidate at an election, applies to such candidate, or to his agent or agents, for the gift or loan of any money or valuable consideration, or for the promise of the gift or loan of any money or valuable consideration, or for any office, place or employment, or the promise of any office, place or employment ;

Receiving money, etc., before or during an election.

(g.) Every voter who, before or during any election, directly or indirectly, himself or by any other person on his behalf, receives, agrees or contracts for any money, gift, loan or valuable consideration, office, place or employment, for himself or any other person, for voting or agreeing to vote, or for refraining or agreeing to refrain from voting at any election ;

Or after an election.

(h.) Every person who, after an election, directly or indirectly, himself or by any other person on his behalf, receives any money or valuable consideration for having voted or refrained from voting, or for having induced any other person to vote or refrain from voting at any election ;

(i.)

(i.) Every person who, to induce a person to allow himself to be nominated as a candidate, or to refrain from becoming a candidate, or to withdraw if he has become a candidate, gives or procures any office, place or employment, or agrees to give or procure, or offers or promises to procure, or endeavours to procure any office, place or employment for such person or any other person ;

Bribery of candidates.

And every person so offending is guilty of an indictable offence and liable to imprisonment for a term not exceeding six months and shall also forfeit the sum of two hundred dollars to any person who sues therefor, with costs.

Penalty.

Provided always, that the actual personal expenses of any candidate, his expenses for actual professional services performed, and bona fide payments for the fair costs of printing and advertising, shall be held to be expenses lawfully incurred, and the payment thereof shall not be a violation of this Act.

Proviso : as to lawful expenses.

109. Every candidate or other person who, at an election, either provides or furnishes drink or other refreshment at the expense of such candidate, to an elector during such election, or pays for, procures or engages to pay for any such drink or other refreshment, is guilty of an indictable offence and liable to a penalty not exceeding one hundred dollars, or to imprisonment for a term not exceeding three months, or to both, in the discretion of the court.

Treating voter during election.

Penalty.

110. Every candidate who corruptly, by himself or by or with any other person, or by any other ways or means on his behalf, at any time, either before or during any election, directly or indirectly gives or provides, or causes to be given or provided, or is accessory to the giving or providing, or pays wholly or in part any expenses incurred for any meat, drink, refreshment or provision to or for any person, in order to be elected or for being elected, or for the purpose of corruptly influencing such person or any other person to give or refrain from giving his vote at such election, is guilty of the offence of treating, and shall forfeit the sum of two hundred dollars to any person who sues therefor, with costs, in addition to any other penalty to which he is liable therefor under any other provision of this Act ; and on the trial of an election petition, there shall be struck off from the number of votes given for such candidate one vote for every person who has voted and is proved on such trial to have corruptly accepted or taken any such meat, drink, refreshment or provision.

Treating of any person by candidate.

Penalty.

Votes to be struck off on trial of election.

111. The giving or causing to be given to any voter on the nomination day or day of polling, on account of such voter having voted or being about to vote, any meat, drink or refreshment, or any money or ticket to enable such voter to procure refreshment, shall be deemed an unlawful act, and the person so offending shall forfeit the sum of ten dollars for each offence to any person who sues therefor, with costs.

Treating voter by any person on nomination or polling day.

Undue
influence.

112. Every one who, directly or indirectly, by himself or by any other person on his behalf, makes use of, or threatens to make use of, any force, violence or restraint, or inflicts, or threatens the infliction, by himself, or by or through any other person, of any injury, damage, harm or loss, or in any manner practises intimidation upon or against any person, in order to induce or compel such person to vote or refrain from voting, or on account of such person having voted or refrained from voting at any election, or who, by abduction, duress or any fraudulent device or contrivance, impedes, prevents or otherwise interferes with the free exercise of the franchise of any voter, or thereby compels, induces or prevails upon any voter either to give or refrain from giving his vote at any election, shall be deemed to have committed the offence of undue influence, and is guilty of an indictable offence, and shall, in addition to any penalty thereby incurred, forfeit the sum of two hundred dollars to any person who sues therefor, with costs.

Penalty.

Paying for
conveyance of
voters to poll.

113. The hiring or promising to pay or paying for any horse, team, carriage, cab or other vehicle, by any candidate or by any person on his behalf, to convey any voter or voters to or from the poll, or to or from the neighbourhood thereof, at any election, or the payment, by any candidate or by any person on his behalf, of the travelling and other expenses of any voter, in going to or returning from any election, are unlawful acts; and every candidate or other person so offending shall forfeit the sum of one hundred dollars to any person who sues therefor; and any voter hiring any horse, cab, cart, wagon, sleigh, carriage or other conveyance for any candidate, or for any agent of a candidate, for the purpose of conveying any voter or voters to or from the polling place or places, shall, *ipso facto*, be disqualified from voting at such election, and shall, for every such offence, forfeit the sum of one hundred dollars to any person who sues therefor

Penalty.

Disqualifica-
tion of voters
offending.

Personation.

114. Every person who, at an election—
(a.) applies for a ballot paper in the name of some other person, whether such name is that of a person living or dead, or of a fictitious person; or—
(b.) having voted once at any such election, applies at the same election for a ballot paper in his own name—

Penalty.

is guilty of personation and liable to a penalty not exceeding two hundred dollars and not less than fifty dollars and to imprisonment for a term not exceeding two years and not less than three months

Subornation
of persona-
tion.

115. Every person who aids, abets, counsels or procures the commission by any person of the offence of personation shall be liable to a penalty not exceeding two hundred dollars and not less than one hundred dollars, and to imprisonment for a term not exceeding two years and not less than three months.

Penalty.

116. Every candidate who corruptly, by himself or by or with any other person on his behalf, compels or induces or endeavours to induce any person to personate any voter, or to take any false oath in any matter wherein an oath is required under this Act, is guilty of an indictable offence, and shall, in addition to any other punishment to which he is liable for such offence, forfeit the sum of two hundred dollars to any person who sues therefor.

Subornation
by candidate
of personation
or perjury.

Penalty.

117. Every person who votes or induces or procures any person to vote at an election, knowing that he or such person is not entitled to vote thereat, is guilty of an unlawful act, and shall also forfeit the sum of one hundred dollars to any person who sues therefor, with costs; and in any suit for the recovery of the penalty, the burden of the proof of such person being entitled to vote at the election shall be upon him and not upon the person suing.

Voting by
prohibited
person.

Penalty.

Burden of
proof of
qualification.

118. Any person who before or during an election knowingly publishes a false statement of the withdrawal of a candidate at such election, for the purpose of promoting or procuring the election of another candidate, is guilty of an unlawful act, and shall also forfeit the sum of one hundred dollars to any person who sues therefor, with costs.

False
statement of
withdrawal of
candidate.

Penalty.

119. A candidate shall not be liable, nor shall his election be avoided, for any unlawful act under the two sections next preceding committed by his agent other than his agent appointed under the provisions of section 143.

Liability for
acts of agents.

120. Any wilful offence against any one of the twelve sections of this Act next preceding, is a corrupt practice within the meaning of this Act.

Certain
offences to
be corrupt
practices.

121. Every executory contract, or promise, or undertaking, in any way referring to, arising out of or depending upon any election under this Act, even for the payment of lawful expenses, or the doing of some lawful act, shall be void in law.

Contracts or
promises
relating to
election void.

122. If, on the trial of an election petition, claiming the seat for any person, a candidate is proved to have been guilty, by himself or by any person on his behalf, of bribery, treating, or undue influence with respect to any person who voted at such election, or if any person retained or employed for reward by or on behalf of such candidate for all or any of the purposes of such election, as agent, clerk or messenger, or in any other employment, is proved on such trial to have voted at such election, there shall, on the trial of such election petition, be struck off from the number of votes appearing to have been given to such candidate, one vote for every person who voted at such election, and who is proved to have been so bribed, treated or unduly influenced, or so retained or employed for reward as aforesaid.

Votes to be
struck off
candidate for
bribery, etc.,
in certain
cases.

Corrupt practice by candidate or his agent to void election.

123. If it is found by the report of any court, judge or other tribunal for the trial of election petitions, that any corrupt practice has been committed by a candidate at an election, or by his agent, whether with or without the actual knowledge and consent of such candidate, the election of such candidate, if he has been elected, shall be void.

Employing agent who has been guilty of corrupt practices.

124. If, on the trial of an election petition, a candidate is proved to have personally engaged any person at the election to which such petition relates, as a canvasser or agent in relation to the election, knowing that such person so engaged has within eight years previous to such engagement been found guilty of any corrupt practice, by any competent legal tribunal, or by the report of any judge or other tribunal for the trial of election petitions, the election of such candidate, if he has been elected, shall be void.

Effect of corrupt practice and illegal acts at previous elections.

125. The provisions of the three sections next preceding shall not, except as to the personal acts of the candidates and the acts of agents of candidates done with the knowledge and consent of such candidates, apply to any case by reason of any acts done at any election other than the election to which the petition relates.

Effect of corrupt practice by a candidate.

126. If, on the trial of an election petition, it is proved that any corrupt practice has been committed by or with the actual knowledge and consent of a candidate at an election, or if he is convicted before any competent court of bribery or undue influence, he shall be held guilty of corrupt practices, and his election, if he has been elected, shall be void, and he shall, during the seven years next after the date of his being so proved or found guilty, be incapable of being elected to and of sitting in the House of Commons, and of voting at any election of a member of that House, or of holding an office in the nomination of the Crown or of the Governor General in Canada.

Candidate exonerated in certain cases of corrupt practices by agents.

127. If, on the trial of an election petition, the court decides that a candidate at such election was guilty, by his agent or agents, of any offence that would render his election void, and the court further finds—

(a.) that no corrupt practice was committed at such election by the candidate personally, and that the offences mentioned were committed contrary to the order and without the sanction or connivance of such candidate ; and—

(b.) that such candidate took all reasonable means for preventing the commission of corrupt practices at such election ; and—

(c.) that the offences mentioned were of a trivial, unimportant and limited character ; and—

(d.) that in all other respects, so far as disclosed by the evidence, the election was free from any corrupt practice on the part of such candidate and of his agents ;

then the election of such candidate shall not, by reason of the offences mentioned, be void, nor shall the candidate be subject to any incapacity therefor.

128. If, on the trial of an election petition, a candidate or other person is found by the report of the judge, by himself or his agents with his actual knowledge and consent, to have aided, abetted, counselled or procured the commission at such election of the offence of personation by any person, his election, if he has been elected, shall be declared null and void; and such candidate or such other person shall be incapable of being elected or sitting in the House of Commons for any electoral district during the continuance of the Parliament for which the election is held, and during the then next Parliament.

Disqualification of candidate guilty of subornation of personation.

129. Every person other than a candidate found guilty of any corrupt practice in any proceeding in which, after notice of the charge, he has had an opportunity of being heard, shall, during the eight years next after the time at which he is found guilty, be incapable of being elected to and of sitting in the House of Commons, and of voting at any election of a member of the House of Commons, or of holding any office in the nomination of the Crown or of the Governor General in Canada.

Disqualification of others than candidates for corrupt practices.

130. If, at any time after a person has become disqualified under this Act, the witnesses, or any of them, on whose testimony such person has so become disqualified, are convicted of perjury with respect to such testimony, such person may move the court before which such conviction takes place to order, and such court shall, upon being satisfied that such disqualification was procured by reason of such perjury, order that such disqualification shall thenceforth cease and determine; and it shall cease and determine accordingly.

Removal of disqualification procured by perjury.

CRIMINAL AND CIVIL PROCEDURE.

131. All penalties and forfeitures (except in cases of indictable offences and offences made punishable on summary conviction) imposed by this Act shall be recoverable or enforceable with full costs of suit by any person who sues therefor by action of debt or information, in any court of competent jurisdiction in the province in which the cause of action arises, and in default of payment of the amount which the offender is condemned to pay, within the period fixed by the court, the offender shall be imprisoned in the common jail of the county or district for any term less than two years, unless such penalty and costs are sooner paid; but no action or information for the recovery of any such penalty or forfeiture shall be commenced unless the person suing therefor has given good and sufficient security, to the amount of fifty dollars, to indemnify

Recovery of penalties and forfeitures.

indemnify the defendant for the costs occasioned by his defence, if the person suing is condemned to pay such costs.

Summary proceedings in case of personation.

132. If a person is charged at a polling place with having committed the offence of personation, the deputy returning officer at such polling place may, and if requested so to do on behalf of a candidate shall, take the information on oath of the person making the charge; and such information may be in the form DD.

Information.

Detention of alleged personator.

2. If the person against whom it is proposed to lay the information has not left the polling place, the deputy returning officer may, either on his own motion or at the request of any one proposing forthwith to lay an information against such person, detain or direct the detention of such person until an information can be drawn up.

Warrant of arrest.

3. Upon receiving the information the deputy returning officer may, on the polling day, but not afterwards, issue his warrant, in the form EE, for the arrest of the person charged, in order that he may be brought before the magistrate or one of the magistrates therein named, to answer to the said information and to be further dealt with according to law.

Trial, before what magistrates.

4. The magistrate or magistrates named in the warrant shall be such as defined by section 782 of *The Criminal Code, 1892*, as amended, and the nearest available within the county.

1892, c. 29, part LV to apply.

5. The provisions of part LV of the said Code shall apply to all proceedings under this section.

Execution of warrant.

6. Such warrant shall be sufficient authority for any peace officer (as defined by *The Criminal Code, 1892*;) to detain such person until he is brought before the magistrate.

If name of alleged personator is unknown.

7. If the correct name of the person charged is unknown to the informant, it shall be sufficient in the information and other proceedings to describe the person charged as a person whose name is to the informant unknown, but who is detained under the order of the deputy returning officer; or the person charged may be described in such other manner as will suitably identify him; and when the name of the person so charged is ascertained, it shall be stated in any subsequent warrant or proceeding.

Constables.

8. Every poll clerk shall have the authority of a constable for the purpose of carrying out the provisions of this section; and every deputy returning officer may appoint such special constables as he deems necessary for the like purpose; and such person shall have full power to act without taking any oath.

What allegation necessary in suits for penalties.

133. It shall be sufficient for the plaintiff, in any action or suit under this Act, to allege in his pleading or declaration that the defendant is indebted to him in the sum of money thereby demanded, and to allege the particular offence with respect to which the action or suit is brought, and that the defendant has acted contrary to this Act, without mentioning the writ of election or the return thereof.

134. In any such civil action, suit or proceeding, the parties thereto, and the husbands or wives of such parties respectively, shall be competent and compellable to give evidence to the same extent and subject to the same exceptions as in other civil suits in the same province; but such evidence shall not thereafter be used in any indictment or criminal proceeding under this Act against the person giving it.

Evidence of husbands and wives.

Proviso.

135. No person shall be excused from answering any question put to him in any action, suit or other proceeding, in any court, or before any judge, commissioner or other tribunal, touching or concerning any election, or the conduct of any person thereat, or in relation thereto, on the ground of any privilege, except that no elector shall be obliged to state for whom he voted at any election; Provided that no answer given by any person claiming to be excused on the ground of privilege shall be used in any criminal proceeding against such person other than an indictment for perjury, if the judge, commissioner or president of the tribunal gives to the witness a certificate that he claimed the right to be excused on such ground, and made full and true answers to the satisfaction of the judge, commissioner or tribunal.

No excuse of privilege allowed for not answering questions in proceedings touching elections.

136. Any criminal court before which a prosecution is instituted for an offence against the provisions of this Act may order payment by the defendant to the prosecutor of such costs and expenses as appear to the court to have been reasonably incurred in and about the conduct of such prosecution; but the court shall not make such order unless the prosecutor before or upon the finding of the indictment or the granting of the information enters into a recognizance, with two sufficient sureties, in the sum of five hundred dollars, and to the satisfaction of the court, to conduct the prosecution with effect and to pay the defendant his costs in case he is acquitted.

Criminal court may allow costs to prosecutor in certain cases.

137. In case of an indictment or information by a private prosecutor for an offence against the provisions of this Act, if judgment is given for the defendant he shall be entitled to recover from the prosecutor the costs sustained by the defendant by reason of such indictment or information, which costs shall be taxed by the proper officer of the court in which the judgment is given.

Or to defendant acquitted.

138. In an indictment or prosecution for a corrupt practice, and in any action or proceeding for a penalty for a corrupt practice, it shall be sufficient to allege that the defendant was, at the election at or in connection with which the offence is intended to be alleged to have been committed, guilty of a corrupt practice, describing it by the name given to it by this Act, or otherwise, as the case requires; and in any criminal or civil proceeding in relation to such offence the certificate of the returning officer shall be sufficient evidence of the due holding

Allegation and evidence of corrupt practice.

holding of the election and of any person named in such certificate having been a candidate thereat.

Production of writ of election, etc., not required in suits under this Act.

139. It shall not be necessary on the trial of a suit or prosecution under this Act to produce the writ of election or the return thereof, or the authority of the returning officer founded upon such writ of election, but general evidence of such facts shall be sufficient evidence; and if the original ballot papers or other papers are required, the clerk or registrar of the court having cognizance of the election petition may, at the instance of any of the parties thereto, notify the Clerk of the Crown in Chancery to produce them on the day fixed for the trial, and the said Clerk of the Crown in Chancery shall, on or before the said day, deposit them with such clerk or registrar, taking his receipt therefor.

Summons by court to person who is liable to penalty.

140. Whenever it appears to the court or judge trying an election petition that any person has violated any of the provisions of this Act, for which violation such person is liable to a fine or penalty (other than fines and penalties imposed for any offence amounting to an indictable offence), such court or judge may order that such person shall be summoned to appear before such court or judge, at the place, day and hour fixed in such summons for hearing the charge.

Disobeying summons.

2. If, on the day so fixed by the summons, the person summoned does not appear, he shall be condemned, on the evidence already adduced on the trial of the election petition, to pay such fine or penalty as he is liable to pay for such violation, and in default of paying such fine or penalty, to the imprisonment prescribed in such case by this Act.

Trial.

3. If, on the day so fixed, the person summoned does appear, the court or judge, after hearing such person and such evidence as is adduced, shall give such judgment as to law and justice appertains.

Appropriation of fines.

4. All fines and penalties recovered under this section shall belong to Her Majesty for the public uses of Canada.

Exception.

5. No fine or penalty shall be imposed under this section if it appears to the court or judge that the person has already been sued to judgment or acquitted with respect to the same offence, nor shall any such fine or penalty be imposed for any offence proved only by the evidence or admission of the person committing it.

Corrupt practices not triable at Q.S., etc.

141. Notwithstanding anything in *The Criminal Code*, 1892, no indictment for corrupt practices shall be tried before any Court of Quarter Sessions or General Sessions of the Peace.

Limitation of time for prosecutions and suits, etc.

142. Notwithstanding anything in *The Criminal Code*, 1892, every prosecution for an indictable offence under this Act, and every action, suit or proceeding for any pecuniary penalty given by this Act to the person suing therefor, shall be commenced within the space of one year next after the act committed,

committed, and not afterwards (unless the prosecution is prevented by the withdrawal or absconding of the defendant out of the jurisdiction of the court), and when commenced shall be proceeded with and carried on without wilful delay.

ELECTION EXPENSES.

143. No payment (except with respect to the personal expenses of a candidate), and no advance, loan or deposit, shall be made by or on behalf of any candidate at any election, before or during or after such election, on account of such election, otherwise than through an agent or agents whose name or names and address or addresses have been declared in writing to the returning officer on or before the nomination day, or through an agent or agents to be appointed in his or their place, as herein provided; and any person who makes any such payment, advance, loan or deposit otherwise than through such agent or agents is guilty of an indictable offence.

No payment to be made except through authorized agent.

2. The returning officer shall publish, on or before the nomination day, the name and address or the names and addresses of the agent or agents appointed in pursuance of this section.

Names of agents to be published.

3. In the event of the death or legal incapacity of any agent appointed in pursuance of this section, the candidate shall forthwith appoint another agent in his place, giving notice to the returning officer of the name and address of the person so appointed, which shall be forthwith published by the returning officer as hereinbefore provided.

If agent cannot act.

144. All persons who have any bills, charges or claims upon any candidate for or in relation to any election, shall send in such bills, charges or claims within one month after the day of the declaration of the election, to such agent or agents as aforesaid; otherwise such persons shall be barred of their right to recover such claims or any part thereof.

Bills and claims to be sent in within one month, or right to be barred.

2. In the event of the death, within the said month, of any person claiming the amount of any such bill, charge or claim, the legal representative of such person shall send in such bill, charge or claim within one month after his obtaining probate or letters of administration, or of his becoming otherwise able to act as such legal representative, otherwise the right to recover such claim shall be barred as aforesaid.

Case of death of claimant.

3. Such bills, charges and claims may be sent in to the candidate, if and so long as during the said month, owing to death or legal incapacity, there is no such agent.

If there is no agent.

4. No such bill, charge or claim shall be paid without the authority of the candidate, as well as the approval of the agent.

Candidate to authorize payment.

145. Notwithstanding anything in the next preceding section, a claim for lawful election expenses which would have been payable if sent in within the time limited by that section, may be paid by the candidate through his election agent after

Payment of lawful claims sent in after one month

that time if it is approved by a judge competent to recount or make a final addition of the votes at the election, and the judge makes an order for the payment thereof.

Notice.

2. All sums so allowed by the judge shall, within one week thereafter, be advertised in the same papers as the statement of the other election expenses.

Statement of expenses to be made out by agent.

146. A detailed statement of all election expenses incurred by or on behalf of any candidate, including such excepted payments as aforesaid, shall, within two months after the election (or whenever by reason of the death of the creditor no bill has been sent in within such period of two months, then within one month after such bill has been sent in), be made out and signed by the agent, or if there is more than one, by every agent who has paid such expenses (including the candidate in cases of payments made by him,) and delivered with the bills and vouchers relative thereto to the returning officer.

To be published by returning officer.

2. The returning officer for the time being shall, at the expense of the candidate, within fourteen days after receiving such statement, insert or cause to be inserted an abstract thereof, with the signature of the agent thereto, in some newspaper published or circulating in the electoral district where the election was held.

Penalty for default.

3. Any agent or candidate who makes default in delivering to the returning officer the statements required by this section shall incur a penalty not exceeding twenty dollars for every day during which he so makes default.

Penalty for false statement.

4. Any agent or candidate who wilfully furnishes to the returning officer any untrue statement is guilty of an indictable offence.

Bills, etc., to be preserved.

5. The returning officer shall preserve all such bills and vouchers, and during the six months next after they have been delivered to him shall permit any voter to inspect them on payment of a fee of twenty cents.

FEEES AND EXPENSES OF RETURNING OFFICERS AND OTHERS.

Fees for services and disbursements.

147. The fees and expenses in schedule two to this Act mentioned, and no others, shall be allowed to the several officers therein mentioned, respectively, for their services and disbursements at any election.

Governor in Council may make new tariff, and revise and amend it.

2. Nevertheless, if it appears to the Governor in Council that the provisions made in this section are inadequate or insufficient for the purposes for which they are intended (that is, a fair and just but economical remuneration for the services performed), the Governor in Council may make a tariff of fees, costs and expenses to be paid and allowed to returning officers and other persons employed at or with respect to elections under this Act, and may, from time to time, revise and amend such tariff, which shall then be substituted for that above mentioned, as respects any election held after the making or the revising or amending thereof; but a copy of any such tariff

and of any amendment thereof shall be laid before the House of Commons within the first fifteen days of the then next session of Parliament.

148. Such fees, allowances and disbursements shall be paid to the returning officer, by warrant of the Governor General, and shall be distributed by such returning officer to the several officers and persons entitled thereto under the provisions of this Act,—which distribution he shall report to the Governor General through the Secretary of State; and the returning officer shall certify the correctness of the accounts of his deputy returning officers.

Payment of fees, etc.

149. Whenever it appears to the Governor in Council that the fees and allowances above provided for are not sufficient remuneration for the services required to be performed at any election, the Governor in Council may authorize the payment of such additional sum of money for such services as is considered just and reasonable.

Fees, etc., may be increased by Governor in Council.

GENERAL PROVISIONS.

150. When a returning officer or a deputy returning officer is by this Act required or authorized to give a public notice, and no special mode of giving it is mentioned, he may give it by advertisement, placards, handbills or such other means as he thinks best calculated to give the information to the electors.

Mode of giving notices.

151. Whenever it appears to the satisfaction of the Governor in Council, at the time when an election of a member to represent either of the electoral districts of Gaspé or of Chicoutimi and Saguenay in the House of Commons is about to be held, that communication by water between the Magdalen Islands and the mainland in the electoral district of Gaspé, and by water or by land between the polling divisions to the east of Bersimis, in the electoral district of Chicoutimi and Saguenay, or between such polling divisions and the place of nomination, will probably be interrupted during such election by the severity of the season, he may direct that all necessary instructions and information relating to such election may be transmitted by telegraph by the returning officer to the deputy returning officer or officers, and by him or them to the returning officer, so that the returning officer may be informed of the number of votes given for each candidate, and of all other matters relating to the election, and be enabled to return the candidate having the majority or to make such other return as the case requires; and the Governor in Council may make such order as to the details of the proceedings at or relating to such election to be so transmitted by telegraphic communication as to him seems proper for the best attaining the purpose of this enactment.

Transmission of information respecting elections by telegraph, in certain places and seasons in Quebec.

Mistakes of form only not to void elections.

152. No election shall be declared invalid by reason of non-compliance with the provisions of this Act as to the taking of the poll or the counting of the votes, or by reason of any want of qualification in the persons signing a nomination paper received by the returning officer, under the provisions of this Act, or of any mistake in the use of the forms contained in schedule one to this Act, if it appears to the tribunal having cognizance of the question that the election was conducted in accordance with the principles laid down in this Act, and that such non-compliance or mistake did not affect the result of the election.

As to limits of time mentioned in this Act.

153. No election shall be declared invalid by reason of non-compliance with the provisions of this Act as to limitations of time, unless it appears to the tribunal that such non-compliance may have affected the result of the election.

Administration of oaths.

154. Any affidavit required to be made for any of the purposes of this Act may be sworn before any commissioner for taking affidavits in any superior court of any province; and any person before whom it is hereby required or intimated by any form in schedule one to this Act, that any oath is to be taken or any affirmation made in the manner herein provided, shall have power to administer it, and shall administer it gratuitously; and the returning officer at any election shall have power to administer any oath or affirmation required by this Act with respect to such election; and the deputy returning officer or poll clerk may administer such oath or affirmation, except such as is required to be administered to the returning officer.

REPEAL.

Repeal.

155. The Acts mentioned in schedule three to this Act are repealed to the extent mentioned in the said schedule, and the provisions of this Act are substituted for the provisions of the Acts so repealed.

SCHEDULE ONE.—FORMS.

A.—(Section 10.)

Writ of Election.

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland, QUEEN, Defender of the Faith;—To the sheriff (registrar or other returning officer, as the case may be) of the county (or as the case may be), GREETING :

Whereas, by the advice of Our Privy Council for Canada, we have ordered a Parliament to be holden at Ottawa, on the day of next, (*omit this preamble, except in the case of a general election*), We command you that, notice of the time and place of election being duly given, you do cause election to be made according to law of a member (*or as the case may be*) to serve in the House of Commons of Canada, for the electoral district of

, (*except in case of general election, insert here in the place of* , deceased, or otherwise, stating the cause of vacancy) and (*except in the electoral districts mentioned in section 24*) that you do cause the nomination of candidates at such election to be held on the day of next, and do cause the name (*or names*) of such member (*or members*) when so elected, whether he is (*or they are*) present or absent, to be certified to our Clerk of the Crown in Chancery, as by law directed.

Witness, Our Right Trusty and Well-beloved, &c., Governor General (*or Administrator of the Government*) of our Dominion of Canada, at our city of Ottawa, the day of in the year of our Reign and in the year of our Lord 19

Endorsement.

Received the within Writ on the day of 19
A. B.,
Sheriff of (*or as the case may be*) Returning Officer.

B.—(Section 15.)

Oath of the returning officer.

I, the undersigned, A. B., returning officer for the electoral district of , swear (*or solemnly affirm*) that I am legally qualified according to law to act as returning officer for the said electoral district of

and that I will act faithfully in that capacity, without partiality, fear, favour or affection. So help me God.

A. B.,
Returning Officer

Certificate of returning officer having taken oath of office.

I, the undersigned, hereby certify that on the _____ day of the month of _____, 19____, A. B., the returning officer for the electoral district of _____, took and subscribed before me, the oath (or affirmation) of office, in such case required of a returning officer, by section 15 of The Dominion Elections Act, 1900.

In testimony whereof, I have delivered to him this certificate.

C. D.,
Justice of the Peace.

C.—(Section 16.)

Commission of an election clerk:

To E. F. (*set forth his legal addition and residence*).

Know you, that in my capacity of returning officer for the electoral district of _____, I do hereby appoint you to be my election clerk, to act in that capacity according to law, at the approaching election for the electoral district of _____, which election will be opened by me, on the day of the month of _____ 19____.

Given under my hand this _____ day of _____, in the year 19____.

A. B.,
Returning Officer.

D.—(Section 17.)

Oath of the election clerk.

I, the undersigned, E. F., appointed election clerk for the electoral district of _____, swear (or solemnly affirm) that I will act faithfully in my said capacity as election clerk, and also in that of returning officer, if required to act as such, according to law, without partiality, fear, favour or affection. So help me God.

E. F.,
Election Clerk.

Certificate of the election clerk having taken the oath of office.

I, the undersigned, hereby certify that on the day of _____, 19____, E. F., election clerk for the electoral district of _____, took and subscribed before me the oath (or affirmation) of office required in such case of an election clerk by section 17 of The Dominion Elections Act, 1900.

In testimony whereof, I have delivered to him this certificate under my hand.

C. D.,
Justice of the Peace.
or A. B.,
Returning Officer.

E.—(Section 24.)

Proclamation of the returning officer, declaring the time and place fixed for the nomination of candidates, and also the day for opening the poll, and the polling stations and polling divisions.

PROCLAMATION.

Electoral district of _____, to wit:

Public notice is hereby given to the electors of the electoral district aforesaid, that, in obedience to Her Majesty's writ to me directed, and bearing date the _____ day of _____ 19____, I require the presence of the said electors at (*describe the place where the nomination is to take place*), in the county (or township, or in the city or town) of _____, on the _____ day of the month of _____ from noon until two of the clock in the afternoon, for the purpose of nominating a person (or persons, *as the case may be*), to represent them in the House of Commons of Canada; and that in case a poll is demanded and allowed in the manner by law prescribed, such poll will be opened on the _____ day of the month of _____, in the year _____ from the hour of nine in the forenoon till five of the clock in the afternoon in each of the polling divisions, that is to say:

For the polling division No. 1, consisting of (or bounded as follows, or otherwise describing it clearly) at (*describing the polling station and so continuing for all the other polling divisions and stations in the electoral district*).

And further, that on the _____ day of _____ at _____ I shall open the ballot boxes, add up the votes given for the several candidates and return as elected the one (or as the case may be) having the majority of votes.

Of which all persons are hereby required to take notice and to govern themselves accordingly.

Given under my hand at _____, this
day of _____, in the year 19 .

A.B.,
Returning Officer.

F.—(Section 33.)

Nomination paper, &c.

We, the undersigned electors of the electoral district of _____ hereby nominate (*names, residence and additions or description of person or persons nominated*) as a candidate at the election now about to be held of a member to represent the said electoral district in the House of Commons of Canada.

Witness our hands at _____ in the said electoral district,
this _____ day _____ 19

Signatures, with residence and additions.

Signed by the said electors, in presence }
of _____ of _____, (*additions.*) }

I, the said _____, nominated in the foregoing nomination paper, hereby consent to such nomination.

Witness my hand at _____, this _____ day of
19 .

Signed by the said nominee, in presence } J. K.
of _____, of _____, (*additions.*) }

G.—(Section 35.)

Oath of attestation of the nomination paper.

I, N. O., of _____, (*addition*) swear (*or solemnly affirm*) that I know (*mentioning the names of the signers known to him*), and that they are duly registered as voters for the electoral district of _____, and entitled to vote at an election of a member to serve in the House of Commons of Canada, and that they respectively signed the foregoing (*or within*) nomination paper in my presence; and further (*if the case be so*),

that I know the said _____, thereby nominated as a candidate, and that he signed his consent to the nomination in my presence.

Sworn (or affirmed) before me, at _____
 , this _____ day of _____ } N. O.
 19 .

C. D.,
 Returning Officer.

This form may be varied according to circumstances, the intention of the Act being complied with; and the assent of the candidate may be sworn to by a separate elector, if the facts require it.

H.—(Section 36.)

Return when there are no more candidates than members to be elected.

I hereby certify that the member (or members) elected for the electoral district of _____, in pursuance of the within written writ, is (or are) J. K., of _____ in _____, (and L. M. of _____ as in the nomination paper), no other candidate having been nominated (or the other or all other candidates having withdrawn, as the case may be).

Dated at _____ this _____ day of _____ 19 .

A. B.,
 Returning Officer.

I.—(Section 41.)

Notice of poll being granted, and of candidates nominated.

Electoral district of _____, to wit:

Public notice is hereby given to the electors of the electoral district aforesaid, that a poll has been demanded at the election now pending for the said electoral district, and that I have granted such poll; and further, that the persons duly nominated as candidates at the said election, and for whom only votes will be received, are—

1. JOHN DOE, of the Township of Nepean, County of Carleton, Yeoman.
2. RICHARD ROE, of the Town of Prescott, County of Grenville, Merchant.
3. GEOFFREY STILES, of 10 Sparks Street, Ottawa, Physician.
4. JOHN STILES, of 3 Elgin Street, Ottawa, Barrister-at-law.

(As in the nomination paper).

Of which all persons are hereby required to take notice, and to govern themselves accordingly.

Given under my hand at _____ this _____ day of
in the year 19 .

A.B.,
Returning Officer.

J.—(Section 41.)

Commission of a deputy returning officer.

To G. H. (*insert his legal addition and residence*)

Know you, that in my capacity of returning officer for the electoral district of _____, I hereby appoint you to be deputy returning officer for the polling division number _____, of the said electoral district of _____, there to take the votes of the electors by ballot according to law, at the polling station to be by you opened and kept for that purpose; and you are hereby authorized and required to open and hold the poll of such election for the said polling division on the day of _____, at nine o'clock in the forenoon, at (*here describe particularly the place in which the poll is to be held*), and there to keep the said poll open during the hours prescribed by law, and to take at the said polling place, by ballot, in the manner by law provided, the votes of the electors voting at the said polling place, and after counting the votes given and performing the other duties required of you by law, to return to me forthwith the ballot box sealed with your seal, and inclosing the ballots, envelopes, list of voters, poll-book, and other documents required by law, together with this commission.

Given under my hand, at _____, this _____ day
of _____ in the year 19 .

A.B.,
Returning Officer.

K.—(Section 41.)

Oath of deputy returning officer.

I, the undersigned G. H., appointed deputy returning officer for the polling division No. _____ of the electoral district of _____

of _____ swear (or solemnly affirm), that I will act faithfully in my said capacity of deputy returning officer, without partiality, fear, favour or affection. So help me God.

G. H.,

Deputy Returning Officer.

Certificate of a deputy returning officer having taken the oath of office.

I, the undersigned, hereby certify that on the _____ day of the month of _____, G. H., deputy returning officer for the polling division No. _____ of the electoral district of _____, took and subscribed the oath (or affirmation) of office, required in such case of a deputy returning officer, by section 41 of The Dominion Elections Act, 1900.

In testimony whereof, I have delivered to him this certificate under my hand.

C.D.,

Justice of the Peace.

or A. B.

Returning Officer.

L.—(Section 41.)

Directions for the guidance of electors in voting.

The voter is to vote only for one candidate, unless two members are to be returned for the electoral district, in which case he may vote for one or for two candidates as he thinks fit.

The voter will go into one of the compartments, and, with a black lead pencil there provided, place a cross or crosses within the white space containing the name of the candidate or of each of the candidates for whom he votes, thus X.

The voter shall then fold the ballot paper so that the initials and stamp on the back and the number on the counterfoil can be seen without opening it; he shall then return the ballot paper so folded to the deputy returning officer, who shall, in full view of those present, including the elector, remove the counterfoil, destroy the same, and place the ballot paper in the ballot box. The voter shall then forthwith quit the polling station.

If a voter inadvertently spoils a ballot paper so that he cannot conveniently use it as he desires, he may return it to the deputy returning officer, who shall give him another.

If the voter votes for more candidates than he is entitled to vote for, or places any mark on the ballot paper, by which he can afterwards be identified, his vote will be void and will not be counted.

If the voter fraudulently takes a ballot paper out of the polling station, or fraudulently delivers to the deputy returning officer to be put into the ballot box any other paper than the ballot paper given him by the deputy returning officer, he will

be subject to be punished by fine not exceeding five hundred dollars and not less than one hundred dollars, or by imprisonment for a term not exceeding two years and not less than six months, with or without hard labour, in default of payment.

In the following form of Ballot Paper, given for illustration, the Candidates are John R. Smith, Wm. R. Brown, Joseph O'Neil and Frank Hamon, and the voter has marked his ballot paper in favour of Joseph O'Neil.



JOHN R. SMITH,

1 of the City of Ottawa,
Merchant.



WM. R. BROWN,

2 of the City of Ottawa,
Lawyer.



JOSEPH O'NEIL,

3 of the City of Ottawa,
Gentleman.

X



FRANK HAMON,

4 of the City of Ottawa,
Artist.



M.—(Section 42.)

Commission of a poll clerk.

To I. J. (*insert his legal addition and residence.*)

Know you, that in my capacity of deputy returning officer for the polling division No. _____, of the electoral district of _____, I hereby appoint you to be poll clerk for the said _____ polling division.

Given under my hand, at _____, this _____ day of _____ in the year 19 _____.

G. H.,
Deputy Returning Officer.

N.—(Section 42.)

Oath of poll clerk.

I, the undersigned, I. J., appointed poll clerk for the polling division No. _____, of the electoral district of _____ swear (*or solemnly affirm*) that I will act faithfully in my capacity of poll clerk, and also in that of deputy returning officer if required to act as such, according to law, without partiality, fear, favour or affection, and that I will keep secret the names of the candidates for whom any of the voters at the polling station in the polling division No. _____ marks his ballot paper in my presence at this election. So help me God.

I. J.,
Poll Clerk.

Certificate of the poll clerk having taken the oath.

I, the undersigned, hereby certify that on the _____ day of the month of _____, I. J., poll clerk, for the polling division No. _____, of the electoral district of _____, took and subscribed before me the oath (*or affirmation*) of office required of a poll clerk in such cases by section 42 of The Dominion Elections Act, 1900.

In testimony whereof, I have delivered to him this certificate under my hand.

C. D.,
Justice of the Peace.
or A. B.,
Returning Officer.
or G. H.,
Deputy Returning Officer.

O.—(Section 48.)

Commission of a poll clerk acting as deputy returning officer.

To _____ of (*insert his residence and legal addition.*)
 Know you, that in my capacity of acting deputy returning officer for the polling division No. _____ of the electoral district of _____, in consequence of the decease (or incapacity to act, or as the case may be) of the deputy returning officer for the said polling division whose poll clerk I was, I hereby appoint you to be poll clerk for the said polling division No. _____, of the said electoral district.

Given under my hand at _____, this _____ day of _____ in the year 19 _____.

I. J.,
 Poll Clerk, acting as Deputy Returning Officer.

The oath and certificate of its having been taken will be the same as in the case of a poll clerk appointed by the deputy returning officer.

P.—(Section 48.)

Election of the Electoral District of

19 .

Ballot paper.



JOHN R. SMITH,

1 of the City of Ottawa,
Merchant.



WM. R. BROWN,

2 of the City of Ottawa,
Lawyer.



JOSEPH O'NEIL,

3 of the City of Ottawa,
Gentleman.



FRANK HAMON,

4 of the City of Ottawa,
Artist.



[Stub to be here.]
[Counterfoil to be here.]

Q.—(Section 58.)

Oath of agent of a candidate, or of elector representing a candidate.

I, the undersigned, P. Q., agent for (or elector representing) J. K., one of the candidates at the election now pending for the electoral district of _____, swear (or solemnly affirm) that I will keep secret the names of the candidates for whom any of the voters at the polling station in the polling division No. _____ marks his ballot paper in my presence at this election. So help me God.

Sworn (or affirmed) before me, at _____, this _____ day of _____, 19 _____ . P. Q.

A. B.,
Returning Officer
or C. D., Justice of the Peace.

R.—(Section 61.)

Oath by deputy returning officer, poll clerk or agent wishing to vote.

I, G. H., of _____ &c., deputy returning officer (or poll clerk, or agent for J. K., one of the candidates at the election for the House of Commons for the electoral district of _____ (as the case may be) swear (or solemnly affirm), that I am actually entitled to vote for a member of the said House of Commons for this electoral district at the present election ;

That I have not voted before at this election, either at this or any other polling place ;

That I have not received anything, nor has anything been promised me, directly or indirectly, either to induce me to vote at this election, or for loss of time, travelling expenses, hire of team or for any other service connected therewith ;

That I have not, directly or indirectly, paid or promised anything to any person either to induce him to vote or to refrain from voting at this election. So help me God.

G. H.

Sworn (or affirmed) before me, at _____, this _____ day of _____, A.D. 19 _____ .

A. B.,
Returning Officer
or C. D., Justice of the Peace.

S.—(Section 64.)

Form of poll book.

Number of the Voter.	NAMES OF THE VOTERS.	Addition or occupation.	Place of residence.	Qualification of Voters.	Objections.	Sworn or affirmed.	Voter refusing to be sworn or to affirm, or to answer.	Voter voting after another has voted in his name.	Remarks.

T.—(Section 64.)

Oath of qualification of voter whose name is omitted on account of provincial disqualifications.

You swear (or solemnly affirm) that you are legally qualified to vote at this election, and that you verily believe that your name was omitted from the list of voters by reason of your being _____ at the time such list was prepared, and for no other reason. So help you God.

U.—(Section 65.)

Oath of Qualification of voter whose name is omitted for a reason other than provincial disqualification.

You swear (or solemnly affirm)—

That you have not been disfranchised under the provisions of the *Act to disfranchise voters who have taken bribes*, or for corrupt practices under the Dominion Elections Act ;

That you have not voted before at this election, either at this or at any other polling place ;

That you have not received anything, that you do not expect anything, nor has anything been promised you, directly or indirectly, to induce you to vote at this election, either for loss of time, travelling expenses, hire of team, or for any other service connected therewith ;

That you have not, directly or indirectly, paid or promised anything to any person either to induce him to vote or to refrain from voting at this election ;

That you are not otherwise disqualified from voting at this election. So help you God.

V.—(Section 74.)

Oath of identity by voter receiving a ballot paper, after another has voted in his name.

You swear (or solemnly affirm) that you are (name), of (as on the list of voters) whose name is entered on the list of voters now shown you. So help you God.

W.—(Section 75.)

Oath of voter unable to mark his ballot paper.

You swear (or solemnly affirm) that you are unable to read and to understand the ballot paper so as to mark it, (or that you are incapacitated by blindness or other physical cause, as the case may be, from voting) without assistance. So help you God.

X.—(Section 83.)

Oath of the deputy returning officer after the closing of the poll.

I, the undersigned, deputy returning officer for the polling division No. _____ of the electoral district of _____ swear (or solemnly affirm) that, to the best of my knowledge and belief, the poll-book kept for the said polling division, under my direction, hath been so kept correctly, that the total number of votes polled in the said poll-book is _____, and that it contains a true and exact record of the votes given at the polling station in the said polling division, as the said votes were taken thereat ; that I have faithfully counted the votes given for each candidate, in the manner by law provided, and performed all duties required of me by law, and that the report, poll-book, packets of ballot papers, and other documents required by law to be returned by me to the returning officer, have been faithfully and truly prepared and placed within the ballot box, as this oath (or affirmation) will be, to the end that

the said ballot box, being first carefully sealed with my seal.
may be transmitted to the returning officer according to law,

G. H.,
Deputy Returning Officer.

Sworn before me at _____, in the county of _____,
, this _____ day of _____, 19 .

C. D.,
Justice of the Peace,
or, A. B.,
Returning Officer,
or, I. J.,
Poll Clerk.

Y.—(Section 83.)

Oath of the poll clerk after the closing of the poll.

I, the undersigned, poll clerk for the polling division No. _____
of the electoral district of _____, swear (or do
solemnly affirm) that the poll-book in and for the said _____
(as the case may be), under the direction of G. H., who has
acted as deputy returning officer therein, has been so kept by
me under his direction as aforesaid, correctly and to the best
of my skill and judgment; that the total number of votes
polled in the said poll-book is _____; and that to
the best of my knowledge and belief it contains a true and
exact record of the votes given at the polling station in
the said polling division (as the case may be) as the said votes
were taken at the said poll by the said deputy returning officer.

I. J.,
Poll Clerk.

Sworn (or affirmed) and subscribed before me, at
this _____ day of _____
in the year 19 .

C. D.,
Justice of the Peace,
or, A. B.,
Returning Officer,
or, G. H.,
Deputy Returning Officer.

CC.—(Section 92.)

Return after a poll has been taken.

I hereby certify that the member (or members) elected for the electoral district of _____, in pursuance of the within written writ, as having received the majority of votes lawfully given, is (or are) A. B., &c. (names, &c., as in the nomination papers).

Dated at _____ this _____ day of _____ 19 .
A. B.,
Returning Officer.

DD.—(Section 132.)

Information for Personation.

Canada, }
Province of }
County of }

The information of P. Q., of _____ taken this _____ day of _____ in the year _____, before the undersigned, a deputy returning officer at a polling station in the _____ of _____ for an election being held for the electoral district of _____ of a member of the House of Commons.

The said informant says that he believes that T. U. (or that a person whose name is to the informant unknown but who is now detained in the said polling station under my order, or as the case may be) on this day at the said polling place did commit the offence of personation by (describing the offence.)

Taken and sworn before me at the said polling station, the day and year above mentioned.

G. H.,
Deputy Returning Officer.

EE.—(Section 132.)

Warrant for arrest of person charged with Personation.

Canada, }
Province of }
County of }

To all or any of the constables and other peace officers in the county of _____

Whereas, before the undersigned, a deputy returning officer at a polling station in the _____ of _____ for an election being held for the electoral district of _____ of a member of the House of Commons, T. U. of _____ has this day been charged

charged upon oath with having committed the offence of personation on this day and at the said polling place by (*describing the offence.*)

These are therefore to command you in Her Majesty's name forthwith to apprehend the said T. U. and to bring him before to answer unto the said charge and to be further dealt with according to law.

Given under my hand and seal, under The Dominion Elections Act, 1900, this day of in the year 19 .

G. H.,
Deputy Returning Officer.

SCHEDULE TWO.

(Section 147.)

FEEs OF RETURNING OFFICERS AND OTHERS.

To returning officer, when no poll is taken.

1. For the personal services of the returning officer, forty dollars ;
2. For the personal services of the election clerk, four dollars ;
3. For one constable, if considered necessary, one dollar ;
4. For printing proclamations, actual cost ;
5. For posting proclamations, not less than four in each polling division, for each mile necessarily travelled from place to place, twelve and one-half cents ;
6. For each mile necessarily travelled by returning officer and election clerk in going to and returning from the place of nomination, twelve and one-half cents ;
7. For use, when a public building is not obtainable, of private building for nomination, actual outlay, not exceeding four dollars ;
8. For necessary disbursements under section 22, the fees to be paid for copies of documents furnished to the returning officer thereunder to be those provided for similar services under the provincial law, and where no provision is made by the provincial law, ten cents per folio of one hundred words, and for the certificate of the custodian, fifty cents.

To returning officer, when polls are taken.

9. For the personal services of the returning officer, sixty dollars as a minimum allowance, two dollars a poll when there are more than thirty polls in a riding ;

10. For the personal services of the election clerk, eight dollars ;

11. For services of one constable, if considered necessary at the nomination, one dollar ;

12. For printing proclamations and lists of candidates, actual cost ;

13. For posting proclamations (as in item five), per mile, twelve and one-half cents ;

14. For each mile necessarily travelled posting up any advertisement to be so posted up, in appointing and swearing the deputy returning officers, and furnishing them with ballot boxes, ballot papers, envelopes, printed directions for the guidance of voters and lists of voters, twelve and one-half cents ;

15. For each mile necessarily travelled for collecting the ballot boxes, and lists of voters used at each poll, and for swearing the deputy returning officers after the close of the poll, twelve and one-half cents ;

16. For each mile necessarily travelled by returning officer and election clerk in going to and returning from the place of nomination, twelve and one-half cents ;

17. For making up and transmitting returns to the Clerk of the Crown in Chancery, postage and telegrams, actual disbursements ;

18. For services necessary under section 88 a reasonable sum to be determined by the Governor in Council ;

19. For use, when a public building is not obtainable, of private buildings for nomination, outlay, not exceeding four dollars ;

20. For ballot boxes, when furnished by him, and for ballot papers and envelopes, and for any other disbursements absolutely required and not hereinbefore provided for, actual disbursements ;

21. Screens for use in polling room, actual cost ;

22. For swearing the poll clerk before and after the polls, one dollar ;

23. For taking the polls, four dollars, (to deputy returning officers) ;

24. For services of poll clerk, two dollars ;

25. For services of one constable, if considered necessary, one dollar ;

26. For mileage of deputy returning officer and poll clerk going to and returning from the polling station, and delivering ballot boxes, each mile twelve and one-half cents ;

27. Actual expenses incurred for the use of polling stations, not exceeding ten dollars in cities, or four dollars in other electoral districts,—this fee to cover fuel, light and furniture.

SCHEDULE THREE.

(Section 155.)

ACTS REPEALED.

Acts repealed.	Title.	Extent of repeal.
R.S.C., c. 8..	An Act respecting the Elections of Members of the House of Commons	The whole.
1887, c. 6..	An Act to amend the Dominion Elections Act and to remove doubts as to the right of certain persons to vote at elections of Members of the House of Commons	The whole.
1888, c. 11..	An Act to amend the Dominion Elections Act, chapter eight of the Revised Statutes of Canada..	The whole.
1891, c. 19..	An Act further to amend the Dominion Elections Act.	The whole.
1894, c. 13..	An Act further to amend the Dominion Elections Act.	The whole.
1894, c. 14..	An Act to disfranchise voters who have taken bribes..	Section 22.
1894, c. 15..	An Act further to amend the North-west Territories Representation Act.....	Section 10.
1895, c. 10..	An Act further to amend the Act to readjust the Representation in the House of Commons.....	Section 3.
c. 13..	An Act further to amend the Dominion Elections Act.	The whole.
1898, c. 14..	An Act to repeal the Electoral Franchise Act, and to further amend the Dominion Elections Act.....	Sec. 9, so far as it applies to Manitoba, and secs. 11-36, both inclusive.

Note.—Sec. 67. Page 106.

Sub-section 2 was, by a clerical error, placed under Section 67 instead of Section 68. It was passed as 68*a*.

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63 - 64 VICTORIA.

CHAP. 13.

An Act to amend the Dominion Controverted Elections Act.

[Assented to 18th July, 1900.]

IN amendment of *The Dominion Controverted Elections Act*, R.S.C., c. 9.
Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. In the province of Prince Edward Island a petition under the said Act complaining of an undue or improper election or return of any candidate may, if presented not later than twenty days after the day of publication in *The Canada Gazette* of the receipt of the return to the writ of election by the Clerk of the Crown in Chancery, be limited to a demand for a scrutiny of the votes polled at such election and which have been marked "objected to"; and in case such petition is so limited, no other questions as to the undue return shall, in the proceedings under such petition for a scrutiny, be entered upon excepting the scrutiny and determination of the validity of such objected votes properly brought before the court for its determination.

In P. E. I. election petition may be limited to demand for scrutiny of votes objected to.

2. The judges of the court in Prince Edward Island, or a majority of them, may make all such rules and regulations as may be necessary to effectually carry out this amendment and to ensure a proper scrutiny of all objected votes polled for any candidate at the election, properly brought before them for scrutiny and adjudication, and to this end may prescribe the times within which the names of the voters whose votes have been challenged and objected to shall be given by the petitioner to the candidate declared elected and by the latter to the petitioner and such other particulars as they deem proper for the trial and determination of such scrutiny.

Rules of court.

3. At the close of such scrutiny the judges shall confirm or amend the return of the returning officer as they adjudge and determine, and declare which candidate has been duly elected; and such confirmation or amended return shall be certified

Decision of court.

tified by them to the Clerk of the Crown in Chancery, or to the Speaker of the House of Commons, and shall take the place of, and be substituted for, the return of the returning officer; and such judges shall make such order as to the costs as they think proper.

Rights
saved.

4. The filing of such limited petition for a scrutiny shall in no way affect or prejudice the right of any voter to file and prosecute any other election petition on any other ground under *The Dominion Controverted Elections Act.*

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most Excellent Majesty.



63-64 VICTORIA.

CHAP. 14.

An Act to amend the Civil Service Act.

[Assented to 18th July, 1900.]

HER 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 Civil Service Act*, chapter 17 of the Revised Statutes, as amended by section 12 of chapter 15 of the statutes of 1895, is amended by adding thereto the following:—
“ (f.) Junior second-class clerks.”

R.S.C., c. 17,
schedule A
amended.
- 2.** A junior second-class clerkship in the first or inside departmental division of the Civil Service under the said Act shall only be created by Order in Council, passed on the report of the deputy head, concurred in by the head of the Department, setting forth the reasons for creating the office, and only after provision therefor has been made by Parliament.

Junior second-
class clerk-
ships ;
condition
of creation.
- 3.** The second or “qualifying” examination prescribed by the said Act shall qualify for appointment to junior second class clerkships, and no person shall be appointed to any such clerkship unless he has passed such “qualifying” examination, or unless he is exempt therefrom by the said Act.

Examination.
- 4.** The minimum salary of a junior second-class clerk shall be six hundred dollars per annum, and the maximum salary shall be one thousand dollars per annum.

Salary.
- 5.** Except as hereinafter provided, the salary of a junior second-class clerk on appointment shall be the minimum salary hereinbefore provided for.

Initial salary.
- 6.** The Governor in Council may give to any person who is appointed a junior second-class clerk, in addition to the salary herein provided for on appointment, an amount not exceeding fifty dollars per annum for each optional subject, not exceeding two, in which he passes prior to his appointment; provided always that such additional amounts so given for optional

Increase for
passing in
certain
subjects.

Limitation.

optional subjects shall not increase his salary on appointment beyond seven hundred dollars per annum.

Optional subjects.

2. The optional subjects for the purpose of this section are book-keeping, short-hand and typewriting.

Appointment of graduate of university or of Royal Military College.

7. The Governor in Council may, on the recommendation of the head of the Department, concurred in by the Treasury Board, appoint a person who is a graduate of the Royal Military College or of any university in Canada, to be a junior second-class clerk at a salary not exceeding eight hundred dollars per annum.

Limitation in certain cases.

2. An appointment shall only be made under this section in either of the following cases:—

(a.) Where the junior second-class clerk to be appointed is to take the place of a clerk of the second class or of a higher class; or

(b.) Where the deputy head of the Department reports that, owing to the special class of the work to be performed, an appointment under this section is desirable.

Yearly increase.

8. The Governor in Council may, after a junior second-class clerk has served one year, increase his salary, by amounts not exceeding fifty dollars in any one year, up to the maximum salary of a junior second-class clerk hereinbefore provided for, but no such increase shall be made except on the report of the deputy head of the Department, concurred in by the head of the Department, that such clerk is deserving thereof.

Application and construction of R.S.C., c. 17.

9. Except as herein otherwise provided, the provisions of *The Civil Service Act* shall apply to junior second-class clerks appointed under this Act, and *The Civil Service Act* shall be read and construed as if the provisions of this Act were incorporated therewith.

Salary of messenger, porter, etc.

10. The salary of a messenger, porter, packer or sorter, employed either permanently or temporarily in the Civil Service, may be increased to a maximum of six hundred dollars per annum, by amounts not exceeding thirty dollars in any one year, such increase to be granted only upon an Order in Council passed on the report of the deputy head of the Department, concurred in by the head of the Department, that such messenger, porter, sorter or packer is eligible for such increase and is deserving thereof.

As to certain officers.

11. Any person who, on the first day of July, one thousand eight hundred and eighty-two, was in the service or employment of the Government of Canada, or of any department thereof, and who has since been continuously engaged therein, may, notwithstanding anything in *The Civil Service Act*, be appointed to any position in the public service without regard to age and without being required to pass the preliminary or qualifying examination provided for by the said Act, subject

however to such regulations as are made by the Governor in Council, or by the head of a Department, prescribing examinations for appointment or promotion in the Civil Service; and any such person may also, notwithstanding anything in the said Act, be temporarily continued in the public service.

2. All appointments of such persons, and all payments of salaries to them, heretofore made, are hereby legalized and confirmed. Appoint-
ments, etc.,
confirmed.

3. No appointment or promotion shall be made under the provisions of this section after the first day of July, one thousand nine hundred and one. Time limited.

12. If an officer, clerk or temporary employee who is promoted to a higher class, or who is transferred from one class to another class, is, at the time of such promotion or transfer, in receipt of a higher salary or emolument than the minimum salary of the class to which he is promoted or transferred, the Governor in Council may authorize the payment to him of the salary or emolument he was receiving at the time of such promotion or transfer, provided it does not exceed the maximum salary of the class to which he is promoted or transferred. Salary in case
of promotion
or transfer.

13. From the date of the coming into force of this Act all third class clerks in the first or inside departmental division of the Civil Service shall be deemed to have been junior second-class clerks under this Act, at the salaries then paid to them; provided however, that this section shall not prejudice or affect any of the rights or privileges which such third class clerks would otherwise have. Third class
to be junior
second class
clerks.
Proviso.

14. This Act shall be deemed to have come into force and effect on the first day of July, in the year one thousand nine hundred. Commence-
ment of Act.

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63 - 64 VICTORIA.

CHAP. 15.

An Act to amend the Customs Tariff, 1897.

[Assented to 7th July, 1900.]

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

1. *The Customs Tariff, 1897*, is amended by inserting after item 555 in schedule B thereto the following item:—

1897, c. 16
amended.

“555a. Machinery of a class not made in Canada, when imported exclusively for use in factories for the manufacture of beet-root sugar.”

2. This section shall be deemed to have come into force on the twenty-fourth day of March, one thousand nine hundred.

Commence-
ment of
section.

2. On and after the first day of July, one thousand nine hundred, the schedule D substituted by section 7 of chapter 37 of the statutes of 1898 for schedule D of *The Customs Tariff, 1897*, shall be repealed, and the following shall be substituted therefor:—

New schedule
D.
1898, c. 37.

“SCHEDULE D.

“BRITISH PREFERENTIAL TARIFF.

“On articles entitled to the benefits of this preferential tariff under section seventeen, the duties mentioned in schedule A shall be reduced as follows: The reduction shall be one-third of the duty mentioned in schedule A, and the duty to be levied, collected and paid shall be two-thirds of the duty mentioned in schedule A.

“Provided, however, that this reduction shall not apply to any of the following articles and that such articles shall in all cases be subject to the duties mentioned in schedule A, viz., wines, malt liquors, spirits, spirituous liquors, liquid medicines and articles containing alcohol; tobacco, cigars and cigarettes.

“ Provided further, that the reduction shall only apply to refined sugar when evidence satisfactory to the Minister of Customs is furnished that such refined sugar has been manufactured wholly from raw sugar produced in the British colonies or possessions.”

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most Excellent Majesty.



63-64 VICTORIA.

CHAP. 16.

An Act to amend the Act respecting Securities for Seed Grain Indebtedness

[Assented to 14th June, 1900.]

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

1. Section 1 of chapter 18 of the statutes of 1899 is repealed and the following is substituted therefor:—

“1. The Governor in Council may discharge from all liability persons who are liable to the Crown as sureties upon bonds given to secure repayment for seed grain furnished by the Crown to persons in the North-west Territories.”

1899, c. 18,
new s. 1.

Bondsmen
may be
discharged.

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63-64 VICTORIA.

CHAP. 17.

An Act to make further provision respecting Grants of land to members of the Militia Force on Active service in the North-west.

[Assented to 14th June, 1900.]

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

1. Notwithstanding any limits of time prescribed in chapter 73 of the statutes of 1885, or in chapter 29 of the statutes of 1886, or in chapter 13 of the statutes of 1891, or in chapter 6 of the statutes of 1892, or in chapter 3 of the statutes of 1893, or in chapter 24 of the statutes of 1894, or in chapter 13 of the statutes of 1898, the Governor in Council may grant a free homestead or scrip, as therein provided, to any person who is entitled thereto under the said Acts, or any of them, but has not already been granted such homestead or scrip; Provided that such person complies within the current year one thousand nine hundred, with the conditions required by the said Acts or any of them to be complied with on or before the first day of August, one thousand eight hundred and eighty-six; Provided, also that the provisions of the said Acts shall, so far as applicable, apply to grants of land or scrip under the authority of this Act.

Grant of land authorized.
1885, c. 73;
1886, c. 29;
1891, c. 13;
1892, c. 6;
1893, c. 3;
1894, c. 24;
1898, c. 13.

Limitation of time.

Previous Acts to apply.

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63-64 VICTORIA.

CHAP. 18.

An Act to amend the Militia Act.

[Assented to 18th July, 1900.]

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

1. Section 41 of *The Militia Act*, chapter 41 of the Revised Statutes, is repealed and the following is substituted therefor:— R.S.C., c. 41, new s. 41.

“41. In and for each of the twelve military districts herebefore mentioned there shall be appointed an officer, who shall have rank not below that of lieutenant-colonel, and who shall command the militia in his district, and he shall be paid at the rate of twelve hundred dollars per annum. Command of military districts.”

“2. There shall also be appointed in each of the military districts aforesaid such staff officers and such other officers as are necessary, and the salaries of such staff officers shall be fixed by the Governor in Council. Staff and other officers.”

“3. If any two or more districts are amalgamated for administrative purposes, one such officer only shall be appointed to command the militia in the districts so amalgamated. As to amalgamated districts.”

“4. Her Majesty may adopt such designation or name of office as Her Majesty thinks proper for the officer who commands the militia in any district, and may, from time to time, change such designation or name of office.” Change of designation.

2. Section 45 of the said Act is repealed and the following is substituted therefor:— New s. 45.

“45. Officers holding commissions in the militia may be placed on the retired list with honorary rank not exceeding that of colonel, or without honorary rank, and officers now on the retired list holding commissions as lieutenant-colonel may be promoted to the rank of colonel, under regulations approved by the Governor in Council. Officers on retired list.”

“2. Officers from the retired list may be reappointed to the active list or such other list as is from time to time authorized; but no officer so reappointed shall be compelled to serve in a lower rank than that with which he retired.” Reappointment.

New s. 47.

3. Section 47 of the said Act is repealed and the following is substituted therefor :—

What shall be
the highest
rank.

“**47.** In time of peace no person except the officer commanding the militia shall hold higher rank in the militia than that of colonel; but Her Majesty may, whenever the militia is called out for active service in the field, appoint therein other officers of rank superior to that of colonel, but not higher in any case than that of major general.”

OTTAWA : Printed by SAMUEL EDWARD DAWSON, Law Printer to the Queen's most Excellent Majesty.



63 - 64 VICTORIA.

CHAP. 19.

An Act respecting the Members of the North-west Mounted Police Force on active service in South Africa.

[Assented to 7th May, 1900.]

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

1. Notwithstanding anything in *The Civil Service Superannuation Act*, chapter 18 of the Revised Statutes, or in *The Mounted Police Pension Act*, 1889, all members of the North-west Mounted Police Force on active service with the Canadian volunteers in South Africa, shall, for the purposes of the said Acts, be entitled to have such active service counted as service in the said force.

R.S.C., c. 18;
1889, c. 26.
Reckoning of
service in
South Africa.

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63 - 64 VICTORIA.

CHAP. 20.

An Act to amend the Dominion Lands Act.

[Assented to 7th May, 1900.]

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

1. Sub-clause 1 of clause 38 of *The Dominion Lands Act*, R.S.C., c. 54, chapter 54 of the Revised Statutes, as amended by section 4 of s. 38 amended. chapter 31 of the statutes of 1898, and by section 2 of chapter 16 of the statutes of 1899, is amended by adding at the end thereof the words “except in the case of the death of a settler who, though he had completed the conditions of his entry for his homestead, died prior to the issue of the patent therefor and whose legal representatives are citizens of a foreign country, and except as hereinafter provided.”

2. Sub-clause 9 of the said clause 38 of the said Act, as enacted by section 6 of chapter 31 of the statutes of 1898, is amended by adding thereto the following paragraph:—

“(b.) If the settler has his permanent residence upon farming land owned by him in the vicinity of his homestead, the requirements of this Act as to residence may be satisfied by residence upon the said land.”

3. Sub-clause 5 of clause 44 of the said Act is amended by adding at the end thereof the words, “in which case the patent may issue in the name of the settler even if he is not a British subject.”

4. Notwithstanding anything in the said Act or in any Act amending it, the time during which a settler is absent from his homestead while he is a member of a military force enrolled under the authority of the Minister of Militia, and engaged as a member of such force in the suppression of an outbreak or insurrection in any part of Canada, or in the defence of Canada against a foreign power, or as a member of a company or contingent of Canadian volunteers enrolled

under the authority of the Minister of Militia for active service and also a period not exceeding three months after the discharge of such settler as a member of such force, company or contingent, to permit him to resume his residence upon his homestead, may be counted as residence upon such homestead within the meaning of the said Act, or of any Act amending it.

Issue of patent
to disabled
volunteer.

5. If it is established to the satisfaction of the Minister of the Interior that a settler, while on active service as a member of any force, company or contingent referred to in the next preceding section is so disabled by wounds received in battle, or because of illness resulting therefrom or from any other cause, after his enrolment as a member of such force, company or contingent up to the date of his discharge therefrom, that it is not possible for him, because of such wounds or illness, to resume occupation of his homestead and complete the conditions of his entry therefor, the Minister may forthwith issue a patent for the homestead in favour of such settler.

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63-64 VICTORIA.

CHAP. 21.

An Act to amend the Land Titles Act, 1894.

[Assented to 7th July, 1900.]

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

1. Notwithstanding the repeal of *The Territories Real Property Act* by chapter 28 of the statutes of 1894, the amendment of section 75 of the said Act of 1894 by section 11 of chapter 32 of the statutes of 1898, and the repeal of sections 76, 77 and 78 of the said Act of 1894 by section 12 of the said Act of 1898, proceedings to enforce payment of moneys secured by mortgage or incumbrance, or to enforce the observance of the covenants, agreements, stipulations or conditions contained in any mortgage or incumbrance, or for the sale of the lands mortgaged or incumbered, or to foreclose the estate, interest or claim of any person in or upon the land mortgaged or incumbered, as also proceedings to redeem or discharge any land from any such mortgage or incumbrance, commenced prior to the repeal of *The Territories Real Property Act*, or to any amendment or repeal of any provisions of the said Act of 1894, may be continued under the provisions of the Act, or section or sections of any Act, in force at the time that such proceedings were commenced.

R.S.C., c. 51 ;
1894, c. 28 ;
1898, c. 32

Proceedings
commenced
under repeal-
ed provisions.

2. Subsection 1 of section 92 of chapter 28 of the statutes of 1894 is amended by adding the following proviso thereto :—

1894, c. 28,
s. 92 amended.

“ Provided that every writ shall cease to bind or affect land at the expiration of two years from the date of the receipt thereof by the registrar of the district in which the land is situated, unless before the expiration of such period of two years a renewal of such writ is filed with the registrar in the same manner as the original is required to be filed with him.”

Proviso:
renewal of
writa.

3. Section 93 of the said Act is repealed and the following section is substituted therefor :—

New s. 93.

“ **93.** Upon the satisfaction or withdrawal from his hands of any writ, the sheriff or other duly qualified officer shall

Satisfaction
of writ, etc.

Memorandum to be made on certificate or in book of writs.

Discharge of land.

Section 89 amended.

Transmission of land of deceased owner.

Mode of registration.

Probate.

Declaratory as to intent of 1886, c. 26, R.S.C., c. 51 1894, c. 28 and their amending Acts.

forthwith transmit to the registrar a certificate under his official seal, if any, to that effect, and upon the production and delivery to the registrar of such a certificate, or of a judge's order, showing the expiration, satisfaction or withdrawal of the writ as against the whole or any portion of the land so bound, the registrar shall make a memorandum upon the certificate of title to that effect if the land has been brought under the provisions of this Act, and, if not, upon or opposite to the entry of the writ in the book to be kept under the provisions of the next preceding section; and thenceforth such land or portion of land shall be deemed to be absolutely released and discharged from the writ."

4. Subsection 1 of section 89 of the said Act is hereby repealed and the following subsection substituted therefor:—

"89. Whenever the owner of any land, for which a certificate has been granted, dies, such land shall, subject to the provisions of this Act, vest in the personal representative of the deceased owner, who shall, before dealing with such land, make application, in writing, to the registrar to be registered as owner, and shall produce to the registrar the probate of the will of the deceased owner, or letters of administration, or the order of the court authorizing him to administer the estate of the deceased owner, or a duly certified copy of the said probate, letters of administration or order, as the case may be; and thereupon the registrar shall enter a memorandum thereof upon the certificate of title; and for the purposes of this Act the probate of a will granted by the proper court of any province of the Dominion of Canada, or of the United Kingdom of Great Britain and Ireland, or an exemplification thereof, shall be sufficient."

5. It is hereby declared to have been the intention of the Acts known as *The Territories Real Property Acts*, chapter 26 of the statutes of 1886, and chapter 51 of the Revised Statutes, and of the Acts amending the latter Act, as well as that of *The Land Titles Act*, chapter 28 of the statutes of 1894, and of any Act in amendment thereof, that land in the Territories devolving upon the personal representatives of a deceased owner thereof should be dealt with and distributed as personal estate, and that shall be taken and held to have been the law and the true intent and meaning of the said Acts from the date upon which the said first mentioned Act, chapter 26 of the statutes of 1886, came into force, that is to say, the first day of January, 1887.



63 - 64 VICTORIA.

CHAP. 22.

An Act to amend the Expropriation Act.

[Assented to 7th July, 1900.]

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

1. Section 29 of chapter 13 of the statutes of 1889 is hereby repealed and the following substituted therefor:— 1889, c. 13, s. 29 amended.

“29. Interest at the rate of five per centum per annum may be allowed on such compensation money from the time when the land or property was acquired, taken or injuriously affected to the date when judgment is given; but no person to whom has been tendered a sum equal to or greater than the amount to which the court finds him entitled shall be allowed any interest on such compensation money for any time subsequent to the date of such tender.” Rate of interest five per cent. Proviso.

2. Section 30 of the said chapter 13 is hereby repealed and the following substituted therefor:— Section 30 amended.

“30. If the court is of opinion that the delay in the final determination of any such matter is attributable in whole or in part to any person entitled to such compensation money or any part thereof, or that such person has not, upon demand made therefor, furnished to the Minister within a reasonable time a true statement of the particulars mentioned in section 25, it may, for the whole or any portion of the time for which he would otherwise be entitled to interest, refuse to allow him interest, or it may allow the same at any rate less than five per centum per annum that to it appears just.” Interest may be refused or diminished in certain cases.

3. This Act shall not apply to any case where the land has been expropriated or injuriously affected prior to the passing of this Act. Application not to be retroactive.



63-64 VICTORIA.

CHAP. 23.

An Act to amend the Railway Act.

[Assented to 18th July, 1900.]

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

1. *The Railway Act*, chapter 29 of the statutes of 1888, is amended by inserting, after section 6, the following section:— 1888, c. 29, section added.

“6A. Street railways and tramways, while hereby expressly declared to be subject to such of the provisions of this Act as are referred to in section 4, shall not by reason only of the fact of crossing or connecting with one or other of the lines of railway mentioned in section 30 be taken or considered to be works for the general advantage of Canada, nor to be subject to any other of the provisions of this Act.” As to street railways and tramways.

2. The said section 6A shall also apply to all electric railways (as distinguished from electric street railways) passing through or over the Queen Victoria Niagara Falls Park, or through or over the property of the province of Ontario lying upon or along the Niagara River and known as the Chain Reserve. Application to certain electric railways at Niagara.

2. The said Act is further amended by inserting after section 14, the following sections:— Section added.

“14A. Whenever proceedings for the drainage of lands have been taken by any landowner under the provisions of an Act of the legislature of any province in that behalf, and it appears to the Railway Committee that an outlet for such drainage works is required over, across or under the lands of the Company, the Railway Committee may, upon the application of the landowner or engineer in charge of the works, or of the clerk of the municipality, and on due notice to and hearing the parties, order the Company to construct and provide upon its lands all necessary means of drainage, as in such order specified, upon the landowner first complying with such terms, as to payment or security, if any, for payment of the whole or so much of the cost of construction and maintenance of the said drainage works, as the Railway Committee in such order provides. Drainage under Provincial Acts.

Inquiry and report.

“14B. Whenever any application is made under the last preceding section or under section 14 of this Act, the Railway Committee may, if it thinks proper, direct an inquiry to be made in the locality in question by a person appointed under section 12 of this Act, and may authorize such person to hear the parties and take evidence under oath, and may also, if it thinks proper, act on his report without further hearing of the parties.”

Section 90 amended.

3. Paragraph (d) of subsection 1 of section 90 of the said Act is repealed, and the following is substituted therefor:—

Carrying railway across lands.

“(d.) make, carry or place the railway across or upon the lands of any person on the located line of the railway.”

New s. 117.

4. Section 117 of the said Act is repealed and the following section is substituted therefor:—

What deviation shall be allowed.

“**117.** Except in accordance with the provisions of section 120 or 130, no deviation shall be made from the located line of railway, or from the places assigned thereto in the map or plan and book of reference sanctioned by the Minister under the provisions of section 124.”

New s. 118.

5. Section 118 of the said Act is repealed and the following is substituted therefor:—

As to error in name entered in book.

“**118.** The railway may be made, carried or placed across or upon the lands of any person on the located line, although the name of such person has not been entered in the book of reference, through error or any other cause, or although some other person is erroneously mentioned as the owner of or entitled to convey, or is interested in such lands.”

New sections 123, 124 and 125.

6. Sections 123, 124 and 125 of the said Act are repealed and the following sections are substituted therefor:—

Map or plan and book of reference.

“**123.** The Company shall make, in sections if it so desires, a map or plan and a profile of the line of railway, showing its course and direction, levels, gradient and curvature, and also the open drains and water-courses and the public highways to be crossed or run along or over by such line of railway; and a book of reference shall also be made, giving a general description of the said lands, the names of the owners or occupiers thereof, so far as they can be ascertained, and any other information required by the Minister for the proper understanding of the map or plan and profile.

Approval of plan, etc.

“**124.** Such map or plan and profile and book of reference shall be submitted for the approval of, and may be sanctioned by the Minister.

Deposit of plan, etc.

“**125.** The map or plan and profile, and book of reference, so sanctioned, shall be deposited in the department; and the company shall also deposit copies thereof, or of such parts thereof as relate to each district or county through which the railway is to pass, duly certified as copies by the Minister or by the deputy, in the offices of the registrars of deeds for such districts or counties respectively.”

7. Section 129 of the said Act is repealed, and the following New s. 129. is substituted therefor:—

“**129.** The certificate shall state the particulars of any such Certificates as to omissions. omission, and the manner thereof, and shall be deposited with the registrars of deeds of the districts or counties, respectively, in which such lands are situate, and shall be kept by them together with the other documents to which it relates; and thereupon such map or plan, or book of reference, shall be deemed to be corrected according to such certificate.”

8. Sections 130 and 131 of the said Act are repealed and the following sections are substituted therefor:— New sections 130 and 131.

“**130.** If any alterations are desired in the location of the line of railway as sanctioned as aforesaid, a map or plan and profile of the section of railway proposed to be altered, prepared on the same scale as the original map or plan and profile, and a book of reference, shall be submitted for the approval of, and may be sanctioned by, the Railway Committee; and the same, when so sanctioned, shall be deposited in the department, and copies thereof, or of extracts therefrom, certified by the Minister or deputy, shall, so far as they relate to the several districts or counties affected by such alterations, be deposited with the registrars of deeds of such districts and counties. Alterations in location of railway.”

“**131.** The company shall not commence the construction of the railway until the provisions of sections 124 and 125 are fully complied with; nor shall work be commenced on any alteration of the located line (other than as provided for in section 120) until the provisions of section 130 are fully complied with.” When only work may be commenced.

9. Section 217 of the said Act is repealed and the following New s. 217. section is substituted therefor:—

“**217.** All such by-laws, rules and regulations shall be submitted to the Governor in Council for approval. The Governor in Council may sanction them, or any of them, or any part thereof, and may from time to time rescind the sanction of any such by-law, rule or regulation, or of any part thereof. Except when so sanctioned, no by-law, rule or regulation shall have any force or effect. Sanction of by-laws.”

“**2.** The Railway Committee may, from time to time, appoint competent persons to advise or assist the Committee in the revision of any of such by-laws, rules or regulations, or any other matter coming before the Committee; and any person so appointed may be paid out of the unappropriated funds in the hands of the Minister of Finance and Receiver General.” Assistance to Railway Committee in preparing rules.

10. The location of each station to be erected on any railway, the construction of which is authorized by any Act of the Parliament of Canada passed subsequent to the first day of June, one thousand eight hundred and ninety-nine, shall be subject to the approval of the Railway Committee of the Privy Council. Erection of stations.

cil before the company proceeds to erect such station ; and the company shall erect and maintain a station as so located, with such usual and ordinary facilities as are ordered, unless and except in so far as the Railway Committee from time to time otherwise orders.

Railway
Committee
may order
stations to be
built at
certain points
on certain
railways.

11. In the case of a railway not subject to the legislative authority of the Parliament of Canada, but subsidized hereafter in money or in land under the authority of an Act of that Parliament, the payment and acceptance of such subsidy shall be taken to be subject to the covenant or condition (whether expressed or not in any agreement relating to such subsidy) that the company for the time being owning or operating such railway shall, when thereto directed by order of the Railway Committee, confirmed by the Governor in Council, erect, maintain and operate a station, with such accommodation or facilities in connection therewith as are defined by the committee, at such point or points on the railway as are designated in such order.

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63-64 VICTORIA.

CHAP. 24.

An Act to aid in the prevention and settlement of trade disputes, and to provide for the publication of statistical industrial information.

[Assented to 18th July, 1900.]

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

1. This Act may be cited as *The Conciliation Act, 1900.* Short title.
2. In this Act, unless the context otherwise requires, the expression "Minister" means the member of Her Majesty's Privy Council for Canada to whom, for the time being, the Governor in Council may assign the carrying out of the provisions of this Act. "Minister" defined.
3. Any board established either before or after the passing of this Act, which is constituted for the purpose of settling disputes between employers and workmen by conciliation or arbitration, or any association or body authorized by an agreement in writing made between employers and workmen to deal with such disputes (in this Act referred to as a conciliation board) may apply to the Minister for registration under this Act. Registration of conciliation boards.
2. The application must be accompanied by copies of the constitution, by-laws and regulations of the conciliation board, with such other information as the Minister may reasonably require. Application therefor.
3. The Minister shall keep a register of conciliation boards, and enter therein with respect to each registered board its name and principal office, and such other particulars as he thinks expedient; and any registered conciliation board shall be entitled to have its name removed from the register on sending to the Minister a written application to that effect. Register of boards.
4. Every registered conciliation board shall furnish such returns, reports of its proceedings, and other documents as the Minister may reasonably require. Returns by boards.

Board ceasing to act.

5. The Minister may, on being satisfied that a registered conciliation board has ceased to exist or to act, remove its name from the register.

Powers of Minister as to trade disputes.

4. Where a difference exists or is apprehended between an employer or any class of employers and workmen, or between different classes of workmen, the Minister may, if he thinks fit, exercise all or any of the following powers, namely :—

Inquiry into causes.

(a.) inquire into the causes and circumstances of the difference ;

Promotion of amicable settlement.

(b.) take such steps as to him seem expedient for the purpose of enabling the parties to the difference to meet together, by themselves or their representatives, under the presidency of a chairman mutually agreed upon or nominated by him or by some other person or body, with a view to the amicable settlement of the difference ;

Appointment of conciliators.

(c.) on the application of employers or workmen interested, and after taking into consideration the existence and adequacy of means available for conciliation in the district or trade and the circumstances of the case, appoint a person or persons to act as conciliator or as a board of conciliation ;

Appointment of arbitrators.

(d.) on the application of both parties to the difference, appoint an arbitrator or arbitrators.

Duties of conciliator.

2. If any person is so appointed to act as conciliator, he shall inquire into the causes and circumstances of the difference by communication with the parties, and otherwise shall endeavour to bring about a settlement of the difference, and shall report his proceedings to the Minister.

Memorandum of settlement.

3. If a settlement of the difference is effected either by conciliation or by arbitration, a memorandum of the terms thereof shall be drawn up and signed by the parties or their representatives, and a copy thereof shall be delivered to and kept by the Minister.

Duties of conciliator generally.

5. It shall be the duty of the conciliator to promote conditions favourable to a settlement by endeavouring to allay distrust, to remove causes of friction, to promote good feeling, to restore confidence, and to encourage the parties to come together and themselves effect a settlement, and also to promote agreements between employers and employees with a view to the submission of differences to conciliation or arbitration before resorting to strikes or lock-outs.

Assistance, if needed.

6. The conciliator or conciliation board may, when deemed advisable, invite others to assist them in the work of conciliation.

Governor may appoint commissioner to hold inquiry under oath.

7. If, before a settlement is effected, and while the difference is under the consideration of a conciliator or conciliation board, such conciliator or conciliation board is of opinion that some misunderstanding or disagreement appears to exist between the parties as to the causes or circumstances of the

difference, and, with a view to the removal of such misunderstanding or disagreement, desires an inquiry under oath into such causes and circumstances, and, in writing signed by such conciliator or the members of the conciliation board, as the case may be, communicates to the Minister such desire for inquiry, and if the parties to the difference or their representatives in writing consent thereto, then, on his recommendation, the Governor in Council may appoint such conciliator or members of the conciliation board, or some other person or persons, a commissioner or commissioners, as the case may be, under the provisions of the *Act respecting inquiries concerning public matters*, to conduct such inquiry, and, for that purpose, may confer upon him or them the powers which under the said Act may be conferred upon commissioners. R.S.C., c. 114.

8. Proceedings before any conciliation or arbitration board shall be conducted in accordance with the regulations of such conciliation or arbitration board, as the case may be, or as is agreed upon by the parties to the difference or dispute. Proceedings before board.

9. If it appears to the Minister that in any district or trade adequate means do not exist for having disputes submitted to a conciliation board for the district or trade, he may appoint any person or persons to inquire into the conditions of the district or trade, and to confer with the employers and employed, and, if he thinks fit, with any local authority or body, as to the expediency of establishing a conciliation board for such district or trade. Power of Minister to aid in establishing conciliation boards.

10. With a view to the dissemination of accurate statistical and other information relating to the conditions of labour, the Minister shall establish and have charge of a Department of Labour, which shall collect, digest, and publish in suitable form statistical and other information relating to the conditions of labour, shall institute and conduct inquiries into important industrial questions upon which adequate information may not at present be available, and issue at least once in every month a publication to be known as the *Labour Gazette*, which shall contain information regarding conditions of the labour market and kindred subjects, and shall be distributed or procurable in accordance with terms and conditions in that behalf prescribed by the Minister. Department of Labour to be established. Publication of statistics, etc., and of Labour Gazette.

11. The expenses incurred in the carrying out of this Act shall be defrayed out of the money provided for the purpose by Parliament. Expenses.

Report to
Parliament.

12. An annual report with respect to the matters transacted by him under this Act shall be made by the Minister to the Governor General and shall be laid before Parliament within the first fifteen days of each session thereof.

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most Excellent Majesty.



63-64 VICTORIA.

CHAP. 25.

An Act to amend the Copyright Act.

[Assented to 18th July, 1900.]

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

1. If a book as to which there is subsisting copyright under *The Copyright Act* has been first lawfully published in any part of Her Majesty's dominions other than Canada, and if it is proved to the satisfaction of the Minister of Agriculture that the owner of the copyright so subsisting and of the copyright acquired by such publication has lawfully granted a license to reproduce in Canada, from movable or other types, or from stereotype plates, or from electroplates, or from lithograph stones, or by any process for facsimile reproduction, an edition or editions of such book designed for sale only in Canada, the Minister may, notwithstanding anything in *The Copyright Act*, by order under his hand, prohibit the importation, except with the written consent of the licensee, into Canada of any copies of such book printed elsewhere; provided that two such copies may be specially imported for the bona fide use of any public free library or any university or college library, or for the library of any duly incorporated institution or society for the use of the members of such institution or society.

In case of license to reprint book copyrighted in U. K. or British possession, Minister may prohibit importation of other reprints.

2. The Minister of Agriculture may at any time in like manner, by order under his hand, suspend or revoke such prohibition upon importation if it is proved to his satisfaction that—

Suspension or revocation of prohibition.

(a.) the license to reproduce in Canada has terminated or expired; or

(b.) the reasonable demand for the book in Canada is not sufficiently met without importation; or

(c.) the book is not, having regard to the demand therefor in Canada, being suitably printed or published; or

(d.) any other state of things exists on account of which it is not in the public interest to further prohibit importation.

Failure of
licensee to
supply book.

3. At any time after the importation of a book has been prohibited under section 1 of this Act, any person resident or being in Canada may apply, either directly or through a book-seller or other agent, to the person so licensed to reproduce such book, for a copy of any edition of such book then on sale and reasonably obtainable in the United Kingdom or some other part of Her Majesty's dominions, and it shall then be the duty of the person so licensed, as soon as reasonably may be, to import and sell such copy to the person so applying therefor, at the ordinary selling price of such copy in the United Kingdom or such other part of Her Majesty's dominions, with the duty and reasonable forwarding charges added; and the failure or neglect, without lawful excuse, of the person so licensed to supply such copy within a reasonable time, shall be a reason for which the Minister may, if he sees fit, suspend or revoke the prohibition upon importation.

Customs
Department
to be notified.

4. The Minister shall forthwith inform the Department of Customs of any order made by him under this Act.

Penalty for
unlawful
importation.

5. All books imported in contravention of this Act may be seized by any officer of Customs, and shall be forfeited to the Crown and destroyed; and any person importing, or causing or permitting the importation, of any book in contravention of this Act shall, for each offence, be liable, upon summary conviction, to a penalty not exceeding one hundred dollars.

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most Excellent Majesty.



63 - 64 VICTORIA.

CHAP. 26.

An Act to amend the Bank Act.

[Assented to 7th July, 1900.]

HER 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 Bank Act Amendment Act, 1900.* Short title.

CONSTRUCTION AND INTERPRETATION.

2. *The Bank Act*, chapter 31 of the statutes of 1890, as amended by any subsequent Act, shall be read and construed as if the provisions of this Act were incorporated therein and formed a part thereof. Construction of Bank Act, 1890, c. 31.

3. The expression "warehouse receipt," defined by subsection (d) of section 2 of *The Bank Act*, includes receipts given by any person in charge of logs or timber in transit from timber limits, or other lands, to their place of destination. "Warehouse receipt."

2. The word "manufacturer," defined by paragraph (f) of section 2 of the said Act, includes a manufacturer of logs, timber or lumber. "Manufacturer."

APPLICATION OF ACT.

4. Schedule A to this Act is substituted for schedule A to *The Bank Act*, and when "La Banque Jacques Cartier" changes its name to "La Banque Provinciale du Canada," and "The Merchants Bank of Halifax" changes its name to "The Royal Bank of Canada," under the provisions of Acts of this session of Parliament, such banks shall be deemed to be included in schedule A to this Act under their new names. New schedule A. Proviso as to certain banks.

Bank Act to apply to certain banks not in schedule A.

5. The provisions of *The Bank Act* and of any amendment thereof shall continue to apply to any bank which is included in schedule A to *The Bank Act* and not in schedule A to this Act, but such provisions shall continue to apply to any such bank only in so far as may be necessary to wind up the business thereof, and the charter or Act of incorporation of such bank, and any Act in amendment thereof, or any Act in relation to such bank, now in force, shall continue in force for such purpose and for such purpose only.

Bank charters continued to 1st July, 1911, in certain particulars.

6. The charters or Acts of incorporation, and any Acts in amendment thereof, of the several banks enumerated in schedule A to this Act are continued in force, so far as regards the incorporation and corporate name, the amount of capital stock (as authorized at the time of the passing of this Act), the amount of each share of such stock and the chief place of business of each bank, until the first day of July, in the year one thousand nine hundred and eleven, subject to the right of each bank to increase or reduce its capital stock in the manner provided by *The Bank Act*; and as to all other particulars the provisions of all such charters, Acts of incorporation, and Acts in amendment thereof are repealed, and *The Bank Act* and any amendment thereof and this Act form and are the charter of each of the said banks until the said first day of July, in the year one thousand nine hundred and eleven: Provided always, that the said charters or Acts of incorporation and Acts in amendment thereof are hereby continued in force only in so far as they, or any of them, are not forfeited or rendered void under the terms thereof, or of *The Bank Act*, or of this Act, or of any other Act passed or to be passed, by reason of the non-performance of the conditions thereof, or by insolvency, or otherwise.

As to other particulars.

Proviso.

Banks of B. N.A. and B.C.

7. The provisions of this Act, with the exception of those contained in sections 4, 5, 6, 8 and 9, apply to the Bank of British North America and to the Bank of British Columbia respectively.

TRUST ESTATES.

New section 44.

8. Section 44 of *The Bank Act* is repealed and the following is substituted therefor:—

Executors, etc., not personally liable.

“44. No person holding stock in the bank as executor, administrator, guardian, trustee, tutor or curator of or for any estate, trust or person named in the books of the bank as being so represented by him, shall be personally subject to any liability as a shareholder, but the estate and funds in his hands shall be liable in like manner and to the same extent as the testator, intestate, ward or person interested in such estate and funds would be, if living and competent to hold the stock in his own name; and if the trust is for a living person, such person shall also himself be liable as a shareholder;

but if such estate, trust or person so represented is not so named in the books of the bank, the executor, administrator, guardian, trustee, tutor or curator shall be personally liable in respect of such stock as if he held it in his own name as owner thereof." Exception.

STATEMENTS.

9. Section 45 of the said Act is amended by adding thereto the following subsection:— Section 45 amended.

"2. The directors shall also submit to the shareholders such further statements of the affairs of the bank, other than statements with reference to the account of any person dealing with the bank, as the shareholders require by by-law passed at the annual general meeting, or at any special general meeting of the shareholders called for the purpose, and the statements so required shall be submitted at the annual general meeting, or at any special general meeting called for the purpose, or at such time and in such manner as is set forth in the by-law of the shareholders requiring such statements." Further statements to shareholders.

NOTE ISSUE.

10. The bank shall not, during any period of suspension of payment of its liabilities, issue or reissue its notes payable to bearer on demand and intended for circulation, and if, after any such suspension, the bank resumes business without the consent in writing of the curator hereinafter provided for, it shall not issue or reissue any of such notes until authorized by the Treasury Board so to do, and every person who, being president, vice-president, director, general manager, manager, clerk or other officer of the bank, issues or reissues, or authorizes or is concerned in the issue or reissue of such notes, and every person who accepts, receives or takes, or authorizes or is concerned in the acceptance, receipt or taking of such notes from the bank, or from such president, vice-president, director, general manager, manager, clerk, or other officer of the bank, in payment, or part payment, or as security for the payment, of any amount due or owing to such person by the bank, is guilty of an indictable offence and liable to imprisonment for a term not exceeding seven years, or a fine not exceeding two thousand dollars, or to both. Bank not to issue notes during period of suspension.
Penalty.

11. The rate of interest payable, under the provisions of subsection 7 of section 54 of *The Bank Act*, on the notes of a bank in the event of the suspension by such bank of payment in specie or Dominion notes of any of its liabilities as they accrue, is hereby reduced from six per cent per annum to five per cent per annum. Reduction of rate of interest under s. 54, ss. 7.

12. Subsection 8 of section 54 of the said Act is amended by striking out the following words in the eighth and ninth Section 54 amended.

ninth lines thereof, that is to say, "which each bank has at that time contributed to the fund," and by substituting in lieu thereof the following words, namely, "which each bank had or should have contributed to the fund at the time of the suspension of the bank in respect of whose notes the payments are made."

Notes of suspended bank to bear interest at 3 per cent in certain cases.

13. Notwithstanding anything to the contrary contained in section 54 of the said Act, all notes of a bank which has suspended payment, and all interest on such notes, which are paid by the Minister of Finance and Receiver General out of "The Bank Circulation Redemption Fund" after the amount at the credit of such bank in the fund, adding thereto all interest due or accruing due on such amount, has been exhausted, shall bear interest at the rate of three per cent per annum from the time such notes and interest are paid until such notes and interest are repaid to the Minister of Finance and Receiver General by or out of the assets of such bank.

BUSINESS AND POWERS OF THE BANK.

New section 70.

14. Section 70 of the said Act is repealed and the following section is substituted therefor:—

Bank may acquire absolute title in real property.

"**70.** The bank may acquire and hold an absolute title in or to real or immovable property mortgaged to it as security for a debt due or owing to it, either by obtaining a release of the equity of redemption in the mortgaged property, or by procuring a foreclosure, or by other means whereby, as between individuals, an equity of redemption can, by law, be barred, and may purchase and acquire any prior mortgage or charge on such property.

Property to be sold within certain time.

"**2.** No bank shall hold any real or immovable property, howsoever acquired, except such as is required for its own use, for any period exceeding seven years from the date of the acquisition thereof, or any extension of such period as hereinafter provided, but such property shall be absolutely sold or disposed of so that the bank shall no longer retain any interest therein unless by way of security: Provided that the Treasury Board may direct that the time for the sale or disposal thereof be extended for a further period, or periods, not to exceed five years, the whole period during which the bank may so hold such property under the provisions of this subsection not to exceed twelve years.

Proviso: extension of time.

Property not sold to be liable to forfeiture.

"**3.** Any real or immovable property, not within the exception aforesaid, held by the bank for a longer period than authorized by the preceding subsection, shall be liable to be forfeited to Her Majesty for the use of the Dominion of Canada, but no such forfeiture shall take effect until the expiration of at least six calendar months after notice in writing to the bank by the Minister of Finance and Receiver General of the intention of Her Majesty to claim such for-

feiture, and the bank may, notwithstanding such notice, before the forfeiture is effected, sell or dispose of such property free from liability to forfeiture."

2. The provisions of this section shall apply to any real or immovable property heretofore acquired by the bank and held by it at the time of the coming into force of this Act.

Provisions apply to real property now held.

15. Section 73 of *The Bank Act* is amended by adding after the word "favour" in the third line of the first subsection thereof the words "or as security for any liability incurred by it for any person," and by adding after the word "debt," in the fifth line of the second subsection thereof, the words "or liability."

Section 73 amended.

16. The bank may lend money upon the security of standing timber and the rights or licenses held by persons to cut or remove such timber.

Loans on standing timber, etc.

17. Subsection 2 of section 74 of *The Bank Act* is repealed and the following is substituted therefor:—

Section 74 amended.

"2. The bank may also lend money to any wholesale purchaser or shipper of or dealer in products of agriculture, the forest, quarry and mine, or the sea, lakes and rivers, or to any wholesale purchaser or shipper of or dealer in live stock or dead stock and the products thereof, upon the security of such products, or of such live stock or dead stock and the products thereof. The bank may allow the goods, wares and merchandise covered by such security to be removed and other goods, wares and merchandise mentioned in this subsection to be substituted therefor, and those so substituted shall be covered by such security as if originally covered thereby: Provided always, that such goods, wares and merchandise so substituted are of substantially the same character and of substantially the same value as, or of less value than, those for which they have been so substituted."

Loans to certain wholesale dealers, etc.

18. Section 75 of the said Act is amended by adding the words "or liability" after the word "debt" where it occurs in the third, fourth and eighth lines of the first subsection thereof, and in the seventh and eleventh lines of the fourth subsection thereof.

Section 75 amended.

19. Section 78 of the said Act is amended by adding after the word "debt" in the second line thereof the words "or liability."

Section 78 amended.

20. Section 84 of the said Act is amended by adding thereto the following subsection:—

Section 84 amended.

"3. If a person dies, having a deposit with a bank not exceeding the sum of five hundred dollars, the production to the bank and the deposit with it of an authentic notarial copy of the will of the deceased depositor, if such will is in notarial

What sufficient authority for payment of amount (to \$500) due deceased depositor.

notarial form according to the law of the province of Quebec, or of any authenticated copy of the probate of the will of the deceased depositor, or of letters of administration of his estate, or of letters of verification of heirship, or of the act of curatorship or tutorship, granted by any court in Canada having power to grant the same, or by any court or authority in England, Wales, Ireland, or any British colony, or of any testamentary or testamentative expedite in Scotland, or, if the deceased depositor died out of Her Majesty's dominions, the production to and deposit with the bank of any authenticated copy of the probate of his will or letters of administration of his property, or other document of like import, granted by any court or authority having the requisite power in such matters, shall be sufficient justification and authority to the directors for paying such deposit, in pursuance of and in conformity to such probate, letters of administration, or other such document as aforesaid."

RETURNS BY THE BANK.

Annual return of unpaid drafts in certain cases.

21. The bank shall, within twenty days after the close of each calendar year, transmit or deliver to the Minister of Finance and Receiver General to be by him laid before Parliament, a return of all drafts or bills of exchange, issued by the bank to any person and remaining unpaid for more than five years prior to the date of such return.

Details of return.

2. Such return shall be signed in the manner required for the monthly returns under section 85 of *The Bank Act*, and shall set forth, so far as known, the name of the person to whom, or at whose request, such draft or bill of exchange was issued, and his address, the payee thereof, the amount and date thereof, and where the same was payable, and the agency of the bank from which the same was issued.

Penalty for not making return.

3. Every bank which neglects to transmit or deliver to the Minister of Finance and Receiver General the return referred to, within the time above limited, shall incur a penalty of fifty dollars for each and every day during which such neglect continues.

What prima facie evidence of transmission of return.

22. If the certified list or the return required by section 87 or by section 88 of *The Bank Act*, or by the next preceding section of this Act, to be transmitted or delivered to the Minister of Finance and Receiver General, is transmitted by mail, then and in such case the date upon which it appears, by the post office stamp or mark upon the envelope or wrapper inclosing the list or return received by the Minister of Finance and Receiver General, that it was deposited in the post office of the place in which the chief office of the bank was situated, shall be taken prima facie for the purpose of the said sections to be the day upon which such list or return was transmitted to the Minister of Finance and Receiver General.

- 23.** Subsection 2 of section 87 of *The Bank Act* is repealed. Section 87 amended.

CURATOR IN CASE OF SUSPENSION OF BANK.

24. "The Canadian Bankers' Association," incorporated by Act passed during the present session of Parliament, (hereinafter referred to as "the Association,") shall, if a bank suspends payment in specie or Dominion notes of any of its liabilities as they accrue, forthwith appoint some competent person (hereinafter referred to as the curator) to supervise the affairs of such bank, and the Association may at any time remove the curator, and may appoint another person to act in his stead. Curator in case of suspension of bank.

25. The appointment of the curator shall be made in the manner provided for in the by-law of the Association in that behalf made as hereinafter provided, but in default of such by-law such appointment shall be made in writing by the president of the Association, or by the person acting as president. Manner of appointment.

26. The curator shall assume supervision of the affairs of the bank, and all necessary arrangements for the payment of the notes of the bank issued for circulation then outstanding and in circulation shall be made under his supervision; and generally he shall have all powers and shall take all steps and do all things necessary or expedient to protect the rights and interests of the creditors and shareholders of the bank, and to conserve and ensure the proper disposition according to law of the assets of the bank, and for the purpose aforesaid he shall have full and free access to all books, accounts, documents and papers of the bank; and the curator shall continue to supervise the affairs of the bank until he is removed from office, or until the bank resumes business, or until a liquidator is duly appointed to wind up the business of the bank. Powers and duties.

27. The president, vice-president, directors, general manager, managers, clerks and officers of the bank shall give and afford to the curator all such information and assistance as he requires in the discharge of his duties; but no by-law, regulation, resolution or act, touching the affairs or management of the bank, passed, made or done by the directors during the time the curator is in charge of the bank, shall be of any force or effect until approved in writing by the curator. How long in charge.

28. The curator shall make all returns and reports, and shall give all information to the Minister of Finance and Receiver General, touching the affairs of the bank, that the Minister of Finance and Receiver General requires of him. President, etc., to aid curator.

29. The remuneration of the curator for his services, and his expenses and disbursements in connection with the discharge By-laws, etc., subject to his approval.

charge of his duties, shall be fixed and determined by the Association, and shall be paid out of the assets of the bank, and in case of the winding-up of the bank shall rank on the estate equally with the remuneration of the liquidator.

BY-LAWS BY CANADIAN BANKERS' ASSOCIATION.

Bankers' Association may make by-laws.

30. The Association may, at any meeting thereof, with the approval of two-thirds in number of the banks represented at such meeting, (the banks so approving having at least two-thirds in par value of the paid-up capital of the banks so represented,) make by-laws, rules and regulations respecting—

As to curator.

(a.) all matters relating to the appointment or removal of the curator, and his powers and duties;

Making of bank notes.

(b.) the supervision of the making of the notes of the banks which are intended for circulation, and the delivery thereof to the banks;

Disposition thereof.

(c.) the inspection of the disposition made by the banks of such notes;

Destruction.

(d.) the destruction of notes of the banks; and

Penalties.

(e.) the imposition of penalties for the breach or non-observance of any by-law, rule or regulation made by virtue of this section.

Approval of Treasury Board.

2. No such by-law, rule or regulation, and no amendment or repeal thereof, shall be of any force or effect until approved by the Treasury Board.

Notice to other banks.

3. Before any such by-law, rule or regulation, or any amendment or repeal thereof is so approved, the Treasury Board shall submit it to every bank which is not a member of the Association, and give to each such bank an opportunity of being heard before the Treasury Board with respect thereto.

Enforcement of by-laws.

31. The Association shall have all powers necessary to carry out, or to enforce the carrying out of, any by-law, rule or regulation, or any amendment thereof, so approved by the Treasury Board.

Time for submission to Treasury Board.

32. The Association shall, on or before the first day of January, in the year one thousand nine hundred and one, submit for the approval of the Treasury Board by-laws, rules and regulations for the purposes aforesaid.

PURCHASE OF ASSETS OF A BANK.

Bank may sell assets to another bank.

33. Any bank may sell the whole or any portion of its assets to any other bank which may purchase such assets, and the selling and purchasing banks may, for such purposes, enter into an agreement of sale and purchase, which agreement shall contain all the terms and conditions connected with the sale and purchase of such assets.

34. The consideration for any such sale and purchase may be as agreed upon between the selling and purchasing banks, and if such consideration, or any portion thereof, is shares of the capital stock of the purchasing bank, then and in such case the agreement shall provide for the amount of the shares of such purchasing bank to be paid to the selling bank: Provided that until such shares so paid to the selling bank have been sold by such bank or have been distributed among and accepted by the shareholders of such bank, they shall not be considered issued shares of the purchasing bank for the purposes of its note circulation.

Consideration.

If shares of purchasing bank.

35. The agreement of sale and purchase shall be submitted to the shareholders of the selling bank, either at the annual general meeting of such bank or at a special general meeting thereof called for the purpose, and a copy of the agreement shall be mailed to each shareholder of such bank to his last known address at least four weeks previous to the date of the meeting at which such agreement is to be submitted, together with a notice of the time and place of holding such meeting.

Agreement of sale to be submitted to shareholders of selling bank.

36. If at such meeting the agreement is approved by resolution carried by the votes of shareholders (present in person or represented by proxy) representing not less than two-thirds of the amount of the subscribed capital stock of the bank, then and in such case the agreement may be executed under the seals of the banks entering thereinto, and application may be made to the Governor in Council, through the Minister of Finance and Receiver General, for approval thereof, but until it is approved by the Governor in Council the agreement shall not be of any force or effect.

Their approval.

Approval of Governor in Council.

37. If the agreement provides for the payment of the consideration for such sale and purchase, in whole or in part, in shares of the capital stock of the purchasing bank, and for such purpose it is necessary to increase the capital stock of such bank, then and in such case the agreement shall not be executed on behalf of the purchasing bank, unless and until it is approved by the shareholders thereof at the annual general meeting or at a special general meeting of such shareholders.

Approval by shareholders of purchasing bank.

38. The Governor in Council may, on the application for his approval of the agreement, approve of the increase of the capital stock of the purchasing bank, which is necessary to provide for the payment of the shares of such bank to the selling bank as provided in the said agreement, and the provisions of sections 26 and 27 of *The Bank Act* shall not apply to such increase of stock.

Necessary increase of stock may be approved of.

39. The approval of the Governor in Council shall not be given to the agreement, unless the approval thereof is recommended by the Treasury Board, nor unless the application for approval

Condition on which Governor in Council may approve of agreement.

approval thereof is made by or on behalf of the banks executing it within three months from the date of the execution of such agreement, nor unless it appears to the satisfaction of the Governor in Council that all the requirements of this Act in connection with the approval of such agreement by the shareholders of such banks have been complied with, and that notice of the intention of the banks to apply to the Governor in Council for the approval of the agreement had been published for at least four weeks in the *Canada Gazette* and in one or more newspapers published in the places where the chief offices or places of business of the banks are situate: **Provido.** Provided always, that such banks shall afford all information that the Minister of Finance and Receiver General requires, and that nothing herein contained shall be construed to prevent the Governor in Council or the Treasury Board from refusing to approve of the agreement or to recommend its approval.

In certain case agreement shall not be approved of.

40. The agreement shall not be approved of unless it appears that proper provisions have been made for the payment of the liabilities of the selling bank, nor unless it provides for the assumption and payment by the purchasing bank of the notes of the selling bank issued and intended for circulation, outstanding and in circulation, nor if the amount of the notes of the purchasing bank issued for circulation and then in circulation and the amount of the notes of the selling bank so assumed and to be paid by the purchasing bank together exceed the paid-up capital of the purchasing bank at the time of the execution of the agreement.

Notes of selling bank to become notes of purchasing bank.

41. The notes of the selling bank so assumed and to be paid by the purchasing bank shall, on the approval of the agreement, be deemed to be for all intents and purposes notes of the purchasing bank issued for circulation, and the purchasing bank shall be liable in the same manner and to the same extent as if it had issued them for circulation, and the amount at the credit of the selling bank in "The Bank Circulation Redemption Fund" shall, on the approval of the agreement, be transferred to the credit of the purchasing bank: **Provido.** that such notes of the selling bank shall not be reissued, but shall be called in, redeemed and cancelled as quickly as possible.

Evidence of approval by Governor in Council.

42. The approval by the Governor in Council of the agreement shall be evidenced by a certified copy of the Order in Council approving thereof, and such certified copy shall be conclusive evidence in all courts and proceedings of the approval of the agreement therein referred to and of the regularity of all proceedings in connection therewith.

On approval by Governor in Council assets to vest in purchasing bank.

43. On the agreement being approved of by the Governor in Council, the assets therein referred to as sold and purchased shall, in accordance with and subject to the terms thereof, and

without any further conveyance, become vested in the purchasing bank, but the selling bank shall from time to time, subject to the terms of the agreement, execute such formal and separate conveyances, assignments and assurances, for registration purposes or otherwise, as are reasonably required to confirm or evidence the vesting in the purchasing bank of the full title or ownership of the assets referred to in the agreement.

44. As soon as the agreement is approved of by the Governor in Council, the selling bank shall cease to issue or reissue notes for circulation, and shall cease to transact any business, except such as is necessary to enable it to carry out the agreement, and to realize upon any assets not included in the agreement, and to pay and discharge its liabilities, and generally to wind up its business, and its charter or Act of incorporation and any Acts in amendment thereof then in force shall continue in force only for the purposes in this section specified.

Business to be transacted by selling bank.

SCHEDULES.

45. Schedule B to *The Bank Act* is amended by substituting the word "eleven" for the word "one" in the last line of the said schedule.

Schedule B amended.

46. Schedule C to this Act is hereby substituted for Schedule C to *The Bank Act*.

New schedule C.

47. Schedule D to this Act is hereby substituted for Schedule D to *The Bank Act*.

New schedule D.

SCHEDULE A.

BANKS WHOSE CHARTERS ARE CONTINUED.

1. The Bank of Montreal.
2. The Quebec Bank.
3. The Molsons Bank.
4. The Bank of Toronto.
5. The Ontario Bank.
6. The Eastern Townships Bank.
7. La Banque Nationale.
8. La Banque Jacques Cartier.
9. The Merchants' Bank of Canada.
10. The Union Bank of Canada.
11. The Canadian Bank of Commerce.
12. The Dominion Bank.
13. The Merchants' Bank of Halifax.
14. The Bank of Nova Scotia.

15. The Bank of Yarmouth, Nova Scotia.
16. The Standard Bank of Canada.
17. The Bank of Hamilton.
18. The Halifax Banking Company.
19. La Banque d'Hochelaga.
20. The Imperial Bank of Canada.
21. La Banque de St. Hyacinthe.
22. The Bank of Ottawa.
23. The Bank of New Brunswick.
24. The Exchange Bank of Yarmouth.
25. The Union Bank of Halifax.
26. The People's Bank of Halifax.
27. La Banque de St. Jean.
28. The Commercial Bank of Windsor.
29. The Western Bank of Canada.
30. The Traders' Bank of Canada.
31. The People's Bank of New Brunswick.
32. The St. Stephen's Bank.
33. The Summerside Bank.
34. The Merchants' Bank of Prince Edward Island.

SCHEDULE C.

FORM OF SECURITY UNDER SECTION 74 OF THE BANK ACT.

In consideration of an advance of.....dollars made by the.....Bank to A. B., for which the said bank holds the following bills or notes: (*describe the bills or notes, if any*), [or, in consideration of the discounting of the following bills or notes by the.....Bank for A. B.: (*describe the bills or notes*),] the goods, wares and merchandise mentioned below are hereby assigned to the said bank as security for the payment on or before the.....day of of the said advance, together with interest thereon at the rate of per cent per annum from the day of (*or, of the said bills or notes, or renewals thereof, or substitutions therefor, and interest thereon, or as the case may be*).

This security is given under the provisions of section seventy-four of *The Bank Act*, and is subject to the provisions of the said Act.

The said goods, wares and merchandise are now owned by, are now in the possession of..... and are free from any mortgage, lien or charge thereon (*or as the case may be*), and are in (*place or places where the goods are*), and are the following (*description of goods assigned*).

Dated, &c.

(*N.B.—The bills or notes and the goods, &c., may be set out in schedules annexed.*)

SCHEDULE D.

Return of the liabilities and assets of the bank on
 the day of _____, A.D.

Capital authorized.....	\$	
Capital subscribed.....	\$	
Capital paid-up	\$	
Amount of rest or reserve fund.....	\$	
Rate per cent of last dividend declared.. . . .		per cent.

LIABILITIES.

1. Notes in circulation.....\$
2. Balance due to Dominion Government, after deducting advances for credits, pay-lists, &c.
3. Balances due to Provincial Governments
4. Deposits by the public, payable on demand, in Canada.....
5. Deposits by the public, payable after notice or on a fixed day, in Canada.....
6. Deposits elsewhere than in Canada.
7. Loans from other banks in Canada, secured, including bills rediscounted
8. Deposits made by, and balances due to, other banks in Canada.....
9. Balances due to agencies of the bank, or to other banks or agencies, in the United Kingdom.....
10. Balances due to agencies of the bank, or to other banks or agencies, elsewhere than in Canada and the United Kingdom.....
11. Liabilities not included under foregoing heads.

\$

ASSETS.

1. Specie\$
2. Dominion notes.....
3. Deposits with Dominion Government for security of note circulation.....
4. Notes of and cheques on other banks.....
5. Loans to other banks in Canada, secured, including bills rediscounted.....
6. Deposits made with, and balances due from, other banks, in Canada.....
7. Balances due from agencies of the bank, or from other banks or agencies, in the United Kingdom.....
8. Balances due from agencies of the bank, or from other banks or agencies, elsewhere than in Canada and the United Kingdom.....



63 - 64 VICTORIA.

CHAP. 27.

An Act to amend the Bank Act Amendment Act, 1900.

[Assented to 18th July, 1900.]

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

1. Section 40 of *The Bank Act Amendment Act, 1900*, is hereby repealed and the following section substituted therefor:

“40. The agreement shall not be approved of unless it appears—

“(a.) that proper provisions have been made for the payment of the liabilities of the selling bank;

“(b.) that the agreement provides for the assumption and payment by the purchasing bank of the notes of the selling bank issued and intended for circulation, outstanding and in circulation; and

“(c.) that the amount of the notes of both the purchasing and selling banks, issued for circulation, outstanding and in circulation, as shown by the then last monthly returns of the banks, do not together exceed the then paid-up capital of the purchasing bank, or, if the amount of such notes does exceed such paid-up capital, that an amount in cash equal to the excess of such notes over such paid-up capital has been deposited by the purchasing bank with the Minister of Finance and Receiver General.

“2. The amount so deposited as aforesaid shall be held by the Minister of Finance and Receiver General as security for the redemption of said excess of notes, and when such excess, or any portion thereof, has been redeemed and cancelled, the amount so deposited, or an amount equal to the amount of excess so redeemed and cancelled, shall from time to time be repaid by the Minister of Finance and Receiver General to the purchasing bank, but without interest, on the application of such bank and on the production of such evidence as the

Act of present session amended. New s. 40.

Further conditions.

Payment of liabilities.

Outstanding notes of selling bank.

Deposit, if circulation of both banks exceeds paid-up capital of purchasing bank.

Repayment of deposit upon redemption of excess.

Minister of Finance and Receiver General may require to show that the notes in regard to which such repayment is asked have been redeemed and cancelled.”

OTTAWA : Printed by SAMUEL EDWARD DAWSON, Law Printer to the Queen's most Excellent Majesty.



63-64 VICTORIA.

CHAP. 28.

An Act to amend the Acts respecting certain Savings Banks in the Province of Quebec.

[Assented to 7th July, 1900.]

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

1. Section 2 of chapter 32 of the statutes of 1890 is repealed and the following section is substituted therefor:—

“2. The charters of the Montreal City and District Savings Bank and of *La Caisse d’Economie de Notre-Dame de Québec*, are hereby continued and shall remain in force until the first day of July in the year one thousand nine hundred and eleven, except in so far as they, or either of them, are or become forfeited or void under the terms thereof, or of this Act, 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.”

2. The sections substituted for sections 18, 19 and 20 of the said Act by section 1 of chapter 9 of the statutes of 1897 are repealed and the following sections are substituted therefor:—

“18. The bank shall always hold at least twenty per cent of the moneys deposited with it—

“(a.) in public securities of the Dominion of Canada, or of any of the provinces thereof, or of the United Kingdom, or of any British colony or possession, or of the United States, or of any state thereof;

“(b.) in deposits in chartered banks in Canada;

“(c.) in Canadian municipal bonds or securities;

“(d.) in school bonds or debentures issued in the province of Quebec, provided they are secured by the school municipality in which the schools are situate;

“(e.) in any other security approved by the Treasury Board.

Investment
of deposits.

"19. The bank may, subject to the provisions contained in the next preceding section, invest any moneys deposited with it—

"(a.) in any of the securities mentioned in the next preceding section ;

"(b.) in the purchase of bonds or debentures of any building society, loan or investment company, water-works company, gas company, street railway company, electric light or power company, electric railway or street railway company, telegraph or telephone company, water power company, navigation company, or heat and light company ; Provided such society or company is incorporated in Canada and has a paid-up capital of at least five hundred thousand dollars ;

"(c.) in the purchase of the bonds or debentures of any telegraph cable company having a paid-up capital of at least five hundred thousand dollars :

Holdings of
bank stocks.

"2. The bank may continue to hold any stock of any now existing chartered bank held by it before it received its charter, and may sell and dispose of such stock.

Securities on
which loans
may be made.

"20. The bank may lend any of such moneys upon the personal security of individuals or to corporate bodies ; Provided that collateral securities of the nature mentioned in the two sections next preceding, or foreign public securities, or stock of some chartered bank in Canada, or bonds or debentures or stock of an incorporated institution or company are taken the market value whereof is not less than the amount lent, in addition to such personal or corporate security, with authority to sell such securities if the loan is not paid.

Loans which
may be made
without
collateral
security.

"2. The bank may lend any of such moneys without collateral security—

"(a.) to the Government of Canada or to the Government of any province of Canada ;

"(b.) to the corporation of any municipality in Canada with a population of at least two thousand inhabitants ;

"(c.) to any *fabrique de paroisse*, or to *syndics pour l'érection d'églises*, specially authorized by Act of the Legislature of Quebec to issue bonds binding on the taxable property of the parish ;

"(d.) upon a resolution of their respective boards of directors, to incorporated companies, or incorporated institutions, within the limits of their borrowing powers, and not exceeding in any case their paid-up capital, provided such company or institution has a paid-up capital of not less than five hundred thousand dollars, and has paid continuously for the previous five years a dividend at the rate of at least five per cent per annum."

1897, c. 9, s. 2
repealed.

3. Section 2 of chapter 9 of the statutes of 1897 is repealed.

Guarantee
and Pension
Fund.

4. The Guarantee and Pension Fund established by *La Caisse d'Économie de Notre-Dame de Québec*, after the passing

but prior to the coming into force of chapter 32 of the statutes of 1890, is confirmed.

5. The schedule to chapter 32 of the statutes of 1890 is ^{New schedule.} repealed and the schedule to this Act is substituted therefor.

6. This Act shall be read and construed as if it were incor- ^{Construction.} porated with and formed part of the said chapter 32 of the statutes of 1890.

SCHEDULE.

RETURN of the amount of liabilities and assets of the (*name of the bank*) on the _____ day of _____

CAPITAL STOCK, \$

CAPITAL PAID UP, \$

LIABILITIES.

- | | \$ | cts. |
|---|----|------|
| 1. Dominion Government deposits, payable on demand | | |
| 2. Provincial Government deposits, payable on demand | | |
| 3. Other deposits, payable on demand | | |
| 4. Dominion Government deposits, payable after notice or on a fixed day | | |
| 5. Provincial Government deposits, payable after notice or on a fixed day | | |
| 6. Other deposits, payable after notice or on a fixed day | | |
| 7. Special Poor Fund or Charity Fund Trust..... | | |
| 8. Liabilities not included under the foregoing heads | | |

ASSETS.

1. Dominion, provincial and other public securities.
2. Cash in hand and on deposit in chartered banks.
3. Canadian municipal bonds or securities, school bonds or debentures, and securities approved by Treasury Board
4. Other bonds, debentures and securities
5. Loans to governments, municipal corporations, *fabriques de paroisses, syndics pour l'érection d'églises*, and corporations on resolutions of their boards of directors
6. Loans for which bank stocks are held as collateral security
7. Loans for which stocks, bonds, debentures or securities, other than bank stocks, are held as collateral security



63-64 VICTORIA.

CHAP. 29.

An Act to amend the Acts respecting Interest.

[Assented to 7th July, 1900.]

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

1. Section 2 of chapter 127 of the Revised Statutes, section 2 of chapter 31 of the statutes of 1889, section 2 of chapter 22 of the statutes of 1894, and section 2 of chapter 8 of the statutes of 1897, are amended by striking out the word "six" wherever it occurs in each of the said sections and substituting therefor the word "five": Provided that the change in the rate of interest in this Act shall not apply to liabilities existing at the time of the passing of this Act.

R.S.C., c. 127;
1889, c. 31;
1894, c. 22;
1897, c. 8.
Rate of interest reduced.
Proviso.

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63-64 VICTORIA.

CHAP. 30.

An Act to amend the Experimental Farm Station Act.

[Assented to 14th June, 1900.]

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

1. Sections 5 and 6 of *The Experimental Farm Station Act*, R.S.C., c. 57, chapter 57 of the Revised Statutes, are repealed and the following is substituted therefor :—

“5. The said farm stations shall be under the direction and control of the Minister, subject to such regulations as are made by the Governor in Council. Management of farm stations.”

“2. The Governor in Council may appoint, and fix the remuneration of, a director and such chief officers as are necessary for each farm station. Appointment and salaries of chief officers.”

“3. The Minister may employ, and fix the remuneration of, such other officers and employees as are necessary for each farm station. Employment and pay of other officers, etc.”

“4. Such remuneration, and all expenses incurred in carrying this Act into effect, shall be paid out of such moneys as are provided by Parliament for that purpose.” Appropriation to meet expenses.”

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63-64 VICTORIA.

CHAP. 31.

An Act to amend the San José Scale Act.

[Assented to 4th April, 1900.]

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

1. Notwithstanding anything in *The San José Scale Act*, chapter 23 of the statutes of 1898, the Governor in Council may name certain ports of entry at which the importation may be permitted of any trees, shrubs, plants, vines, grafts, cuttings or buds, commonly called nursery stock, from any country or place to which the said Act applies, provided that such nursery stock has been properly fumigated with hydrocyanic acid gas.

Importation
of nursery
stock if
fumigated.

2. The Governor in Council may make regulations under which such importation may take place.

Regulations.

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63-64 VICTORIA.

CHAP. 32.

An Act respecting and restricting Chinese Immigration.

[Assented to 18th July, 1900.]

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

1. This Act may be cited as *The Chinese Immigration Act*, Short title. 1900.

2. This Act shall come into force on the first day of January, one thousand nine hundred and one. Commence-
ment.

3. The following Acts are repealed: chapter 67 of the Revised Statutes, chapter 35 of the statutes of 1887, and chapter 25 of the statutes of 1892. Repeal.

4. In this Act, unless the context otherwise requires,— Interpreta-
tion.

(a.) The expression "Chief Controller" means the chief officer who is charged, under the direction of the Minister to whom is assigned the administration of this Act, with the duty of carrying the provisions of this Act into effect and who shall have authority over officers of Customs and others appointed for the purpose or charged with the duty of assisting in carrying out the provisions of this Act; "Chief
Controller."

(b.) The expression "Controller" means any Customs or other officer at any seaport or frontier Customs port duly appointed as such and charged with the duty of assisting in carrying the provisions of this Act into effect; "Controller."

(c.) The expression "master" or "conductor" means any person in command of or in charge of any vessel or vehicle; "Master."
"Conductor."

(d.) The expression "Chinese immigrant" means any person of Chinese origin (including any person whose father was of Chinese origin) entering Canada and not entitled to the privilege of exemption provided for by section 6 of this Act; "Chinese
immigrant."

(e.) The expression "vessel" means any sea-going craft of any kind or description capable of carrying passengers; "Vessel."

"Tonnage."

(f.) The expression "tonnage" means the gross tonnage according to the measurement fixed by the Merchant Shipping Acts of the Parliament of the United Kingdom ;

"Vehicle."

(g.) The expression "vehicle" means any ferryboat, boat, railway car, cart, wagon, carriage, sleigh or other conveyance whatsoever, however propelled or drawn.

Powers of Governor. Appointments.

5. The Governor in Council may—

(a.) appoint one or more persons to carry the provisions of this Act into effect ;

Present officers.

(b.) assign any duty in connection therewith to any officer or person in the employ of the Government of Canada ;

Duties.

(c.) define and prescribe the duties of such officer or person ;

Remuneration.

(d.) fix the salary or remuneration to be allowed to such officer or person ;

Chinese interpreters.

(e.) engage and pay interpreters skilled in the English and Chinese languages, at salaries aggregating not more than three thousand dollars a year ;

Regulations.

(f.) make regulations for the carrying out of this Act.

Tax payable by Chinese immigrants.

6. Every person of Chinese origin, irrespective of allegiance, shall pay into the Consolidated Revenue Fund of Canada, on entering Canada, at the port or place of entry, a tax of one hundred dollars, except the following persons who shall be exempt from such payment, that is to say :—

Exemptions.

(a.) The members of the diplomatic corps, or other government representatives, their suites and their servants, and consuls and consular agents ;

(b.) The children born in Canada of parents of Chinese origin and who have left Canada for educational or other purposes, on substantiating their identity to the satisfaction of the controller at the port or place where they seek to enter on their return ;

(c.) Merchants, their wives and children, the wives and children of clergymen, tourists, men of science and students, who shall substantiate their status to the satisfaction of the controller, subject to the approval of the Minister, or who are bearers of certificates of identity, specifying their occupation and their object in coming into Canada, or other similar documents issued by the Government or by a recognized official or representative of the Government whose subjects they are.

Certificate proving exemption.

2. Every such certificate or other document shall be in the English or French language, and shall be examined and endorsed (*visé*) by a British consul or chargé d'affaires or other accredited representative of Her Majesty, at the place where it is granted, or at the port or place of departure.

As to students.

3. Persons of Chinese origin claiming on their arrival to be students, but who are unable to produce the requisite certificate as hereinbefore provided for, shall be entitled to a refund of the tax exacted from them on the production within eighteen months from the date of their arrival in Canada of certificates from teachers in any school or college in Canada

showing that they are and have been for at least one year bona fide students in attendance at such school or college.

4. Any woman of Chinese origin who is the wife of a person who is not of Chinese origin shall for the purpose of this Act be deemed to be of the same nationality as her husband, and the children of the said wife and husband shall be deemed to be of the same nationality as the father.

Chinese wives
of foreigners.

Children.

5. Nothing in this Act shall be construed as embracing within the meaning of the word "merchant," any merchant's clerk, or other employee, mechanic, huckster, pedlar, or person engaged in taking, drying or otherwise preserving fish for home consumption or exportation.

Term
"merchant"
limited.

7. No vessel carrying Chinese immigrants to any port in Canada shall carry more than one such immigrant for every fifty tons of its tonnage; and the owner of any such vessel who carries any number in excess of the number allowed by this section shall incur a penalty of two hundred dollars for each Chinese immigrant so carried in excess of such number.

Number of
Chinese
immigrants
in any vessel.

2. No Chinese immigrants shall be allowed to land in or enter Canada coastwise or overland arriving in transit from any port or place in America from any vessel entering at such port or place, in excess of the number which would have been allowed to land from such vessel had it come direct to Canada.

If not coming
direct to
Canada.

8. No master of any vessel carrying Chinese immigrants, shall land any person of Chinese origin, or permit any to land from such vessel, until a permit so to do, stating that the provisions of this Act have been complied with, has been granted to the master of such vessel by the controller; and every master of a vessel who violates the provisions of this section shall incur a penalty of two hundred dollars.

No Chinese
to be landed
until permit is
obtained.

Penalty.

2. The landing of a person of Chinese origin from a vessel wherever referred to in this Act shall not be held to apply to the landing of such person on the wharf and the placing of him in a proper building where he may remain until the provisions of this Act have been complied with and the controller has given his authority for his departure therefrom,—and such person while in such building shall for the purpose of this Act be held to be still on board the vessel by which he arrived; this provision, however, shall not allow the placing of such person in such building until all quarantine requirements have been complied with.

"Landing"
defined.

9. No controller at any port shall grant a permit allowing Chinese immigrants to land, until the quarantine officer has granted a bill of health and has certified, after due examination, that no leprosy or infectious, contagious, loathsome or dangerous disease exists on board such vessel; and no permit to land shall be granted to any Chinese immigrant who is suffering from leprosy or from any infectious, contagious, loathsome or dangerous diseases.

Bill of health
to be obtained.

No permit in
certain cases.

Liability and duty of conductor of railway train as to payment of tax.

10. Every conductor or other person in charge of any railway train or car bringing Chinese immigrants into Canada shall be personally liable to Her Majesty for the payment of the tax imposed by section 6 of this Act in respect of any immigrant brought by or on such railway train or car, and shall deliver, immediately on his arrival, to the controller or other proper officer at the port or place of arrival, a report in the same terms as is required to be made by section 15 of this Act, by the master of a vessel, of all persons of Chinese origin arriving by or being on board of the railway train or car of which he is in charge, and shall, unless such persons are in transit through Canada, pay or cause to be paid to the controller the total amount of the tax payable by Chinese immigrants so arriving by such railway train or car, and he shall not allow any such immigrants to disembark from such train or car until after such report has been made and such tax has been paid.

Chinese entering Canada otherwise than by vessel or vehicle.

11. Every Chinese immigrant who enters Canada otherwise than by disembarking from any vessel or vehicle, shall forthwith make a statement and declaration of his entry to the controller or other proper officer at the nearest or most convenient port or place, and shall forthwith pay to such controller or officer the tax of one hundred dollars imposed by this Act; and if the statement and declaration is made to an officer other than a controller authorized to keep a register, such officer shall report the fact and transmit the tax to the chief controller or to the nearest controller so authorized, and the controller shall make a record thereof in his register and issue the proper certificate of such registration in conformity with the provisions of section 13 of this Act.

Certain immigrants prohibited.

12. No controller or other officer charged with the duty of assisting in carrying the provisions of this Act into effect shall grant a permit allowing to land from any vessel, nor shall any conductor or other person in charge of any vehicle bring into Canada, either as an immigrant or as an exempt, or as in transit, any person of Chinese origin who is—

- (a.) a pauper or likely to become a public charge;
- (b.) an idiot or insane;
- (c.) suffering from any loathsome, infectious or contagious disease;
- (d.) a prostitute or living on the prostitution of others.

Penalty.

2. All such persons are prohibited from entering Canada; and if they enter they shall be liable to imprisonment for a term not exceeding six months, and shall in addition be liable to deportation, and the master, conductor or other person who knowingly lands or brings or assists or permits to land in Canada, any such persons of Chinese origin, shall also be liable to a penalty not exceeding two hundred dollars, or to imprisonment for a term not exceeding six months.

13. The Controller shall deliver to each Chinese immigrant who has been permitted to land or enter, and in respect of whom the tax has been paid as hereinbefore provided, a certificate containing a description of such individual, the date of his arrival, the name of the port of his landing and an acknowledgment that the duty has been duly paid; and such certificate shall be prima facie evidence that the person presenting it has complied with the requirements of this Act; but such certificate may be contested by Her Majesty, or by any officer charged with the duty of carrying this Act into effect, if there is reason to doubt the validity or authenticity thereof, or of any statement therein contained; and such contestation shall be heard and determined in a summary manner by any judge of a superior court of any province of Canada where such certificate is produced.

Certificate to be delivered to immigrant permitted to land.

Its effect; but may be contested.

How decided.

14. The chief controller, and such controllers as are by him authorized so to do, shall each keep a register of all persons to whom certificates of entry have been granted.

Registers of certificates.

15. Every master of any vessel bringing Chinese immigrants to any port or place in Canada shall be personally liable to Her Majesty for the payment of the tax imposed by this Act in respect of any such immigrant carried by such vessel, and shall deliver, together with the total amount of such tax, to the controller, immediately on his arrival in port and before any of his Chinese crew or passengers disembark, a complete and accurate list of his crew and such passengers, showing their names in full, the country and place of their birth, and the occupation and last place of domicile of each of such immigrant passengers.

Liability of masters as to payment of tax.

16. Every master or conductor of any vessel or vehicle who lands or allows to be landed off or from any vessel or vehicle any Chinese immigrant before the tax payable under this Act has been duly paid, or who wilfully makes any false statement respecting the number of persons on board his vessel or vehicle, shall, in addition to the amount of the tax payable under the foregoing provisions of this Act, be liable to a penalty not exceeding one thousand dollars and not less than five hundred dollars for every such offence, and in default of payment to imprisonment for a term not exceeding twelve months; and such vessel or vehicle shall be forfeited to Her Majesty, and shall be seized by an officer charged with the duty of carrying this Act into effect, and dealt with accordingly.

Penalty for landing Chinese before tax is paid.

Forfeiture of vessel or vehicle.

17. Persons of Chinese origin may pass through Canada by railway, in transit, from one port or place out of Canada to another port or place out of Canada without payment of the tax provided for by section 6 of this Act, provided that such passage is made in accordance with, and under such regulations as are made for the purpose; and any railway company which

Conditions as to passage through Canada.

undertakes to transport such persons through Canada, and fails to comply with such regulations, or to take such persons out of Canada at the designated port of exit within a period to be fixed by the chief controller, shall be subjected to a penalty equal to double the total amount of the tax payable under the provisions of section 6 of this Act.

Registration of Chinese leaving Canada and wishing to return.

18. Every person of Chinese origin who wishes to leave Canada, with the declared intention of returning thereto, shall give written notice of such intention to the controller at the port or place whence he purposes to sail or depart, in which notice shall be stated the foreign port or place which such person wishes to visit, and the route he intends taking both going and returning, and such notice shall be accompanied by a fee of one dollar; and the controller shall thereupon enter in a register to be kept for the purpose, the name, residence, occupation and description of the said person, and such other information regarding him as is deemed necessary, under such regulations as are made for the purpose.

Refund of tax on return within six months.

2. The person so registered shall be entitled on his return, if within twelve months of such registration, and on proof of his identity to the satisfaction of the controller (as to which the decision of the controller shall be final) to free entry as an exempt or to receive from the controller the amount of the tax, if any, paid by him on his return; but if he does not return to Canada within twelve months from the date of such registration, he shall, if returning after that date, be subject to the tax payable under the provisions of section 6 of this Act in the same manner as in the case of a first arrival.

Penalty on Chinese for evading this Act.

19. Every person of Chinese origin who wilfully evades or attempts to evade any of the provisions of this Act as respects the payment of the tax, by personating any other individual, or who wilfully makes use of any forged or fraudulent certificate to evade the provisions of this Act, and every person who wilfully aids or abets any such person of Chinese origin in any evasion or attempt at evasion of any of the provisions of this Act, is guilty of an indictable offence, and liable to imprisonment for a term not exceeding twelve months, or to a fine not exceeding five hundred dollars, or to both.

And for aiding in evasion.

Penalty for organizing, etc., unlawful courts as to offences by Chinese.

20. Every person who takes part in the organization of any sort of court or tribunal composed of Chinese persons, for the hearing and determination of any offence committed by a Chinese person, or in carrying on any such organization, or who takes part in any of its proceedings, or who gives evidence before any such court or tribunal, or assists in carrying into effect any decision, decree, or order of any such court or tribunal, is guilty of an indictable offence and liable to imprisonment for any term not exceeding twelve months, or to a fine not exceeding five hundred dollars, or to both; but nothing in this section shall be construed to prevent Chinese persons

Proviso: as to arbitrations.

from submitting any differences or disputes to arbitration, provided such submission is not contrary to the laws in force in the province in which such submission is made.

21. Every person who molests, persecutes or hinders any officer or person appointed to carry the provisions of this Act into effect is guilty of an indictable offence, and liable to imprisonment for a term not exceeding twelve months, or to a fine not exceeding five hundred dollars, or to both. Penalty for molesting officers.

22. Every person who violates any provision of this Act for which no special punishment is herein provided, is guilty of an indictable offence, and liable to a fine not exceeding five hundred dollars, or to imprisonment for a term not exceeding twelve months. Penalty for other contraventions.

23. All suits or actions for the recovery of taxes or penalties under this Act, and all prosecutions for contraventions of this Act which are not herein declared to be indictable offences, shall be tried before one or more justices of the peace, or before the recorder, police magistrate or stipendiary magistrate having jurisdiction where the cause of action arose or where the offence was committed. Before whom suits may be brought.

24. All taxes, pecuniary penalties and revenues from other sources under this Act shall be paid into and form part of the Consolidated Revenue Fund of Canada; but one-fourth part of the net proceeds of all such taxes paid by Chinese immigrants shall, at the end of every fiscal year, be paid out of such fund to the province wherein they were collected. Application of taxes, etc.

25. The Governor in Council may make such regulations as are necessary to prohibit the entry into Canada of any greater number of persons from any foreign country than the laws of such country permit to emigrate to Canada. Limitation of immigration from any country.

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63 - 64 VICTORIA.

CHAP. 33.

An Act respecting the incorporation of Live Stock Record Associations.

[Assented to 14th June, 1900.]

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

1. Any five or more persons who desire to associate themselves together for the purpose of keeping a record of pure-bred live stock of any distinct breed or several records each of a distinct breed of the same class of animals, may make application, in the form A in the schedule to this Act, to the Minister of Agriculture for incorporation. Application for incorporation.
2. Such application shall be in duplicate, and shall include a copy of the proposed constitution, by-laws and rules of the association. In duplicate.
3. The signatures to the application shall be verified by the affidavit of a subscribing witness thereto, before a notary public, commissioner for taking affidavits or justice of the peace. Attestation of signatures.
2. If the Minister approves of the application, he shall cause one of the duplicates thereof to be registered in the Department of Agriculture, and the other to be returned to the applicants with a certificate endorsed thereon and signed by him, in the form B in the schedule to this Act. Certificate of Minister's approval.
3. Thereupon, from the date of such certificate, the applicants and such other persons as become members of the association shall be a body corporate and politic by the name specified in the application, with the constitution, by-laws and rules included therein, and with power to hold such property as is required for the carrying on of the business of the association. Incorporation of association.
4. Not more than one association for each distinct breed of horses, cattle, sheep or swine shall be incorporated under this Act. Number of associations limited.

Constitution,
by-laws and
rules.

5. The constitution, by-laws and rules of the association shall provide for—

- (a.) the registration of pedigrees of pure-bred live stock ;
- (b.) the suspension and expulsion of members ;
- (c.) the election of officers and their duties, and the filling of vacancies ;
- (d.) the mode of convening annual, general and special meetings ;
- (e.) the audit of accounts ;
- (f.) the location of the head office and of the branch offices, if any.

Amendments
thereto.

6. The constitution may be altered and any by-law or rule may be altered or repealed at a meeting of the association called for that purpose, but no such alteration or repeal shall have force or effect until it has been approved by the Minister and registered in the Department of Agriculture.

Books.

7. The association shall cause a book to be kept by the secretary at the head office, and by an assistant secretary at each branch office, wherein shall be written a copy of the constitution, by-laws and rules, so that persons becoming members of the association may examine the said documents.

Members.

8. The association may consist of annual subscribers and life members, and the annual and life membership fees shall be fixed by the members at the annual meeting or at a meeting of the association called for that purpose.

New
members.

2. Any person who has not been expelled from the association may become a member thereof by giving or sending his name and address to the secretary, together with the annual or life membership fee ; and such person shall thereupon be entitled to the rights and privileges, and subject to the liabilities of a member as fully as if he had signed the application for the incorporation of the association.

Constitution,
etc., binding
on members.

9. The constitution, by-laws and rules of the association shall bind the association and the members thereof to the same extent as if each member had subscribed his name and affixed his seal thereto.

Liability of
members.

10. The liability of each member shall be limited to the amount of his membership fees due.

Annual
report.

11. At the annual meeting the retiring officers shall present a full report of their proceedings and of the proceedings of the association, and a detailed statement, duly audited, of the receipts and expenditures for the previous year, and of the assets and liabilities.

Copy to be
sent to
Minister.

2. A copy of the said report, with a list of the members and their addresses and a list of the officers elected, shall be sent by the secretary to the Minister within twenty days after the annual meeting.

12. If the association ceases for twelve consecutive months to do business as required by its constitution, by-laws and rules, or if the Minister is satisfied, after an inquiry at which the association was given due notice to appear, that the business of the association is not being properly conducted, the Minister may declare the corporate powers of the association forfeited.

Forfeiture of corporate powers.

13. Any person who signs a false pedigree intended for registration, or who presents or causes another person to present a false pedigree for registration, by the association shall, upon summary conviction, upon information laid within two years from the commission of the offence, be liable to a penalty not less than one hundred dollars and not exceeding five hundred dollars for each false pedigree so signed or presented, together with the costs of prosecution.

Penalty for signing or presenting false pedigree

SCHEDULE.

A.

Application for Incorporation.

We, the undersigned, hereby apply for incorporation as an association under the provisions of the *Act respecting the incorporation of Live Stock Record Associations.*

The name of the association is to be (*name of association*), and the object for which it is to be formed is to keep a record of the pedigrees of pure-bred (*name of breed*), and to collect, publish and preserve reliable and valuable data concerning that breed.

The names and addresses of the officers of the association are (*names and addresses in full*).

The constitution, by-laws and rules of the association are as follows: (*Insert constitution, &c., at length*).

Dated at _____, the _____ day of _____

Signatures of Applicants.

I, the undersigned, solemnly swear that I know (*mentioning the names of the signers known to him*) and that they severally signed the foregoing application in my presence.

Sworn before me, at _____,)
 this _____ day of _____,)
 19) (Signature.)

A. B.

B.

The Minister's certificate.

I certify that the within application is approved this
day of 19 , in pursuance of
the *Act respecting the incorporation of Live Stock Record
Associations.*

C. D.
Minister of Agriculture.

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most Excellent Majesty.



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CHAP. 34.

An Act respecting the preservation of Game in the
Yukon Territory.

[Assented to 18th July, 1900.]

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

1. Notwithstanding anything contained in *The Yukon Ter-* Power to
ritory Act or any Act in amendment thereof, or in any other make
Act of the Parliament of Canada, the Commissioner of the ordinances for
Yukon Territory in Council may make ordinances for the preservation
of game.
preservation of game in the Yukon Territory, and to that end 1893, c. 6 ;
may repeal or amend the provisions of *The Unorganized Terri-* 1894, c. 31.
teries' Game Preservation Act, 1894, so far as they apply to the
Yukon Territory.

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most Excellent Majesty.



63-64 VICTORIA.

CHAP. 35.

An Act respecting the Safety of Ships.

[Assented to 7th July, 1900.]

IN amendment of the law respecting the safety of ships, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. This Act may be cited as *The Safety of Ships Amendment Act*, 1900. Short title.

2. Notwithstanding anything to the contrary contained in section 7 of *The Act respecting the safety of ships and the prevention of accidents on board thereof*, chapter 77 of the Revised Statutes, as enacted by section 3 of chapter 44 of the statutes of 1894, steamships sailing from any port or place in Canada between the sixteenth day of March and the twelfth day of October in each year, to any port or place out of Canada, shall not be subject to any of the restrictions therein provided as to deck loads, and no master of any steamship so sailing shall be liable for any of the penalties therein prescribed. Deck loads on steamships. R.S.C., c. 77; 1894, c. 44.

3. Chapter 33 of the statutes of 1899 is repealed.

1899, c. 33
repealed.

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63 - 64 VICTORIA.

CHAP. 36.

An Act to amend the Pilotage Act.

[Assented to 18th July, 1900.]

[N amendment of *The Pilotage Act*, chapter 80 of the Revised R.S.C., c. 80 Statutes, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The Governor in Council may create a pilotage court for the pilotage district of Montreal, to be known as “The Montreal Pilots’ Court,” and hereinafter called “the Court.” Montreal pilots’ court.

2. The Court shall consist of a commissioner, who shall be an advocate of the province of Quebec of not less than seven years’ standing, and who shall be appointed by the Minister of Marine and Fisheries and sworn in before a judge of the Superior Court of the province of Quebec. Members thereof.

3. The Court shall, in the hearing and determination of any charge or complaint against any pilot, and also in any inquiry in connection with any accident or damage happening to or caused by a vessel in charge of any pilot, have power to call in the aid of one or more assessors appointed as hereinafter provided. Assessors.

4. The licensed pilots shall annually, under regulations to be made by the Minister of Marine and Fisheries, appoint one or more qualified pilots to act as such assessors, and the Montreal Pilotage Authority shall also annually select one or more persons qualified to act as such assessors. How appointed.

5. The commissioner shall be entitled to receive from the person or fund from which the costs of any inquiry or proceeding are directed to be paid, for each day actually occupied in the hearing of any case, the sum of ten dollars, and each assessor acting as such the sum of five dollars for each day so actually occupied; and such remuneration shall be included in and collected as part of such costs. Remuneration.

Powers of
Montreal
Pilotage
Authority.

6. From and after the creation of the Court and the appointment of the commissioner as hereinabove provided, the power of the Montreal Pilotage Authority to hear any matter which the Court has power to hear and determine shall cease.

Jurisdiction
of court.

7. The Court shall hear and determine all charges or complaints made against any pilot for any offence committed against the provisions of *The Pilotage Act* or any regulation thereunder, and which can now be heard and determined by the Pilotage Authority, whether in connection with any accident happening to or caused by vessels in charge of such pilot or otherwise.

Powers.

2. For the purposes of such inquiry and the punishment of any offence or neglect of duty by a pilot proved at such inquiry to the satisfaction of the Court, the Court shall have all the powers at present enjoyed by the Montreal Pilotage Authority under *The Pilotage Act*.

Costs of
inquiries.

3. The Court may make such order for the payment of the costs of the inquiry by any pilot in fault or by any person making the charge or complaint against any pilot, or out of the funds of the Pilotage Authority for the said district, as the Court deems just.

Jurisdiction.

8. The Court shall have jurisdiction and be competent to hear and determine all offences under section 73 of *The Pilotage Act*.

R.S.C., c. 80,
s. 99 repealed.

9. Section 99 of *The Pilotage Act* is repealed and in lieu thereof it is enacted that whenever any ship sustains damage through the fault of any branch pilot for and above the Harbour of Quebec, the Minister of Marine and Fisheries may, in his discretion and upon such information as he deems expedient and with or without complaint by any person, direct the Court to investigate the matter, and the Court shall have power to declare the branch of such pilot forfeited: Provided, that in the case of inward bound ships no investigation shall be had after the expiry of thirty days from the happening of the damage or cause of complaint, or ten days from the arrival of the ship at its destination: and provided also, that in the case of outward bound ships no investigation shall be had after the expiry of thirty days from the happening of the damage or cause of complaint, unless the owner or master of the ship, within six days after the arrival of the ship at its destination, mails a complaint to the Minister of Marine and Fisheries,—which complaint shall be investigated by the Court within such time as the said Minister directs.

Inquiry into
pilot's conduct
above harbour
of Quebec.

As to inward
bound ships.

As to outward
bound ships.

Decision of
court final.

10. The decision or order of the Montreal Pilots' Court shall in all cases be deemed to be final and conclusive.

Rules of
court, etc.

11. The Court may, subject to the approval of the Minister of Marine and Fisheries, and subject to the provisions of this

Act, make general rules and orders for regulating the procedure of and in the Court, and for fixing the fees and costs to be awarded and allowed in any inquiry or proceeding before the Court, and may also, subject to the approval of the said Minister, appoint a clerk of the Court, who shall be paid by fees.

12. The provisions of part LVIII of *The Criminal Code*, 1892, c. 29, 1892, shall apply to proceedings under this Act for the recovery of all fines and costs and the enforcement of all penalties imposed under the authority of *The Pilotage Act*, and the Court shall, for such purposes, have the jurisdiction and powers of a stipendiary or police magistrate.

13. Upon the establishment of an Admiralty district at Montreal under *The Admiralty Act*, 1891, with a registry and a local judge in Admiralty of the Exchequer Court in and for such district, the members and clerk of the Montreal Pilots' Court shall cease to hold office, and all the powers and jurisdiction of the Montreal Pilots' Court shall be transferred to the Exchequer Court of Canada (Admiralty side) and the local judge in Admiralty in and for the Admiralty district of Montreal have all the powers, jurisdiction and authority conferred upon the Montreal Pilots' Court by this Act: Provided always, that in the hearing and determination of any matter brought before him such judge shall have power to call in the aid of one or more specially qualified assessors and hear and determine such matter either wholly or partially with the assistance of such assessor or assessors; and that such judge shall have power to make all necessary rules and orders for the more effectually carrying out the provisions of this Act and also of *The Pilotage Act*, so far as it relates to any proceedings which may be brought before the said judge.

Effect of
appointment
of local judge
in Admiralty.

PROVISO : as
to assessors.

Rules of
court.

14. Paragraph (c) of section 59 of *The Pilotage Act* is amended by inserting the following words after the words "New York," in the eighth line: "or between any port in any of the said provinces and any port in Newfoundland."

R.S.C., c. 80.
s. 59 amended.



63-64 VICTORIA.

CHAP. 37.

An Act to amend the Weights and Measures Act.

[Assented to 7th July, 1900.]

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

1. The section substituted by section 2 of chapter 28 of the statutes of 1899, for section 18 of *The Weights and Measures Act*, chapter 104 of the Revised Statutes, is repealed and the following is substituted therefor :—

“18. All apples packed in Canada for export for sale by the barrel in closed barrels shall be packed in good and strong barrels of seasoned wood having dimensions not less than the following, namely : twenty-six inches and one-fourth between the heads, inside measure, and a head diameter of seventeen inches and a middle diameter of eighteen inches and one-half, representing as near as possible ninety-six quarts.

R.S.C., c. 104.
new s. 18.

How apples shall be packed for sale.

“2. When apples, pears or quinces are sold by the barrel, as a measure of capacity, such barrel shall not be of lesser dimensions than those specified in this section.

Apples, pears and quinces.

“3. Every person who offers or exposes for sale, or who packs for exportation, apples, pears or quinces by the barrel, otherwise than in accordance with the foregoing provisions of this section, shall be liable to a penalty of twenty-five cents for each barrel of apples, pears or quinces so offered or exposed for sale or packed.”

Penalty for contravention.

2. When eggs are described as sold by the standard dozen, the dozen shall mean one pound and a half.

Standard dozen of eggs.

3. Upon, or attached to, every ball of binder twine offered for sale there shall be a stamp with the name of the manufacturer or importer, stating the number of feet of twine per pound in such ball.

Balls of binder twine to be stamped.

2. Every manufacturer or importer who neglects to comply with the provisions of this section shall, upon summary conviction, be liable to a penalty of not less than twenty-five cents

Penalty for contravention.

per ball, but no deficiency in the number of feet contained in any ball shall be deemed a contravention of this section unless such deficiency exceeds five per cent of the length stated upon such stamp.

Proceedings.

3. Any proceedings under this section shall be taken within six months from the sale of any such ball.

Commencement.

4. This section shall come into force on the first day of October, one thousand nine hundred, and shall apply to all binder twine imported into, or manufactured in, Canada after that day.

OTTAWA : Printed by SAMUEL EDWARD DAWSON, Law Printer to the Queen's
most Excellent Majesty.



63-64 VICTORIA.

CHAP. 38

An Act to amend the General Inspection Act so as to provide a grade for Flax Seed.

[Assented to 14th June, 1900.]

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

1. Section 44 of *The General Inspection Act*, chapter 99 of the Revised Statutes, as enacted by section 4 of chapter 25 of the statutes of 1899, is amended by adding thereto the following subsection:—

“5. The grade of flax seed shall be as follows:—

“No. 1 Manitoba flax seed shall be mature, sound, dry and sweet, free from mustiness, and containing not more than ten per cent of damaged seed, and weighing not less than fifty-three pounds to the bushel of commercially pure seed. Grades of flax seed.

“No. 2. Manitoba flax seed shall be mature, sound, dry and sweet, free from mustiness, and containing not more than twenty per cent of damaged seed, and weighing not less than fifty pounds to the bushel.

“All flax seed which is immature or musty, or which contains more than twenty per cent of damaged seed, and which is not too damp or unfit for temporary storage, shall be graded as ‘rejected.’

“All flax seed which is warm, mouldy, very musty, too damp or unfit for temporary storage, shall be classed as ‘no grade’ with the inspector’s notation as to quality and condition.”



63 - 64 VICTORIA.

CHAP. 39.

An Act respecting the grain trade in the Inspection District of Manitoba.

[Assented to 7th July, 1900.]

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

1. This Act may be cited as *The Manitoba Grain Act, 1900*. Short title.
2. This Act shall apply only to the Inspection District of Manitoba, as defined by chapter 25 of the statutes of 1899.
3. The Governor in Council may appoint an officer, to be known as the Warehouse Commissioner for the Inspection District of Manitoba, who shall hold office during pleasure, and who shall be subject to the control and management of the Department of Inland Revenue, and who shall in his oath of office declare that he is not directly or indirectly pecuniarily interested in the grain trade; and the salary of the said commissioner and the security to be given by him shall be determined by the Governor in Council. Appointment of warehouse commissioner.
4. The head office of the commissioner shall be at Winnipeg, and his duties shall be as follows:—
 - (a.) to require all elevators, warehouses, mills, and grain commission merchants to take out an annual license;
 - (b.) to fix the amount of bonds to be given by the different owners and operators of elevators, mills, and flat warehouses and by grain commission merchants;
 - (c.) to require the persons so licensed to keep books in forms approved of by the commissioner or by the Governor in Council;
 - (d.) to supervise the handling and storage of grain, in and out of elevators, warehouses and cars;
 - (e.) to receive and investigate all complaints made in writing, under oath, of undue dockage, improper weights or grading, refusal or neglect to furnish cars within a reasonable time, all complaints

complaints of fraud or oppression by any person, firm or corporation, owning or operating any elevator, warehouse, mill or railroad, or by any grain commission merchant, and to apply such remedy as is provided by statute;

(f.) to enforce rules and regulations made under this Act, and to report to the Minister of Inland Revenue such changes therein as he deems advisable;

(g.) to institute prosecutions at the Government expense whenever he considers a case proper therefor.

Papers to be kept on file.

5. The commissioner shall keep on file for public inspection in his office in Winnipeg, publications showing the market price of grain in the markets of Liverpool, London, Glasgow, Winnipeg, Fort William, Toronto, Montreal, New York, Chicago, Minneapolis and Duluth.

Weighmasters.

6. The Governor in Council may appoint a chief weighmaster whose duties and powers shall be defined by Order in Council, and may also, in any place where there is inspection of grain, appoint a weighmaster and such assistants as are necessary; and such weighmasters and assistants shall give such security and shall receive such compensation as is determined by the Governor in Council.

Who may be.

7. The office of chief weighmaster under this Act and that of chief inspector under *The General Inspection Act* may be combined until otherwise ordered by the Governor in Council.

R.S.C., c. 99.

Duties of weighmasters.

8. The weighmasters and assistants shall, at all terminal places under the direction of the chief weighmaster, supervise and have exclusive control of the weighing of grain subject to inspection.

Certificates of weighmasters.

9. Every weighmaster or assistant shall give upon demand to any person having weighing done by him, a certificate, under his hand and seal, showing the amount of each weight, the number of each car weighed, the initial of the car, the place where weighed, the date of weighing and the contents of the car; and such certificate shall be, in all cases, prima facie evidence of the facts therein contained.

Evidence.

Records of weighing.

10. All weighmasters and their assistants shall make true weights, under the penalties in this Act provided, and keep a correct record of all weighing done by them at the places for which they are appointed, in which record shall be entered an accurate account of all grain weighed, or the weighing of which was supervised by them or their assistants, giving the amount of each weight, the number of each car weighed, the initial letter of each car, the place where weighed, the date of weighing and the contents of the car.

11. The fees for the weighing of grain shall be as follows:— Fees for weighing grain.
 for each car-load into or out of elevators, twenty-five cents; for each cargo, per thousand bushels, from elevators, thirty cents, —which fees shall be paid by the warehouseman and may be added to the charges for storage.

2. The said fees may be reduced by the Governor in Reduction. Council.

12. The chief weighmaster may adopt rules and regulations Regulation of for the weighing of grain, subject to the approval of the Min- weighing. ister of Inland Revenue.

13. If any person, by himself or by his agent or employee, Penalty for refusing or prevents a weighmaster or any of his assistants interfering with weigh- from having access to his scales, in the regular performance masters. of their duties in supervising the weighing of grain in accordance with this Act, he shall, upon summary conviction, be liable to a penalty not exceeding one hundred dollars for each offence, and such penalty shall be paid to the weighmaster for the benefit of the Manitoba Grain Inspection Fund.

TERMINAL ELEVATORS AND WAREHOUSES.

14. All elevators located at any point declared by the Min- Terminal ister of Inland Revenue to be a terminal, in which grain is elevators defined. stored in bulk, and in which the grain of different owners is mixed together, or in which grain is stored in such a manner that the identity of the different lots or parcels cannot be accurately preserved, and doing business for a compensation, are declared to be public terminal elevators; and the expression "terminal elevator" in sections 14 to 28, both inclusive, includes a warehouse.

15. The proprietor, lessee, or manager of any public terminal Licenses for elevator shall be required, before transacting any business, to terminal elevators. procure from the commissioner a license, permitting such proprietor, lessee or manager to transact business as a public warehouseman under the law, which license shall be issued by the commissioner upon written application, which shall set forth the location and name of such elevator and the individual name of each person interested as owner or manager thereof,— or, if the elevator is owned or managed by a corporation, the name of the corporation and the names of the president, secretary and treasurer of such corporation shall be stated; and the said license shall give authority to carry on and conduct the business of public terminal elevator in accordance with the law and shall be revocable by the commissioner upon a summary proceeding before the commissioner upon complaint of any person, in writing, under oath, setting forth the particular violation of law, and upon satisfactory proof, to be taken in such manner as is directed by the commissioner, such revo- cation

ation not to take effect until the Minister of Inland Revenue has given his sanction thereto.

Fee.

2. The annual fee for such license shall be two dollars.

Security by licensee.

16. The person receiving a license as herein provided shall file with the commissioner granting it a bond to Her Majesty, with good and sufficient sureties, to be approved by the commissioner, in the penal sum of not less than ten thousand nor more than fifty thousand dollars, in the discretion of the commissioner for each terminal elevator licensed by him, conditional for the faithful performance of his duties as a public terminal warehouseman and his full and unreserved compliance with all laws in relation thereto: Provided, that when any person or corporation procures a license for more than one elevator no more than one bond need be given, the amount of which shall not exceed the above maximum.

Penalty for doing business without license.

17. Any person who transacts the business of a public terminal warehouseman without first procuring a license as herein provided, or who continues to transact such business after such license has been revoked (save only that he may be permitted to deliver grain previously stored in such elevator), shall on conviction upon indictment be liable to a penalty not less than fifty dollars nor more than two hundred and fifty dollars for each and every day such business is carried on; and the commissioner may refuse to renew any license or grant a new one to any person whose license has been revoked, within one year from the time when it was revoked.

Duties of warehouseman.

18. Every terminal public warehouseman shall receive for storage any grain, dry and in a suitable condition for warehousing, that is tendered to him in the usual manner in which such elevators are accustomed to receive grain in the ordinary and usual course of business, not making any discrimination between persons desiring to avail themselves of warehouse facilities,—such grain to be in all cases inspected and graded by a duly authorized inspector, and to be stored with grain of a similar grade. In no case shall grain of different grades be mixed together while in store. Nothing in this section shall be construed to require the receipt of any kind of grain into an elevator in which there is not sufficient room to accommodate or store it properly, or in cases where such elevator is necessarily closed.

Warehouse receipts.

19. Upon application of the owner or consignee of grain stored in a terminal public elevator and the surrender of the original railway shipping receipt, properly indorsed, accompanied by evidence that all transportation charges other than those due (if any) to the owner of such elevator, and all other charges which are a lien upon grain, including charges for inspection and weighing, have been paid, the warehouseman shall issue to the person entitled to receive it a warehouse

receipt therefor, subject to his order, which receipt shall state the date of the receipt of the grain in store and also the quantity and inspected grade of the grain, and that the grain mentioned on it has been received into store to be stored with grain of the same grade by inspection, and that the grain is deliverable upon the return of the receipt properly indorsed by the person to whose order it was issued, and the payment of proper charges for storage and transportation (if any) due to the owner of such elevator. All warehouse receipts for grain issued by the same elevator shall be consecutively numbered, and no two receipts bearing the same number shall be issued from the same elevator during any one year, except in case of a lost or destroyed receipt, in which case the new receipt, if one is given, shall bear the same date and number as the original and shall be plainly marked on its face "Duplicate." If the grain was received from railroad cars, the number of each car shall be stated upon the receipt with the quantity it contained; if from barges or other vessels, the name of each craft; if from team or by other means, the manner of its receipt shall be stated on its face.

Numbering
of receipts.

20. Upon the delivery of grain from store in any terminal elevator upon any receipt surrendered, such receipt shall be plainly marked across its face with the word "Cancelled," and with the name of the person cancelling it, and shall thereafter be void. No terminal warehouse receipt shall be issued except upon actual delivery of grain into store in the elevator from which it purports to be issued, and which is to be represented by the receipts. Nor shall any receipt be issued for a greater quantity of grain than was contained in the lot or parcel stated to have been received. Nor shall more than one receipt be issued for the same lot of grain except in cases where receipt for a part of a lot is desired, and then the aggregate receipts for a particular lot shall cover that lot and no more. In cases where a part of the grain represented by the receipt is delivered out of store, as above provided for, and the remainder is left, a new receipt may be issued for such remainder, but the new receipt shall bear the date of its issue and also the date on which the whole quantity was originally received into store, and shall state on the face that it is balance of receipt of the original number, and the receipt upon which a part had been delivered shall be cancelled in the same manner as if the whole quantity of grain mentioned in such receipt had been delivered. In case it be desirable to divide one receipt into two or more, or in case it be desirable to consolidate two or more receipts into one, and the warehouseman consents thereto, the original receipt shall be cancelled the same as if the grain had been delivered from store, and the new receipts shall express on their face that they are a part of another receipt or a consolidation of other receipts, as the case may be; and the numbers of the original receipts shall also appear upon the new ones issued, as explanatory of the change; but no conso-

Cancellation
of receipts
upon delivery
of grain, etc.

litation of receipts of dates differing more than ten days shall be permitted, and all new receipts issued for old ones cancelled, as herein provided, shall bear the date of their issue, and shall state the date or respective dates of the receipt or receipts originally issued, as near as may be.

Liability of warehouseman.

21. No terminal warehouseman shall insert in any receipt issued by him any language in any wise limiting or modifying his liabilities or responsibility except as in this Act mentioned and except in so far as all parties concerned consent thereto.

Delivery of grain on return of receipt.

22. On the return of any terminal warehouse receipt by him properly indorsed, and the tender of all proper charges upon grain represented by it, such grain shall be immediately deliverable to the holder of such receipt, and it shall not be subject to any further charges for storage after demand for such delivery has been made and the cars or vessels have been furnished as hereinafter mentioned, and the grain represented by such receipt shall be delivered within twenty-four hours after such demand has been made and the cars or vessels therefor have been furnished for that purpose, provided that if it shall happen that in consequence of the cars or vessels not being furnished till after the expiration of twenty-four hours as aforesaid, a new storage term shall be entered upon, then the charge for storage shall nevertheless be made but only on a *pro rata* basis in respect of the time which shall have elapsed after the expiration of the twenty-four hours as aforesaid and the time when the cars or vessels actually arrive. The warehouseman in default shall be liable to the owner of such receipt for damages for such default in the sum of one cent per bushel, and in addition thereto one cent per bushel for each and every day of neglect or refusal to deliver as aforesaid: Provided, that no warehouseman 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.

Neglect to deliver.

Proviso: as to due diligence.

Statement of business to be furnished.

23. Every owner, lessee and manager of every terminal public elevator shall furnish in writing under oath, at such times and in such manner as the commissioner prescribes, a statement concerning the condition and management of so much of the business of such warehouseman as relates to such elevator.

Weekly statement of grain in store.

24. The warehouseman of every terminal public elevator shall on each Tuesday morning render a statement in the form of a statutory declaration, before some person authorized by law to take the same, by one of the principal owners or operators thereof, or by the book-keeper thereof, having personal knowledge of the facts, to the commissioner of the quantity of each kind and grade of grain in store in his warehouse at the close of business on the previous Saturday.

25. Every warehouseman of a terminal public elevator shall be required during the first week in September of each year to file with the commissioner a table or schedule of rates for the storage, cleaning and handling of grain in his terminal elevator during the ensuing year, which rates shall not be increased during the year; and such published rates, or any published reduction of them, shall apply to all grain received into such elevator from any person or source; and no discrimination as to rates shall be made, directly or indirectly, by such warehouseman for the storage, cleaning or handling of grain.

Annual statement of rates for storage.

No discrimination in rates.

2. The charge for storage, cleaning and handling of grain, including the cost of receiving and delivering, shall be subject to such regulations or reduction as the Governor in Council from time to time deems proper.

Maximum rates.

26. No public terminal warehouseman shall be held responsible for any loss or damage to grain by fire nor for any damage arising from irresistible force, the act of God or the Queen's enemies, while such grain is in his custody, provided reasonable care and vigilance is exercised to protect and preserve it.

Liability for loss.

2. No terminal warehouseman shall be held liable for damage to grain by heating, if it is shown that he has exercised proper care in the handling and storing thereof, and that such heating was the result of causes beyond his control.

Liability for damage by heating.

3. Unless public notice has been given, as hereinafter provided, by him, that some portion of the grain in his elevator is out of condition, or becoming so, such warehouseman shall deliver grain of quality equal to that received by him on all receipts presented.

Grain of equal quality to be delivered by warehouseman.

4. In case, however, a terminal warehouseman considers that any portion of the grain in his elevator is out of condition or becoming so, he shall immediately consult the resident official grain inspector, or in his absence, his authorized deputy, and if on examination of the grain by the resident official grain inspector, or in his absence, his authorized deputy, the grain is found to be out of condition or becoming so, he may order the warehouseman (at the expense of the owner of the grain) to re-elevate the grain to bring it back into condition or prevent its further deterioration. After such examination has been made, if it is found that the grain is out of condition, or its further deterioration cannot by re-elevation be prevented, written notice thereof shall immediately by registered letter be given to the owner, if known, and to the warehouse commissioner of the facts, and at the same time public notice by advertising in a daily newspaper, if one be published, in the town or city in which such elevator is situated, and in Winnipeg, and by posting a notice in the elevator and in the grain exchange at Winnipeg, of its actual condition as near as can be ascertained. He shall state in such notice the kind and grade of the grain and the elevator in which it is stored, and shall also state in such notice the warehouse receipts, if any, outstanding

How he may be relieved from liability.

outstanding upon which such grain shall be delivered, giving the numbers, amounts and dates of each, the grain represented by which has not previously been declared or receipted for as out of condition, or if warehouse receipts have not been issued, then he shall give the name of the party for whom such grain was stored, the date it was received and the quantity of it and the identification of the grain so discredited, to embrace as near as may be as great a quantity of grain as is contained in the bin or bins in the elevator in which it is stored, and such grain shall be delivered upon the return and cancellation of the warehouse receipts or the surrender of the original indorsed shipping receipt and payment of charges upon request of the owner thereof.

The official grain inspector may, if he sees fit, order the warehouseman to transfer the grain out of condition or becoming so, to any elevator at such terminal equipped with special machinery for the treatment of unsound grain, in the interest of the owner and at his risk and expense.

Proper care
by warehouse-
man.

5. Nothing herein contained shall be held to relieve the said warehouseman from exercising proper care and vigilance in preserving such grain after such publication of its condition, but such grain shall be kept separate, and apart from all direct contact with other grain, and shall not be mixed with other grain while in store in such elevator. Any warehouseman guilty of any act of neglect, the effect of which is to depreciate property stored in the elevator under his control, shall be held responsible as at common law, or upon the bond of such warehouseman, and in addition thereto the license of such warehouseman may be revoked.

Sale of grain
out of condi-
tion.

6. In case the grain declared out of condition as herein provided for is not removed from store by the owner thereof within one month from the date of the notice of its being out of condition, the warehouseman in whose elevator the grain is stored may sell it at public auction, for the account of the said owner, upon giving ten days' public notice by advertisement in a newspaper published in the city or town where such elevator is located, and in Winnipeg; and if the proceeds of such sale are not sufficient to satisfy all charges accrued against the grain at the time of the sale, then the owner of the grain so disposed of shall be liable to the warehouseman for any deficiency.

Grain in
special bin.

7. Nothing in this section shall be so construed as to permit any warehouseman to deliver any grain stored in a special bin or by itself to any one but the owner of the lot, when such storage in a special bin has been agreed upon between the parties.

Facilities for
inspection of
grain.

27. All duly authorized inspectors of grain shall, at all times during ordinary business hours, be at full liberty to examine all grain stored in any public terminal elevator; and all proper facilities shall be extended to such inspectors by the warehouseman, his agents and servants, for an examination,

and all parts of the public terminal elevators shall be open to examination and inspection by any authorized inspector of grain.

28. It shall be unlawful for any proprietor, lessee, or manager of any terminal public elevator, to enter into any contract, agreement, understanding or combination with any railroad company or other corporation, or with any person by which the grain of any person is to be delivered to any public elevator or warehouse for storage or for any other purpose, contrary to the arrangement made between the shipper and the carrier.

Contract, etc.,
contrary to
direction of
owner.

COUNTRY ELEVATORS, FLAT WAREHOUSES AND LOADING PLATFORMS.

29. All elevators and warehouses in which grain is received, stored, shipped or handled, and which are situated on the right of way of any railroad or on any siding or spur track connected therewith, depot grounds, or any lands acquired or reserved by any railroad company to be used in connection with its line of railway at any station or siding other than at terminal points, are declared to be public elevators or warehouses and shall be under the supervision and subject to the inspection of the commissioner and shall, for the purposes of the following sections of this Act, be known and designated as public country elevators or country warehouses.

Country
elevators and
warehouses
defined.

30. It shall be unlawful to receive, ship, store or handle any grain in any such elevator or warehouse, unless the owner or owners or lessee thereof shall have procured a license therefor from the commissioner, issued only upon written application under oath or statutory declaration, specifying the location of such elevator or warehouse and the name of the person owning and operating such elevator or warehouse and the names of all the members of the firm, or the names of all the officers of the corporation, owning and operating such elevator or warehouse, and all moneys received for such licenses shall be paid into the Manitoba Grain Inspection Fund. Such license shall confer upon the licensee full authority to operate such warehouse or elevator in accordance with law and the rules and regulations made under this Act; and every person receiving such license shall be held to have agreed to the provisions of this Act and thereby to have agreed to comply therewith.

Owners to
be licensed.

2. The annual fee for such license shall be two dollars.

Fee.

3. If any elevator or warehouse is operated in violation or in disregard of the law, its license shall, upon due proof thereof, after proper hearing and notice to the licensee, be revoked by the commissioner, such revocation not to take effect until the Minister of Inland Revenue has given his sanction thereto.

Revocation of
license.

4. Every such license shall expire on the thirty-first day of August in each year.

Duration of
license.

Security by
licensee.

31. The person receiving a license as herein provided shall file with the commissioner a bond to Her Majesty, with good and sufficient sureties, to be approved by the commissioner, in the penal sum of not less than five thousand nor more than fifteen thousand dollars in the case of an elevator, and not less than five hundred nor more than five thousand dollars in the case of a flat warehouse, in the discretion of the commissioner, for each warehouse licensed, conditional for the faithful performance of his duties as a public warehouseman and his full and unreserved compliance with all laws in relation thereto: Provided, that when any person procures a license for more than one elevator or flat warehouse, security may be given by one or more bonds in such amount or amounts as the commissioner may require, subject always to the approval of the Minister of Inland Revenue.

Penalty for
doing business
without
license.

32. Any person who operates a public country elevator or warehouse without first procuring a license as herein provided, or who continues to transact any such business after such license has been revoked (save only that he may be permitted to deliver grain previously stored in such elevator or warehouse), shall on conviction upon indictment be liable to a penalty of not less than ten dollars and not more than fifty dollars for each and every day such business is carried on; and the commissioner may refuse to renew any license or grant a new one to any person whose license has been revoked, within one year from the time it was revoked.

Rules and
regulations.

33. The Governor in Council may, before the first of September in each year, and as often as he deems proper, make and promulgate all suitable and necessary rules and regulations for the government and control of public country elevators and warehouses, including flat warehouses, and the receipt, storage, insurance, handling and shipment of grain therein and therefrom, and the maximum rates of charges therefor, in cases where such handling includes cleaning grain and also in cases where it does not include such cleaning, and such rules and regulations shall be binding and have the force and effect of law; and a printed copy of such rules and regulations and a copy of the provisions of law as to the classification of the various grades of grain, shall at all times be posted up in a conspicuous place in each of such elevators and warehouses for the free inspection of the public.

To be posted
up.

Duties of
warehouse-
man.

34. The person operating such country elevator or country warehouse shall keep a true and correct account in writing, in proper books, of all grain received, stored and shipped at such elevator or warehouse, stating the weight, grade and dockage for dirt or other cause of each lot of grain received in store for sale, storage or shipment, except as hereinafter provided, and shall, upon the request of any person delivering grain for storage or shipment, receive such grain, without discrimination

as to persons, during reasonable and proper business hours, and shall insure it against loss by fire while in his elevator or warehouse, and shall, upon request, deliver to such person a warehouse receipt or receipts therefor, dated the day the grain was received and specifying upon its face the gross and net weight of such grain, the dockage for dirt or other cause, and the grade of such grain when graded conformably to the grade fixed by law and in force at terminal points; and every such receipt shall also state upon its face that the grain mentioned in such receipt has been received into store and that, upon the return of such receipt, and upon payment or tender of payment of all lawful charges for receiving, storing, insuring, delivering or otherwise handling such grain, which charges may have accrued up to the time of the return of such receipt, such grain is deliverable to the person on whose account it has been taken into store, or his order, either from the elevator or warehouse where it was received for storage, or, if either party so desires, in quantities not less than car-load lots on track at any terminal elevator in the inspection district of Manitoba on the same line of railway or any line connecting therewith, so soon as the transportation company delivers the same at such terminal and the certificate of grade and weight are returned; except that in the case of a country elevator or warehouse on the Northern Pacific and Manitoba Railway line or any line of railway operated therewith, if either party desires such grain to be shipped to a terminal point, it shall be delivered on track at the proper terminal elevator at or adjacent to Duluth. Such grain when so delivered at terminals shall be subject to freight, weighing and inspection charges and all other charges (if any) lawful at such terminal point; and the party delivering shall be liable for the delivery of such grain as will on weighing at such terminal point conform to the grade according to Canadian government inspection and as near as possible to the weight mentioned in such receipt. Nothing herein shall prevent the owner of such grain from, at any time before it is so shipped to terminals, requiring it to be shipped to any other terminal than as above provided.

2. On the return or presentation of such receipt by the lawful holder thereof, properly indorsed, at the elevator or warehouse where the grain represented therein is made deliverable, and upon the payment or tender of payment of all lawful charges, as hereinbefore provided, the grain shall be immediately delivered to the holder of such receipt, and it shall not be subject to any further charges for storage after demand for such delivery has been made and cars are furnished by the railway company, which the person operating the elevator or warehouse has called for promptly upon the request for shipment made by the holder of such receipt in the order of the dates upon which receipts are surrendered for shipment. Provided that in any case where at least seven days prior to the expiry of any storage period for which storage charges are lawfully payable or have accrued, the holder of the receipt

Delivery of grain on return of receipt.

Liability for storage charges.

shall in writing have required his grain to be shipped out, he, the said holder, shall not for any cause be thereafter liable for storage charges for any time after such storage period. The grain represented by such receipt shall be delivered within twenty-four hours after such demand has been made and cars or other means of receiving it from the elevator or warehouse have been furnished.

Delay for
delivery.

Forwarding
of grain to
terminal
elevator.

3. The operator of any country elevator or warehouse may at any time forward any grain stored in his elevator to any terminal elevator in the Inspection District of Manitoba on the same line of railway, or on railways connecting therewith, (except that in the case of a country elevator or warehouse on the Northern Pacific and Manitoba Railway line or any line of railway operated therewith, it may be delivered on track at the proper terminal elevator at or adjacent to Duluth,) and on so doing shall be liable for the delivery thereof to its owner at such terminal elevator in the same manner and to the same extent in all respects as if such grain had been so forwarded at the request of the owner thereof. Such country elevator or warehouse operator on so forwarding such grain shall without delay notify in writing the owner of such grain of such forwarding.

Storage in
special bin.

4. Provided, that whenever the person operating a country elevator or warehouse, agrees with the owner of any grain to store it in such a manner as to preserve its identity, it shall be stored in a special bin or bins and shall be called special binned grain, and in such case only the weights, insurance and preservation of the identity of such grain shall be guaranteed by the said operator, and he shall mark on the storage receipts given therefor the words "special bin" and the number or numbers by which such special bin or bins are known in such elevator or warehouse.

Insurance in
such case.

5. Provided further, that in the case of the allotting of a special bin or bins by the owner or operator of any elevator or warehouse to any buyer of grain, the said buyer may, by agreement with such owner or operator, dispense with insurance by such owner or operator of such buyer's grain while in such bins.

Special bin
only for time
and purpose
allowed.

6. Provided always, that nothing in this Act shall be construed as permitting the owner or operator of any flat warehouse to allot special bins beyond the time allowed by the provisions of this Act, or for purposes other than as stated in the provisions of this Act as to flat warehouses, or shall require the owner of such flat warehouse to insure grain while in his warehouse.

Neglect to
deliver.

7. If not delivered upon such demand within twenty-four hours after such car, vessel or other means for receiving the grain has been furnished, the warehouse in default shall be liable to the owner of such receipt for damages for such default in the sum of one cent per bushel, and in addition thereto one cent per bushel for each day of such neglect or refusal to deliver; provided that, no warehouseman shall be held to

be in default in delivering if the grain is delivered in the order demanded by holders of different receipts or terminal orders and as rapidly as due diligence, care and prudence will justify.

8. On the return of the storage receipts, if the shipment or delivery of the grain at a terminal point is requested by the owner thereof, the person receiving such grain shall deliver to such owner a certificate in evidence of his right to such shipment or delivery, stating upon its face the date and place of its issue, the name of the consignor and consignee and the place of destination, and shall also specify upon the face of such certificate the kind of grain and the grade and net quantity, exclusive of dockage, to which such owner is entitled by his original warehouse receipts and by official inspection and weighing at such designated terminal point, which certificate shall be returned in exchange for the railway shipping receipt and certificates of weight and grade.

Certificate upon shipment to terminal point.

9. The grain represented by such certificate shall be subject only to such storage, transportation or other lawful charges as would accrue upon such grain from the date of the issue thereof to the date of actual delivery, within the meaning of this Act, at such terminal point.

Transportation and other charges.

10. All warehouse receipts issued for grain received and all certificates shall be consecutively numbered, and no two receipts of the same kind or certificates bearing the same number shall be issued during the same year from the same country elevator or warehouse, except when one is lost or destroyed, in which case the new receipt or certificate, if one is given, shall bear the same date and number as the original and shall be plainly marked on its face, "Duplicate." Warehouse receipts or certificates shall not be issued except upon grain which has actually been delivered in such country elevator or warehouse, nor shall such receipts or certificates be issued for a greater quantity of grain than was contained in the lot or parcel stated to have been received. No receipt or certificate shall contain language in anywise limiting or modifying the legal liability of the person issuing it, except as in this Act mentioned, and in as far as all parties concerned consent thereto.

Warehouse receipts and certificates.

35. In case any country warehouseman discovers that any portion of the specially binned grain in his elevator or warehouse is out of condition or becoming so and it is not in his power to preserve it, he shall immediately give written notice thereof by registered letter to the commissioner and to the person on whose account the grain was received, when possible. He shall, when possible, state in such notice the kind and grade of the grain and the bin in which it is stored and the receipts outstanding upon which such grain will be delivered, giving the numbers, amounts and dates of each, the name of the party for whom such grain was stored, the date of its being received, and the amount of it. He shall also at once post up a copy of such notice in some conspicuous

If grain is out of condition.

Liability of
warehouse-
man for
negligence.

conspicuous place in his elevator or warehouse. Such grain shall be delivered upon the return and cancellation of the receipts. Nothing herein contained shall be held to relieve the said warehouseman from exercising proper care and vigilance in preserving such grain before or after such publication of its condition ; but such grain shall be kept separate and apart from all direct contact with other grain and shall not be mixed with other grain while in store in such elevator or warehouse. Any warehouseman guilty of an act of neglect, the effect of which is to depreciate property stored in the elevator or warehouse under his control, shall be held responsible personally as well as upon his bond, and in addition thereto the license of such elevator or warehouse may be revoked. In case the grain out of condition is not removed from store by the owner thereof within one month from the date of the notice of its being out of condition, the warehouseman where the grain is stored may sell it at public auction for the account of the owner, after giving ten days' public notice by advertisement in a newspaper published in the place where such elevator or warehouse is located, or, if no newspaper is published in such place, then in the newspaper published nearest to such place, and also after posting up such notice in a conspicuous place in his elevator or warehouse for the ten days immediately preceding such sale and after ten days from the mailing of notice of the time and place of such sale to the owner by registered letter.

Sale of such
grain by
auction.

Samples of
grain may be
submitted to
chief inspector
for grading or
dockage.

36. In case there is a disagreement between the purchaser or the person in the immediate charge of and receiving the grain at such country elevator or warehouse, and the person delivering the grain to such elevator or warehouse for storage or shipment, at the time of such delivery, as to the proper dockage for dirt or otherwise, on any lot of grain delivered, an average sample of at least three quarts of the grain in dispute may be taken by both of the said parties, or by either one of them if the other declines, and forwarded in a suitable sack, properly tied and sealed, express charges prepaid, to the chief inspector of grain, which shall be accompanied by the request, in writing, of either or both of the parties aforesaid, that the said chief inspector will examine the sample and report on the dockage the said grain is, in his opinion, entitled to and would receive if shipped to the terminal points and subjected to official inspection.

Duty of
inspector.

2. It shall be the duty of the chief inspector, as soon as practicable, to examine and inspect such sample or samples of grain and to adjudge the proper dockage to which it is, in his judgment, entitled, and which grain of like quality and character would receive if shipped to the terminal points in carload lots and subjected to official inspection.

Finding by
inspector.

3. As soon as the chief inspector has so examined, inspected and adjudged the dockage he shall make out in writing a statement of his judgment and finding and shall transmit a copy thereof by mail to each of the parties to the disagreement, preserving

preserving the original together with the sample on file in his office.

4. The judgment and finding of the chief inspector on all or any of the said matters shall be conclusive. His finding to be conclusive.

37. Whenever complaint is made, in writing under oath, to the commissioner by any person aggrieved, that the person operating any country elevator or country warehouse under this Act fails to give just and fair weights or grades or is guilty of making unreasonable dockage for dirt or other cause, or fails in any manner to operate such elevator or warehouse fairly, justly and properly, or is guilty of any discrimination forbidden by this Act, then it shall be the duty of the commissioner to inquire into and investigate such complaint and the charge therein contained; and to this end and for this purpose, the commissioner shall have full authority to examine and inspect all the books, records and papers pertaining to the business of such elevator or warehouse and all the scales, machinery and fixtures and appliances used therein, and to take the evidence of witnesses under oath, and for that purpose to administer the oath. Inquiry by commissioner into complaints of unfairness or discrimination.

2. In case the commissioner finds the complaint and charge therein contained, or any part thereof, true, he shall give his decision in writing and shall at once serve a copy of such decision, with a notice to desist and abstain from the error and malpractice found, if any, upon the person offending and against whom the complaint was made; and, in order to afford prompt redress to the person injured, and if the offender does not desist and abstain and does not give the proper redress and relief to the person injured, the commissioner shall make a special report of the fact found and ascertained upon the investigation of the complaint and the charge therein contained, (which report shall also include a copy of his decision), to the Minister of Inland Revenue, who may institute and carry on in the name of the complainant or on behalf of the Crown, as to him may seem fit, such actions, civil or otherwise, as may be necessary and appropriate to redress the wrongs complained of and to prevent their recurrence. Decision of commissioner.
Case for special report.
Action by Minister of Inland Revenue.

38. It shall be the duty of the owner, lessee or manager of every elevator now or hereafter equipped with grain cleaners to clean the grain before it is weighed, when so requested to do. Cleaning grain before weighing.

2. Persons interested in the weighing of any grain at country elevators shall have free access to the scales while such grain is being weighed. The net weight of the grain so cleaned shall be specified on the face of the certificate given the seller by the purchaser. Access to scales.
Certificate.

3. The proprietor, lessee or manager of any elevator failing to comply with the provisions of this section shall be guilty of an offence under this Act. Penalty.

Statement of
grain handled.

39. Any person operating a country elevator or warehouse under this Act shall at all times when requested by the commissioner, furnish in writing, under oath, to the said commissioner a report and itemized statement as full as possible of all grain received and stored in or delivered or shipped from such elevator or warehouse during the year then last past; such statement shall specify the kind, grade, gross and net weight of all grain received or stored and of all grain delivered or shipped, and shall particularly specify and account for all so-called overages or shortages during the year. Such statement and report shall be made upon blanks and forms furnished and prescribed by the commissioner.

Inspection by
commissioner.

2. The commissioner may inspect any elevator or warehouse and the business thereof, and the mode of conducting it, and the property, books, records, accounts, papers and proceedings, so far as they relate to their condition, operation or management, shall, at all times during business hours, be subject to the examination and inspection of the commissioner.

Forms of
warehouse
receipts, etc.

40. The forms of cash purchase tickets, warehouse storage receipts, storage receipts for special binned grain and flat warehouse receipts in the schedule to this Act, and no others, shall be used by the owners of country elevators and warehouses.

2. In the case of country elevators or warehouses not equipped with cleaning machinery, the word "cleaning" may be omitted from the said forms of "storage receipt" and "storage receipt for special binned grain."

3. To meet the case of country elevators or warehouses on lines of railway whose terminals are outside of the Inspection District of Manitoba, the Governor in Council may vary the said forms for use in such last named elevators or warehouses so as to allow of shipment to such terminals.

4. The Governor in Council may at any time make changes in the said forms or substitute other forms therefor.

5. Each of the forms set out in the schedule to this Act or which is authorized by the Governor in Council as aforesaid shall be used in every case in which it is applicable, and in that case the use of any other form shall be an offence under this Act punishable by fine or forfeiture of license.

Erection of
fat ware-
houses.

41. On a written application to the commissioner by ten farmers residing within forty miles of their nearest shipping point, he may give permission to any person to erect under the provisions of this Act, a flat warehouse covered with metal of not less than 3,000 bushels capacity, with power to enlarge the same should necessity require it, at such shipping point. Such flat warehouse shall be erected on the railway company's premises after getting location of a siding, and the railway company shall be compelled to give such location with siding on its premises, in some place of convenient access, to be approved of by the commissioner, at a rental not greater than that

charged to standard elevators. If in the judgment of the commissioner more than one such warehouse is required at a station one or more additional warehouses may be authorized by him, and in such case all the provisions of this section shall apply to the construction of such warehouses; except that in the case of each such additional warehouse the applicants desirous of erecting it shall be liable to pay a rental equivalent to six per cent interest upon the value of the lands taken, such value to be determined upon and fixed by the commissioners, and shall also be liable to pay the cost of constructing the necessary siding, the company providing the necessary rails and fastenings and charging the applicants either the actual cost thereof or an annual rental of six per cent upon such actual cost, at the option of the applicants.

2. The owner and operator of such warehouse shall give Security. bonds and be licensed in the same manner as elevator owners.

3. Such warehouse shall contain not less than three bins of Capacity of warehouse. 1,000 bushels capacity each, and each bin shall be numbered by a separate number.

4. The owner of any such warehouse shall on the applica- Allotment of bins. tion of any farmer undertaking to ship a carload of grain, allot such farmer a bin in such warehouse as soon as one is available. The allotment of bins to applicants shall be made in the order of applications therefor, and without discrimination of any kind. No farmer shall be allowed to hold more than one bin at any one time to the exclusion of other applicants. Applications for bins shall be made in a form to be approved of by the commissioner, and blank forms for such applications shall be furnished to applicants by the warehouse operator.

5. The owner or operator of any such warehouse shall at once Application for cars. on every allotment of a bin apply in writing on a form approved of by the commissioner, but furnished by such warehouse operator, to the proper railway official to furnish a car to the person to whom such bin is allotted, stating in such application the time when the car will be required, such time to be not later than five days from the allotment of the bin.

6. The shipper shall be allowed for filling such bin and load- Time allowed for loading. ing on car six clear days exclusive of Sundays, and as much longer time as is necessary to get and load a car from such bin (twenty-four hours being allowed for such loading). If a carload of grain is not delivered into such bin and loaded on a car within the time above provided, the warehouse operator may at his option either load on car the grain then in such bin and ship it for the owner to terminal elevator subject to freight inspection and weighing charges at terminal and all charges of such flat warehouse use, including an additional charge of one-half a cent per bushel for such loading, or he may sell such grain on account of the owner thereof and shall then be liable to account to the owner for the proceeds, after deducting all proper charges.

7. The charges for the use of a bin and the services of the Charges. warehouse operator in weighing the grain as it is loaded into

into and out of the warehouse by the person to whom the bin is allotted, shall be subject to such regulations or reduction as the Governor in Council may from time to time deem proper.

Grain of owner of warehouse.

8. No owner or operator of any such warehouse shall be allowed to store in or ship through grain purchased by or for himself.

Loading platforms.

42. On a written application to the commissioner by ten farmers resident within twenty miles of their nearest shipping point, and on approval of the commissioner, the railway company shall erect a loading platform suitable for the purpose of loading from vehicles direct into cars: Provided however, that the railway company shall not be obliged to erect any such platform outside of the limits of the station yard. Such platforms shall be at least ten feet wide, and of such length as is in each case determined by the commissioner, in addition to the approaches at each end, and shall have on the side farthest from the track a guard-rail not less than three feet high. Such platforms may be used free of charge for the loading of grain.

Free of charge.

COMMISSION MERCHANTS.

Commission merchants.

43. From and after the first day of September, 1900, it shall be unlawful for any person, firm or corporation to engage in the business of selling grain on commission, or to receive or solicit consignments of grain for sale on commission, in the inspection district of Manitoba, without first obtaining an annual license, for which he shall pay two dollars, from the warehouse commissioner, to conduct and carry on the business of such commission merchant, and giving a bond to Her Majesty, with sufficient surety for the benefit of persons entrusting such commission merchant with consignments of grain to be sold on commission, in such amount as is fixed by the commissioner, subject to appeal to the Minister. If such commission merchant receives grain for sale on commission, the said bond shall be conditioned that he faithfully account and report to all persons entrusting him with grain for sale on commission and pay to such persons the proceeds of the consignments of grain received by him, less the commission earned on account of the making of such sale, and necessary and actual disbursements. If he does not receive grain for sale on commission, the bond shall be conditioned for the faithful performance of his duties as such commission merchant.

GENERAL PROVISIONS.

Time for loading car.

44. Twenty-four hours shall be allowed for loading a car direct from vehicles or at a flat warehouse. Such twenty-four hours shall be reckoned from the time when the car is placed at the shipper's disposal on siding.

45. Every operator of an elevator or warehouse shall at the close of every day that such elevator or warehouse is open for business, furnish to the nearest station agent of the railway upon the line of which such elevator or warehouse is situate, a statement of the total quantity of grain that day taken into such elevator or warehouse and of the total quantity of grain in store in such elevator or warehouse at the end of such day.

Daily statement for nearest station agent.

46. Where any warehouse or elevator is at the time of the passing of this Act doing business in the storing or shipping of grain at any point on the line of any railway in the Inspection District of Manitoba, such elevator or warehouse shall be allowed to continue to do business at such point, and without the consent of the owner shall not be removed or refused cars for the shipping of grain, notwithstanding that elevators of any greater or other capacity shall be erected at such point or for any other cause other than non-compliance with the law or as next hereinafter provided. Nothing in this section shall affect the right of any person carrying on the business of an elevator or warehouse at the time of the passing of this Act, to continue to do so.

Existing warehouses.

47. All moneys collected by the warehouse commissioner, by weighmasters and other officers, as herein provided for, shall by them be paid into the Manitoba Grain Inspection Fund.

How moneys shall be dealt with.

2. The Chief Inspector of Grain of the Inspection District of Manitoba shall receive all such moneys and all fines and penalties collected under this Act, and shall keep a separate account thereof, showing the source from which each account is derived, and shall dispose of them in such manner as is determined by the Department of Inland Revenue.

48. Nothing in this Act shall prevent any person from selling or buying grain by sample, regardless of its grades.

Grain may be sold by sample.

49. The provisions of this Act shall not change the liability of warehousemen with respect to grain now in store.

As to grain now in store.

50. The chief inspector of grain, and any inspector, deputies or officials serving under him, before opening the doors of any cars containing grain upon their arrival at any place designated by law as an inspection point, for the purpose of inspecting such grain, shall first ascertain the condition of such cars and determine whether any leakages have occurred while the said cars were in transit, and shall make a record of such leakages, if found, stating the facts connected therewith, and he shall forthwith report the defective condition of such cars to the proper railway official.

Inspectors to examine condition of grain cars.

51. The rules and regulations made under the authority of this Act shall be posted up by the commissioner in a conspicuous place in every licensed elevator and warehouse.

Regulations to be posted up by commissioner.

Certain regulations, etc., to be posted up by owner of elevator, etc.

52. Such of the said rules and regulations as refer to dealings between producers, buyers, shippers and elevator or warehouseman, together with such portions of this Act as the commissioner, or the Governor in Council, deems proper, shall be printed in reasonably large type by the commissioner and posted in a conspicuous place in every licensed elevator or warehouse by the owner thereof.

Testing sieves.

53. When testing sieves are used for the purposes of dockage, the wire cloth used in their construction shall have ten meshes to the inch each way and be of No. 28 standard gauge hard tinned steel wire, and every such sieve shall be verified by the commissioner. The use of damaged or defective sieves shall be an offence.

Access to scales.

54. Persons interested in the weighing of any grain at country elevators or warehouses shall have free access to the scales while such grain is being weighed, and shall, when cleaning is done, have ample opportunity, if they so desire, of personally ascertaining the net weight of the cleaned grain if facilities exist for doing so.

Fraud in weighing.

2. The wilful falsification or misstatement of the weight of grain as weighed, and the use of concealed or other weights in such a way as to falsify or change the apparent weights of grain being weighed, shall be offences punishable with fine upon the guilty party, or loss of license, or both.

Defective scales to be reported.

3. Any person in charge of scales at a terminal or country elevator or warehouse who finds that such scales are defective shall report the fact to the inspector of weights and measures and to the owner of such elevator or warehouse.

Inspection of scales.

4. No new elevator or warehouse shall be operated until the scales are inspected and approved by the proper weights and measures officials.

Application of certain provisions.

55. Where in any elevator or warehouse grain is cleaned before being weighed, the provisions of this Act requiring statement of gross weights shall not apply to such grain.

Manipulation of grain with intent to deceive.

56. Any person offering for sale or storage grain, the different qualities of which have been wilfully manipulated with intent to deceive the person to whom it is so offered for sale or the person or persons receiving it for warehousing, as to the true quality of such grain, shall be guilty of an offence.

Penalties.

57. Any person guilty of an offence specified in this Act or guilty of violating any provision of this Act for which a specific penalty is not herein provided, shall, on summary conviction, be liable to a fine of not less than ten dollars and not more than one thousand dollars.

SCHEDULE.

A.

CASH TICKET.

No.....
 Station.
(Date)
 Purchased from.....Net.....bushels.....pounds
grade. Kind of grain.....

(Net weight in words.)

Price per bushel \$.....total cash payable \$.....Total price
 in words.....Gross weight.....bushels.....pounds.
 Dockage.....“.....”
 Net weight.....“.....”

By.....Agent.

STORAGE RECEIPT.

No.....
 Elevator (or warehouse)
Man.....1900
 Received into store from.....bushels.....pounds
grade.....kind of grain.....(weight
 and grade guaranteed by this warehouse) to be stored and in-
 sured against loss by fire under the following conditions:—

The charge for receiving, cleaning, insuring against loss by
 fire, handling, storing 15 days and shipping grain is.....
 cents per bushel. (It is provided by law that this charge shall
 not exceed.....per bushel).

Each succeeding 30 days or part thereof is.....
 of a cent per bushel including insurance against loss by fire.
 (It is provided by law that this charge shall not exceed.....
 of a cent per bushel.)

Upon the return of this receipt and tender or payment of
 above named charges accruing up to the time of said return of
 this receipt, the above quantity, grade and kind of grain will
 be delivered within the time prescribed by law to the person
 above named or his order either from this elevator or ware-
 house or if either party desire in quantities of not less than
 carload lots at any terminal elevator in the Inspection District
 of Manitoba, on same line of railway or any railway connecting
 therewith, as soon as the transportation company delivers the
 same at the said terminal and certificates of grade and weight

are returned, subject to freight, weighing and inspection charges at such terminal point, the grade and weight of such grain to be delivered to be such as will conform to the grade and as near as possible to the weight first above mentioned on Government inspection and weighing thereof at such terminal point.

No storage charges shall accrue in this elevator or warehouse after seven days' notice has been given in writing by the owner of the grain to the warehouseman to ship from this elevator or warehouse.

Weight gross.....	Bushs.....	Pounds
Dockage.....	“	“
Weight net.....	“	“
(net weight in words).....		
By.....		Agents.

C.

STORAGE RECEIPT FOR SPECIAL BINNED GRAIN.

No.....
Elevator (or warehouse).....
Man.....1900.

Received into store from.....bushels.....pounds
 kind of grain.....Bin No.....(weight and identity
 of grain guaranteed by this warehouse) to be stored and insured against loss by fire under the following conditions:—

The charge for receiving, cleaning, insuring against loss by fire, handling, storing 15 days and shipping grain is..... cents per bushel. (It is provided by law that this charge shall not exceed.....cents per bushel.)

Each succeeding 30 days or part thereof is...of a cent per bushel including insurance against loss by fire. (It is provided by law that this charge shall not exceed.....of a cent per bushel.)

Upon return of this receipt and tender or payment of above named charges accruing up to the time of the said return of this receipt the identical grain so received into store will be delivered within the time prescribed by law to the person above named or his order either from this elevator or warehouse, or if the owner so desires, in quantities of not less than carload lots at any terminal elevator in the Manitoba Inspection District, on same line of railway or any railway connecting therewith, as soon as the transportation company delivers the same at said terminal and certificates of grade and weight are returned, subject to freight, weighing and inspection charges at such terminal point. It is guaranteed that the weight of such grain to be delivered will conform as near as possible to the weight first above mentioned on Government weighing thereof at terminal point.

No storage charges shall accrue in this elevator or warehouse after seven days' notice has been given in writing by

the owner of the grain to the warehouseman to ship from this elevator or warehouse.

Weight gross.....bushels.....pounds
Dockage net.....“.....“
Weight net.....“.....“
(net weight in words).....

D.

FLAT WAREHOUSE RECEIPT.

No.....
Flat warehouse.
Man.....1900.

Received into bin No.....of this warehouse
 from.....
bushels.....pounds.
kind of grain (weights and identity
 guaranteed by this warehouse)under the following conditions:—

The charge for use of such bin for six days (inclusive of one day for loading on car, but exclusive of Sunday) and for weighing in and out is.....of a cent per bushel. (The maximum charge allowed by law therefor being.....of a cent per bushel.) This warehouse does not insure grain.

Upon return of this receipt and payment or tender of above charges, the owner of said grain will be entitled to have it weighed for him while it is being taken out by him for shipping on car.

Such bin is furnished and such grain received on the understanding that the owner will within six days from the time such bin was furnished to him place therein and have ready for shipping and load on car, one carload of such grain. Provided, that if the owner is not furnished with car by the end of the fifth day of such period of six days, such period shall extend to twenty-four hours after car furnished.

If a carload of grain is not delivered in said bin and loaded on car within the time above provided, the grain then in said bin will be loaded on car by this warehouseman at an additional charge of one-half of one cent per bushel and shipped to terminal elevator for the owner, subject to freight and weighing and inspection charges and all charges of this warehouse, including such additional half cent per bushel for loading on car, or this warehouseman may sell such grain on account of the owner thereof and shall then be liable to account to the owner for the proceeds after deducting all proper charges.

.....
 By.....Agent.



63-64 VICTORIA.

CHAP. 40.

An Act respecting the Inspection of Foreign Grain.

[Assented to 14th June, 1900.]

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

1. Inspectors of grain shall, when required, inspect grain of United States produce passing through Canada in transit to Great Britain or to a foreign country, and shall grant certificates therefor based on standard samples of such grain furnished the said inspectors by the Department of Inland Revenue; and the said standards shall be established by the board of examiners of the board of trade for the district wherein such inspection takes place, and shall be known as the standards for United States grain of the said district.

Inspection of U. S. grain in transit. Standards.

2. Every certificate relating to such grain shall state that it is of United States production and that the grade mentioned is that established by the board of examiners of the board of trade of the district wherein the inspection takes place.

Certificate.

3. The fees for the inspection of such grain shall be the same as provided by *The General Inspection Act*, chapter 99 of the Revised Statutes, with respect to grain of Canadian produce.

Fees. R.S.C., c. 99.



63 - 64 VICTORIA.

CHAP. 41.

An Act to amend the Gas Inspection Act.

[Assented to 14th June, 1900.]

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

1. Subsection 1 of section 36 of *The Gas Inspection Act*, R.S.O., c. 101, chapter 101 of the Revised Statutes, as amended by section 1 of chapter 26 of the statutes of 1898, is repealed and the following is substituted therefor :—

“**36.** Every undertaker shall keep the public informed of the illuminating power of the gas supplied by him, and of its purity as affected by the absence or presence of sulphuretted hydrogen, by procuring a certificate from the inspector and posting it up in the chief office of the undertaker from time to time, as follows : Undertakers having more than four thousand meters shall procure such certificate once in each week ; those having four or more than three thousand meters, once in two weeks ; those having three or more than two thousand meters, once in each month ; those having two thousand or more than one thousand meters, once in each interval of two months ; and those having one thousand meters or less, once in each interval of three months.”

Certificate of quality to be posted up.

Frequency of certificate according to number of meters.

OTTAWA: Printed by SAMUEL EDWARD DAWSON, Law Printer to the Queen's most Excellent Majesty.



63-64 VICTORIA.

CHAP. 42.

An Act to amend the Companies Clauses Act.

[Assented to 7th July, 1900.]

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

1. *The Companies Clauses Act*, chapter 118 of the Revised Statutes, is amended by adding thereto, immediately after section 6 thereof, the following section:—

R.S.C., c. 118
amended.

“6A. The company may from time to time, by by-law, change the locality of its head office or principal place of business in Canada to any other place in Canada.”

Change of
head office
by by-law.

“2. No such by-law shall have any force or effect whatever until after it has been unanimously sanctioned by a vote of the shareholders, present in person or by proxy at a general meeting of the company duly called for considering the same, and representing two-thirds of the stock of the company, or unanimously sanctioned in writing by the shareholders of the company; provided, however, that if the by-law is sanctioned by not less than three-fourths in value of the shareholders of the company, the company may, through the Secretary of State, petition the Governor in Council for an order approving the said by-law, and the Governor in Council may, on compliance with such terms and conditions (if any) as he directs, approve thereof, and upon such approval the by-law shall be valid; provided also, that no such by-law shall be acted upon until two months after a copy of the by-law has been published by the company, once in *The Canada Gazette* and once in a newspaper published in the city, town or village in or nearest to which the head office or principal place of business of the company is then already situate, and in which a newspaper is published.”

Sanction and
publication
of by-law.

2. This Act shall apply to companies incorporated heretofore as well as hereafter, but shall not apply to any insurance company nor to any company which, under its act of incorporation or any amendment thereto, has power to change its head office or chief place of business.

Application.



63-64 VICTORIA.

CHAP. 43.

An Act to amend the Loan Companies Act, Canada,
1899.

[Assented to 14th June, 1900.]

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

1. *The Loan Companies Act, Canada, 1899, chapter 41 of 1899, c. 41. ss.* the statutes of 1899, is hereby amended by striking out the ^{6, 10, 14, 15,} words “franchises and” in the following sections :—
^{18 amended.}

Subsection 1 of section 6, in the second, sixth, ninth and tenth lines thereof ;

Subsection 2 of section 6, in the first line thereof ;

Section 10, in the eighth line thereof ;

Subsection 2 of section 14, in the second and third lines thereof ;

Section 15, in the nineteenth line thereof ;

Section 18, in the second line thereof.

2. Section 19 of the said Act is amended by striking out s. 19, amend the word “franchises” in the sixth line and inserting in lieu ^{ed.} thereof the words “assets, rights, credits, effects and property.”

OTTAWA : Printed by SAMUEL EDWARD DAWSON, Law Printer to the Queen's most Excellent Majesty.



63-64 VICTORIA.

CHAP. 44.

An Act respecting the Supreme Court of the North-west Territories.

[Assented to 7th May, 1900.]

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

1. Section 42 of *The North-west Territories Act*, chapter 50 of the Revised Statutes, is hereby repealed and the following substituted therefor:—

“**42.** The Supreme Court shall consist of a chief justice and four puisné judges who shall be appointed by the Governor in Council by letters patent under the Great Seal.”

Constitution
of court.

OTTAWA : Printed by SAMUEL EDWARD DAWSON, Law Printer to the Queen's most Excellent Majesty.



63 - 64 VICTORIA.

CHAP. 45.

An Act to amend the Admiralty Act, 1891.

[Assented to 14th June, 1900]

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

1. Section 5 of *The Admiralty Act*, 1891, being chapter 29 of the statutes of that year, is hereby repealed and the following substituted therefor :—

“**5.** The Governor in Council may from time to time
“(a.) constitute any part of Canada an Admiralty district for the purposes of this Act ;”

“(b.) assign a name to any such district and change such name as he may think proper, and

“(c.) fix and change the limits of any such district.

2. The Governor in Council may also from time to time
“(a.) establish at some place within any Admiralty district a registry of the Exchequer Court on its Admiralty side, and

“(b.) 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.”

2. Section 8 of the said Act is hereby repealed and the following substituted therefor :—

“**8.** The Governor in Council may from time to time appoint for any district or for any registry division of any district a registrar, a marshal and such other officers and clerks as are necessary.”

3. Section 13 of the said Act is hereby repealed and the following substituted therefor :—

“**13.** Any suit may be instituted in any registry when—
“(a.) the ship or property, the subject of the suit, is at the time of the institution of the suit within the district or division of such registry ;”

“(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 suit within the district or division of such registry;

“(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 by their attorneys or agents.

Proviso.

“Provided always that when a suit has been instituted in any registry no further suit 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, and subject to such terms as to costs and otherwise as he directs.”

As to proceedings.

4. Where in any district there are more registries than one all proceedings in any suit shall be carried on in the registry in which the suit is instituted, unless the judge shall otherwise order.

Coming into force of Act.

5. This Act shall not come into force until Her Majesty’s pleasure thereon has been signified by proclamation in *The Canada Gazette*.

OTTAWA : Printed by SAMUEL EDWARD DAWSON, Law Printer to the Queen’s most Excellent Majesty.



63-64 VICTORIA.

CHAP. 46.

An Act further to amend the Criminal Code, 1892.

[Assented to 18th July, 1900.]

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

1. This Act may be cited as *The Criminal Code Amendment Act, 1900.* Short title.

2. This Act shall come into force on the first day of January, 1901. Coming into force.

3. *The Criminal Code, 1892,* is amended in the manner set forth in the following schedule:— 1892, c. 29, amended.

SCHEDULE.

Section 3.—By repealing sub-paragraph (i) of paragraph (e) as that sub-paragraph is enacted by chapter 40 of the statutes of 1895, and substituting the following therefor:—

“(i.) In the province of Ontario, the Court of Appeal for Ontario.”

And by repealing sub-paragraph (i) of paragraph (y) and substituting the following therefor:—

“(i.) In the province of Ontario, the High Court of Justice for Ontario.”

By inserting the following section immediately after section 166:—

“166A. Every one is guilty of an indictable offence and liable to one year's imprisonment, who, by failing to perform any legal duty, permits a person in his lawful custody on a criminal charge to escape therefrom.”

Section 179.—By substituting the following therefor:—

“179. Every one is guilty of an indictable offence and liable to two years' imprisonment who knowingly, without lawful justification or excuse—

“(a.) manufactures, or sells, or exposes for sale or to public view, or distributes or circulates, or causes to be distributed or circulated any obscene book, or other printed, typewritten, or otherwise written matter, or any picture, photograph, model or other object tending to corrupt morals; or

“(b.) publicly exhibits any disgusting object or any indecent show; or

“(c.) offers to sell, advertises, publishes an advertisement of, or has for sale or disposal any medicine, drug or article intended or represented as a means of preventing conception or causing of abortion or miscarriage.

“2. No one shall be convicted of any offence in this section mentioned if he proves that the public good was served by the acts alleged to have been done and that there was no excess in the acts alleged beyond what the public good requires.

“3. It shall be a question for the court or judge whether the occasion of the manufacture, sale, exposing for sale, publishing, or exhibition is such as might be for the public good, and whether there is evidence of excess beyond what the public good requires in the manner, extent or circumstances in, to or under which the manufacture, sale, exposing for sale, publishing or exhibition is made, so as to afford a justification or excuse therefor; but it shall be a question for the jury whether there is or is not such excess.

“4. The motives of the manufacturer, seller, exposor, publisher or exhibitor shall in all cases be irrelevant.”

Section **180.**—By substituting the following therefor:—

“**180.** Every one is guilty of an indictable offence and liable to two years' imprisonment who posts for transmission or delivery by or through the post,—

“(a.) any obscene or immoral book, pamphlet, newspaper, picture, print, engraving, lithograph, photograph or any publication, matter or thing of an indecent, immoral, or scurrilous character; or

“(b.) any letter upon the outside or envelope of which, or any post card or post band or wrapper upon which there are words, devices, matters or things of the character aforesaid; or

“(c.) any letter or circular concerning schemes devised or intended to deceive and defraud the public or for the purpose of obtaining money under false pretenses.”

Section **183.**—By substituting the following therefor:—

“**183.** Every one is guilty of an indictable offence and liable to two years' imprisonment,—

“(a.) who, being a guardian, seduces or has illicit connection with his ward; or

“(b.) who seduces or has illicit connection with any woman or girl previously chaste and under the age of twenty-one years who is in his employment in a factory, mill, workshop, shop or store, or who, being in a common, but not necessarily

similar, employment with him in such factory, mill, workshop, shop or store, is, in respect of her employment or work in such factory, mill, workshop, shop or store, under or in any way subject to his control or direction, or receives her wages or salary directly or indirectly from him.”

By inserting immediately after section 183 the following section :—

“**183A.** The burden of proof of previous unchastity on the part of the girl or woman under the three next preceding sections shall be upon the accused.”

By inserting the following section immediately after section 186 :—

“**186A.** The word ‘guardian’ in sections 183 and 186 includes any person who has in law or in fact the custody or control of the girl or child.”

Section **187.**—By substituting the following therefor :—

“**187.** Every one who, being the owner or occupier of any premises, or having, or acting or assisting in the management or control thereof, induces or knowingly suffers any girl of such age as in this section mentioned to resort to or be in or upon such premises for the purpose of being unlawfully and carnally known by any man, whether such carnal knowledge is intended to be with any particular man, or generally, is guilty of an indictable offence and—

“(a.) is liable to ten years’ imprisonment if such girl is under the age of 14 years ; and

“(b.) is liable to two years’ imprisonment if such girl is of or above the age of 14 and under the age of 18 years.”

Section **189.**—By substituting the following therefor :—

“**189.** Every one is guilty of an indictable offence and liable to four years’ imprisonment who unlawfully and carnally knows, or attempts to have unlawful carnal knowledge of, any female idiot or imbecile, insane or deaf and dumb woman or girl, under circumstances which do not amount to rape but where the offender knew or had good reason to believe, at the time of the offence, that the woman or girl was an idiot, or imbecile, or insane or deaf and dumb.”

Section **205.**—By substituting for subsection six thereof the following :—

“6. This section does not apply to—

“(a.) the division by lot or chance of any property by joint tenants or tenants in common, or persons having joint interests (*droits indivis*) in any such property ; or

“(b.) raffles for prizes of small value at any bazaar held for any charitable or religious object, if permission to hold the same has been obtained from the city or other municipal council, or from the mayor, reeve or other chief officer of the city,

town or other municipality, wherein such bazaar is held and the articles, raffled for thereat, have first been offered for sale and none of them are of a value exceeding fifty dollars; or

“(c.) the *Crédit Foncier du Bas-Canada*, or the *Crédit Foncier Franco-Canadien*.”

Section 207.—By substituting the following for paragraph (a.) of subsection one thereof:—

“(a.) not having any visible means of subsistence, is found wandering abroad or lodging in any barn or outhouse, or in any deserted or unoccupied building, or in any cart or wagon, or in any railway carriage or freight car, or in any railway building, and not giving a good account of himself, or who, not having any visible means of maintaining himself, lives without employment.”

Section 208, as amended by chapter 57 of the statutes of 1894.—By adding at the end thereof the following proviso:—

“Provided that no aged or infirm person shall be convicted as a loose, idle or disorderly person or vagrant for any reason coming within paragraph (a) of section 207, in the county of which he has for the two years immediately preceding been a resident.”

Section 210.—By adding thereto the following subsection:

“3. In this section the word ‘guardian’ has the same meaning as, under section 186A, it has in sections 183 and 186.”

Section 264.—By substituting the following therefor:—

“264. Every one is guilty of an indictable offence and liable to seven years’ imprisonment who, without lawful authority—

“(a.) kidnaps any other person with intent—

“(i.) to cause such other person to be secretly confined or imprisoned in Canada against his will; or

“(ii.) to cause such other person to be unlawfully sent or transported out of Canada against his will; or

“(iii.) to cause such other person to be sold or captured as a slave, or in any way held to service against his will; or

“(b.) forcibly seizes and confines or imprisons any other person within Canada.

“2. Upon the trial of any offence under this section the non-resistance of a person so unlawfully kidnapped or confined shall not be a defence unless it appears that it was not caused by threats, duress or force, or exhibition of force.”

Section 278.—By repealing this section and substituting the following:—

“278. Every one is guilty of an indictable offence and liable to imprisonment for five years, and to a fine of five hundred dollars,

“(a.) who practises, or, by the rites, ceremonies, forms, rules or customs of any denomination, sect or society, religious or secular, or by any form of contract, or by mere mutual consent, or by any other method whatsoever, and whether in a manner recognized by law as a binding form of marriage or not, agrees or consents to practise or enter into

“(i.) any form of polygamy;

“(ii.) any kind of conjugal union with more than one person at the same time; or

“(iii.) what among the persons commonly called Mormons is known as spiritual or plural marriage; or

“(b.) who lives, cohabits, or agrees or consents to live or cohabit in any kind of conjugal union with a person who is married to another, or with a person who lives or cohabits with another or others in any kind of conjugal union; or

“(c.) celebrates, is a party to, or assists in any such rite or ceremony which purports to make binding or to sanction any of the sexual relationships mentioned in paragraph (a) of this section; or

“(d.) procures, enforces, enables, is a party to, or assists in the compliance with, or carrying out of, any such form, rule or custom which so purports; or

“(e.) procures, enforces, enables, is a party to, or assists in the execution of, any such form of contract which so purports, or the giving of any such consent which so purports.”

Section 284.—By substituting the following therefor:—

“284. Every one is guilty of an indictable offence and liable to seven years' imprisonment who, with intent to deprive any parent or guardian of any child under the age of fourteen years, of the possession of such child, or with intent to steal any article about or on the person of such child, unlawfully—

“(a.) takes or entices away or detains any such child; or

“(b.) receives or harbours any such child knowing it to have been dealt with as aforesaid.

“2. Nothing in this section shall extend to any one who gets possession of any child, claiming in good faith a right to the possession of the child.

“3. In this section the word ‘guardian’ has the same meaning as it has in sections 183 and 186, as interpreted by section 186A.”

Section 285.—By substituting the following for subsection 1 thereof:—

“285. A defamatory libel is matter published, without legal justification or excuse, likely to injure the reputation of any person by exposing him to hatred, contempt or ridicule, or designed to insult the person of or concerning whom it is published.”

Section 306.—By substituting the following therefor:—

“306. Every one commits theft and steals the thing taken or carried away who, whether pretending to be the owner or

not, secretly or openly, takes or carries away, or causes to be taken or carried away, without lawful authority, any property under lawful seizure and detention by any peace officer or public officer in his official capacity."

By inserting the following section immediately after section 331 :—

"**331A.** Every one is guilty of an indictable offence and liable to three years' imprisonment who—

"(a.) without the consent of the owner thereof,

"(i.) fraudulently takes, holds, keeps in his possession, conceals, receives, appropriates, purchases or sells, or fraudulently causes or procures, or assists in taking possession of, concealing, appropriating, purchasing or selling any cattle which are found astray; or

"(ii.) fraudulently, wholly or partially obliterates, or alters or defaces, or causes or procures to be obliterated, altered or defaced, any brand, mark or vent brand on any such cattle, or makes or causes or procures to be made any false or counterfeit brand, mark or vent brand on any such cattle; or

"(b.) without reasonable cause refuses to deliver up any such cattle to the proper owner thereof or to the person in charge thereof on behalf of such owner, or authorized by such owner to receive such cattle."

Section **332.**—By substituting the following therefor :—

"**332.** Every one who steals any dog, or any bird, beast or other animal ordinarily kept in a state of confinement or for any domestic purpose, or for any lawful purpose of profit or advantage, is, if the value of the property stolen exceeds twenty dollars, guilty of an indictable offence and liable to a penalty not exceeding fifty dollars over and above the value of the property stolen, or to two years' imprisonment, or to both, and if the value of the property stolen does not exceed twenty dollars, is guilty of an offence and liable upon summary conviction to a penalty not exceeding twenty dollars over and above such value, or to one month's imprisonment with hard labour.

"2. Every one who, having been previously convicted of an offence under this section, is summarily convicted of another offence thereunder, is liable to three months' imprisonment with hard labour."

Section **410.**—By substituting the following therefor :—

"**410.** Every one is guilty of the indictable offence called burglary, and liable to imprisonment for life, who

"(a.) breaks and enters a dwelling-house by night with intent to commit any indictable offence therein; or

"(b.) breaks out of any dwelling-house by night, either after committing an indictable offence therein, or after having entered such dwelling-house, either by day or by night, with intent to commit an indictable offence therein.

“2. Every one convicted of an offence under this section who when arrested, or when he committed such offence, had upon his person any offensive weapon, shall, in addition to the imprisonment above prescribed, be liable to be whipped.”

Section 449.—By substituting the following therefor :—

“449. Every one is guilty of an indictable offence who—

“(a.) without the consent of such other person wilfully defaces, conceals or removes the duly registered trade mark or name of another person upon any cask, keg, bottle, siphon, vessel, can, case or other package with intent to defraud such other person, or unless such package has been purchased from such other person ;

“(b.) being a manufacturer, dealer or trader, or a bottler, without the written consent of such other person, trades or traffics in any bottle or siphon which has upon it the duly registered trade mark or name of another person, or fills such bottle or siphon with any beverage for the purpose of sale or traffic.

“2. The using by any manufacturer, dealer or trader other than such other person of any bottle or siphon for the sale therein of any beverage, or the having upon it such trade mark or the name of another person, buying, selling or trafficking in any such bottle or siphon without such written permission of such other person, or the fact that any junk-dealer has in his possession any such bottle or siphon having upon it such a trade mark or name without such written permission, shall be prima facie evidence that such use, buying, selling or trafficking or possession is unlawful within the meaning of this section.”

Section 479.—By substituting the following therefor :—

“479. In this part the expression ‘counterfeit token of value’ means any spurious or counterfeit coin, paper money, inland revenue stamp, postage stamp, or other evidence of value, by whatever technical, trivial or deceptive designation the same may be described, and includes also any coin or paper money, which although genuine has no value as money, but in the case of such last mentioned coin or paper money it is necessary in order to constitute an offence under this part that there should be knowledge on the part of the person charged that such coin or paper money was of no value as money, and a fraudulent intent on his part in his dealings with or with respect to the same.”

Section 520.—By substituting the following therefor :—

“520. Every one is guilty of an indictable offence and liable to a penalty not exceeding four thousand dollars and not less than two hundred dollars, or to two years’ imprisonment, or, if a corporation, is liable to a penalty not exceeding ten thousand dollars and not less than one thousand dollars, who

conspires, combines, agrees or arranges with any other person, or with any railway, steamship, steamboat or transportation company—

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

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

“(c.) to unduly prevent, limit, or lessen the manufacture or production of any such article or commodity, or to unreasonably enhance the price thereof; or

“(d.) to unduly prevent or lessen competition in the production, manufacture, purchase, barter, sale, transportation or supply of any such article or commodity, or in the price of insurance upon person or property.

“2. Nothing in this section shall be construed to apply to combinations of workmen or employees for their own reasonable protection as such workmen or employees.”

Section **533**.—By adding thereto the following subsection :—

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

Section **540**.—By adding to the section, as amended by section 1 of chapter 57 of the statutes of 1894, the following :—

“Or any indictment for bribery or undue influence, personation or other corrupt practice under *The Dominion Elections Act*.”

By adding immediately after section 550 the following section :—

“**550A**. At the trial of any person charged with an offence under any of the following sections, that is to say, 174, 175, 176, 177, 178, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 195, 198, 208 in so far as it relates to paragraphs (i) (j) and (k) of 207, 259, 260, 267, 268, 269, 270, 271, 272, 273, 274, 281, and 282, or with conspiracy or attempt to commit, or being an accessory after the fact to any such offence, the court or judge may order that the public be excluded from the room or place in which the court is held during such trial; and such order may be made in any other case also in which the court or judge of justice may be of opinion that the same will be in the interests of public morals.

“2. Nothing in this section shall be construed by implication or otherwise as limiting any power heretofore possessed at common law by the presiding judge or other presiding officer

of any court of excluding the general public from the court-room in any case when such judge or officer deems such exclusion necessary or expedient."

Section 553.—By substituting the following for paragraph (a.) thereof:—

"(a.) Where the offence is committed in or upon any water, tidal, or other, or upon any bridge, between two or more magisterial jurisdictions, such offence may be considered as having been committed in either of such jurisdictions ;"

Section 589.—By substituting the following therefor:—

"589. If the accused person does not afterwards appear at the time and place mentioned in the recognizance the said justice, or any other justice who is then and there present, having certified upon the back of the recognizance the non-appearance of such accused person, in the form R in schedule one hereto, may transmit the recognizance to the proper officer appointed by law, to be proceeded upon in like manner as other recognizances; and such certificate shall be prima facie evidence of the non-appearance of the accused person.

"2. The proper officer to whom the recognizance and certificate of default are to be transmitted in the province of Ontario, shall be the clerk of the peace of the county for which such justice is acting; and the Court of General Sessions of the Peace for such county shall, at its then next sitting, order all such recognizances to be forfeited and estreated, and the same shall be enforced and collected in the same manner and subject to the same conditions as any fines, forfeitures or amercements imposed by or forfeited before such court. In the province of British Columbia, such proper officer shall be the clerk of the County Court having jurisdiction at the place where such recognizance is taken, and such recognizance shall be enforced and collected in the same manner and subject to the same conditions as any fines, forfeitures or amercements imposed by or forfeited before such County Court; and in the other provinces of Canada such proper officer shall be the officer to whom like recognizances have been heretofore accustomed to be transmitted under the law in force before the passing of this Act, and such recognizances shall be enforced and collected in the same manner as like recognizances have heretofore been enforced and collected."

Section 601.—By adding thereto the following subsection:—

"3. Where the offence is one triable by the Court of General or Quarter Sessions of the Peace and the justice is of opinion that it may better or more conveniently be so tried, the condition of the recognizance may be for the appearance of the accused at the next sittings of that court notwithstanding that a sittings of a superior court of criminal jurisdiction capable of trying the offence intervenes."

Section **641**.—By substituting the following therefor :—

“**641.** Any one who is bound over to prosecute any person, whether committed for trial or not, may prefer a bill of indictment for the charge on which the accused has been committed, or in respect of which the prosecutor is so bound over, or for any charge founded upon the facts or evidence disclosed on the depositions taken before the justice. The accused may at any time before he is given in charge to the jury apply to the court to quash any count in the indictment on the ground that it is not founded on such facts or evidence, and the court shall quash such count if satisfied that it is not so founded. And if at any time during the trial it appears to the court that any count is not so founded, and that injustice has been or is likely to be done to the accused in consequence of such count remaining in the indictment, the court may then quash such count and discharge the jury from finding any verdict upon it.

“2. The counsel acting on behalf of the Crown at any court of criminal jurisdiction may prefer against any person who has been committed for trial at such court a bill of indictment for the charge on which the accused has been so committed or for any charge founded on the facts or evidence disclosed in the depositions taken before the justice.

“3. The Attorney General or any one by his direction or any one with the written consent of a judge of any court of criminal jurisdiction or of the Attorney General, may prefer a bill of indictment for any offence before the grand jury of any court specified in such consent ; and any person may prefer any bill of indictment before any court of criminal jurisdiction by order of such court.

“4. It shall not be necessary to state such consent or order in the indictment. An objection to an indictment for want of such consent or order must be taken by motion to quash the indictment before the accused person is given in charge.

“5. Save as aforesaid no bill of indictment shall after the commencement of this Act be preferred in any province of Canada.”

By inserting immediately after section 678 the following section :—

“**678A.** Either before or during the sittings of any court of criminal jurisdiction, the court, or any judge thereof, or any judge of any superior or county court, if satisfied by evidence upon oath that any person within the province likely to give material evidence, either for the prosecution or for the accused, will not attend to give evidence at such sittings without being compelled so to do, may by his warrant cause such witness to be apprehended and forthwith brought before such court or judge, and such witness may be detained on such warrant before such court or judge or in the common jail with a view to secure his presence as a witness, or, in the discretion of the court or judge, may be released on a recognizance, with

or without sureties, conditioned for his appearance to give evidence.”

Section **679**.—By adding thereto the following subsection :—

“2. The courts of the various provinces and the judges of the said courts respectively shall be auxiliary to one another for the purposes of this Act; and any judgment, decree or order made by the court issuing such writ of subpoena upon any proceeding against any witness for contempt or otherwise may be enforced or acted upon by any court in the province in which such witness resides in the same manner and as validly and effectually as if such judgment, order or decree had been made by such last mentioned court.”

Section **680**.—By substituting the following therefor :—

“**680**. When the attendance of any person confined in any prison in Canada, or upon the limits of any jail, is required in any court of criminal jurisdiction in any case cognizable therein by indictment, the court before whom such prisoner is required to attend may, or any judge of such court or of any superior court or county court, or any chairman of General Sessions, may, before or during any such term or sittings at which the attendance of such person is required, make an order upon the warden or jailer of the prison, or upon the sheriff or other person having the custody of such prisoner,—

“(a.) to deliver such prisoner to the person named in such order to receive him; and such person named shall, at the time prescribed in such order, convey such prisoner to the place at which such person is required to attend, there to receive and obey such further order as to the said court seems meet; or

“(b) to himself convey such prisoner to such place, there to receive and obey such further order as to the said court seems meet; and in such latter case, on being served with the order and being paid or tendered his reasonable charges, such warden, jailer, sheriff or other person shall convey the prisoner to such place and produce him there according to the exigency of the order.”

Section **683**.—By adding thereto the following subsection :—

“3. Subject to such rules of court or to such practice or procedure as aforesaid, such depositions by the direction of the presiding judge may be read in evidence before the grand jury.”

Section **687**.—By substituting the following therefor :—

“**687**. If upon the trial of an accused person such facts are proved upon the oath or affirmation of any credible witness that it can be reasonably inferred therefrom that any person whose deposition has been theretofore taken in the investigation of the charge against such person is dead, or so ill as not to be able to travel, or is absent from Canada, and if it is proved that such deposition was taken in the presence of the
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person.”

person accused, and that his counsel or solicitor had a full opportunity of cross-examining the witness, then if the deposition purports to be signed by the judge or justice before whom the same purports to have been taken, it shall be read as evidence in the prosecution without further proof thereof, unless it is proved that such deposition was not in fact signed by the judge or justice purporting to have signed the same.

"2. In this section the word 'deposition' includes the evidence of a witness given at any former trial upon the same charge."

By inserting the following section immediately after section 701:—

"**701A.** In order to prove the age of a boy, girl, child or young person for the purposes of sections 181, 186, 210, 211, 216, 261, 269, 270, 283, 284 and 934A, the following shall be sufficient *prima facie* evidence:—

"(a.) Any entry or record by an incorporated society or its officers having had the control or care of the boy, girl, child or young person at or about the time of the boy, girl, child or young person being brought to Canada, if such entry or record has been made before the alleged offence was committed.

"(b.) In the absence of other evidence, or by way of corroboration of other evidence, the judge or, in cases where an offender is tried with a jury, the jury before whom an indictment for the offence is tried, or the justice before whom a preliminary inquiry therein is held, may infer the age from the appearance of the boy, girl, child or young person."

Section **702.**—By substituting the following therefor:—

"**702.** When any cards, dice, balls, counters, tables or other instruments of gaming used in playing any unlawful game are found in any house, room or place suspected to be used as a common gaming house, and entered under a warrant or order issued under this Act, or about the person of any of those who are found therein, it shall be *prima facie* evidence, on the trial of a prosecution under section 198 or section 199, that such house, room or place is used as a common gaming house, and that the persons found in the room or place where such tables or instruments of gaming are found were playing therein although no play was actually going on in the presence of the officer entering the same under such warrant or order, or in the presence of those persons by whom he is accompanied as aforesaid."

Section **703.**—By substituting the following therefor:—

"**703.** In any prosecution under section 198 for keeping a common gaming house, or under section 199 for playing or looking on while any other person is playing in a common gaming house, it shall be *prima facie* evidence that a house, room or place is used as a common gaming house, and that the persons found therein were unlawfully playing therein—

“(a.) if any constable or officer authorized to enter any house, room or place, is wilfully prevented from, or obstructed or delayed in entering the same or any part thereof; or

“(b.) if any such house, room or place is found fitted or provided with any means or contrivance for unlawful gaming, or with any means or contrivance for concealing, removing or destroying any instruments of gaming.”

By inserting immediately after section 707 the following section :—

“**707A.** In any prosecution, proceeding or trial for any offence under section 331A, a brand or mark, duly recorded or registered under the provisions of any Act, ordinance or law, on any cattle shall be prima facie evidence that such cattle are the property of the registered owner of such brand or mark, and possession by the person charged, or by others in his employ or on his behalf, of any such cattle marked with such a brand or mark of which he is not himself the registered owner, shall throw upon the accused the burden of proving that such cattle came lawfully into his possession or into the possession of such others in his employ or on his behalf, unless it appears that such possession by others in his employ or on his behalf was without his knowledge and without his authority, sanction or approval.”

Section **729**.—By substituting the following therefor :—

“**729.** The taking of the verdict of the jury or other proceeding of the court shall not be invalid by reason of its happening on Sunday or on any other holiday.”

Section **744**.—By repealing subsections 1 and 2 thereof and substituting the following :—

“**744.** If the court refuses to reserve the question, the party applying may move the Court of Appeal as hereinafter provided.

“2. The Attorney General or party so applying may, on notice of motion to be given to the accused or prosecutor, as the case may be, move the Court of Appeal for leave to appeal. The Court of Appeal may, upon the motion and upon considering such evidence (if any) as they think fit to receive, grant or refuse such leave.”

Section **760**.—By substituting the following therefor :—

“**760.** In the province of Nova Scotia a calendar of the criminal cases shall be sent by the Clerk of the Crown to the grand jury in each term, together with the depositions taken in each case and the names of the different witnesses.”

Section **763**.—By inserting after the word “includes” in the second line of paragraph (b) thereof, the following words :—
“In the province of Ontario the County Crown Attorney.”

Section **765**.—By substituting the following therefor :—

“**765.** Every person committed to jail for trial on a charge of being guilty of any of the offences which are mentioned in section 539 as being within the jurisdiction of the General or Quarter Sessions of the Peace, may, with his own consent (of which consent an entry shall then be made of record), and subject to the provisions herein, be tried in any province under the following provisions out of sessions and out of the regular term or sittings of the court, whether the court before which, but for such consent, the said person would be triable for the offence charged, or the grand jury thereof, is or is not then in session, and if such person is convicted, he may be sentenced by the judge.

“2. A person who has been bound over by a justice under the provisions of section 601 and has either been unable to find bail or been surrendered by his sureties, and is in custody on such a charge, or who is otherwise in custody awaiting trial on such a charge, shall be deemed to be committed for trial within the meaning of this section.”

Section **766**.—By adding thereto the following subsection :

“2. Where the judge does not reside in the county in which the prisoner is committed, the notification required by this section may be given to the prosecuting officer, instead of to the judge, and the prosecuting officer shall in such case, with as little delay as possible, cause the prisoner to be brought before him.”

Section **767**.—By substituting the following therefor :—

“**767.** The judge or such prosecuting officer upon having obtained the depositions on which the prisoner was so committed, shall state to him,—

“(a.) that he is charged with the offence, describing it;

“(b.) that he has the option to be forthwith tried before a judge without the intervention of a jury, or to remain in custody or under bail, as the court decides, to be tried in the ordinary way by the court having criminal jurisdiction.

“2. If the prisoner has been brought before the prosecuting officer, and consents to be tried by the judge, without a jury, such prosecuting officer shall forthwith inform the judge, and the judge shall thereupon fix an early day for the trial and communicate the same to the prosecuting officer; and in such case the trial shall proceed in the manner provided by subsection 3.

“3. If the prisoner has been brought before the judge and consents to be tried by him without a jury, the prosecuting officer shall prefer the charge against him for which he has been committed for trial, and if, upon being arraigned upon the charge, the prisoner pleads guilty, the prosecuting officer shall draw up a record as nearly as may be in one of the forms MM or NN in schedule one, such plea shall be entered on the record, and the judge shall pass the sentence of the law on such

prisoner, which shall have the same force and effect, as if passed by any court having jurisdiction to try the offence in the ordinary way.

“ 4. If the prisoner demands a trial by jury, he shall be remanded to jail.

“ 5. Any prisoner who has elected to be tried by jury, may, notwithstanding such election, at any time before such trial has commenced, and whether an indictment has been preferred against him or not, notify the sheriff that he desires to re-elect, and it shall thereupon be the duty of the sheriff and judge or prosecuting officer to proceed as directed by section 766, and thereafter unless the judge, or the prosecuting officer acting under subsection 2 of that section, is of opinion that it would not be in the interests of justice that the prisoner should be allowed to make a second election, the prisoner shall be proceeded against as if his said first election had not been made.”

Section 784.—By repealing the subsection substituted for subsection 3 thereof, by chapter 40 of the statutes of 1895, and substituting the following:—

“ 3. The jurisdiction of the magistrate in the provinces of Prince Edward Island and British Columbia, and in the North-west Territories, and the district of Keewatin, under this part, is absolute without the consent of the party charged except in cases coming within the provisions of section 785, and except in cases under sections 789 and 790 where the person charged is not a person who under section 784, subsection 2; can be tried summarily without his consent.”

Section 785.—By substituting the following therefor:—

“ 785. If any person is charged in the province of Ontario before a police magistrate or before a stipendiary magistrate in any county, district or provisional county in such province, with having committed any offence for which he may be tried at a Court of General Sessions of the Peace, or if any person is committed to a jail in the county, district or provisional county, under the warrant of any justice of the peace, for trial on a charge of being guilty of any such offence, such person may, with his own consent, be tried before such magistrate, and may, if found guilty, be sentenced by the magistrate to the same punishment as he would have been liable to if he had been tried before the Court of General Sessions of the Peace.

“ 2. This section shall apply also to police and stipendiary magistrates of cities and incorporated towns in every other part of Canada, and to recorders where they exercise judicial functions.

“ 3. Sections 787 and 788 do not extend or apply to cases tried under this section; but where the magistrate has jurisdiction by virtue of this section only, no person shall be summarily tried thereunder without his own consent.”

Section **789.**—By substituting the following therefor :—

“**789.** When any person is charged before a magistrate with theft or with having obtained property by false pretenses, or with having unlawfully received stolen property, and the value of the property stolen, obtained or received exceeds ten dollars, and the evidence in support of the prosecution is, in the opinion of the magistrate, sufficient to put the person on his trial for the offence charged, such magistrate, if the case appears to him to be one which may properly be disposed of in a summary way, shall reduce the charge to writing, and shall read it to the said person, and, unless such person is one who, under section 784, subsection 2, can be tried summarily without his consent, shall then put to him the question mentioned in section 786, and shall explain to him that he is not obliged to plead or answer before such magistrate, and that if he does not plead or answer before him, he will be committed for trial in the usual course.”

Section **790.**—By substituting the following therefor :—

“**790.** If the person charged as mentioned in the next preceding section consents to be tried by the magistrate, the magistrate shall then ask him whether he is guilty or not guilty of the charge, and if such person says that he is guilty, the magistrate shall then cause a plea of guilty to be entered upon the proceedings, and sentence him to the same punishment as he would have been liable to if he had been convicted upon indictment in the ordinary way ; and if he says that he is not guilty, he shall be remanded to jail to await his trial in the usual course.”

Section **801.**—By substituting the following therefor :—

“**801.** The magistrate adjudicating under the provisions of this part shall transmit the conviction, or a duplicate of the certificate of dismissal, with the written charge, the depositions of witnesses for the prosecution and for the defence, and the statement of the accused, to the clerk of the peace or other proper officer for the district, city, county or place wherein the offence was committed, there to be kept by the proper officer among the records of the general or quarter sessions of the peace or of any court discharging the functions of a court of general or quarter sessions of the peace.

“2. This section shall not apply to police magistrates, stipendiary magistrates, or recorders of cities or incorporated towns.”

Section **806.**—By repealing this section, as it is amended by chapter 57 of the statutes of 1894.

Section **827.**—By repealing this section.

Section **832.**—By substituting the following therefor :—

“**832.** Any court by which and any judge under Part LIV or magistrate under Part LV by whom judgment is pronounced

or recorded, upon the conviction of any person for treason or any indictable offence, in addition to such sentence as may otherwise by law be passed, may condemn such person to the payment of the whole or any part of the costs or expenses incurred in and about the prosecution and conviction for the offence of which he is convicted, if to such court or judge it seems fit so to do; and the court or judge may include in the amount to be paid such moderate allowance for loss of time as the court or judge, by affidavits or other inquiry and examination, ascertains to be reasonable; and the payment of such costs and expenses, or any part thereof, may be ordered by the court or judge to be made out of any moneys taken from such person on his apprehension (if such moneys are his own), or may be enforced at the instance of any person liable to pay or who has paid the same in such and the same manner (subject to the provisions of this Act) as the payment of any costs ordered to be paid by the judgment or order of any court of competent jurisdiction in any civil action or proceeding may for the time being be enforced: Provided, that in the meantime, and until the recovery of such costs and expenses from the person so convicted as aforesaid, or from his estate, the same shall be paid and provided for in the same manner as if this section had not been passed; and any money which is recovered in respect thereof from the person so convicted, or from his estate, shall be applicable to the reimbursement of any person or fund by whom or out of which such costs and expenses have been paid or defrayed."

Section **846**.—By substituting the following therefor:—

"**846**. No information, complaint, warrant, conviction or other proceeding under this part shall be deemed objectionable or insufficient on any of the following grounds, that is to say:

"(a.) that it does not contain the name of the person injured, or intended or attempted to be injured; or

"(b.) that it does not state who is the owner of any property therein mentioned; or

"(c.) that it does not specify the means by which the offence was committed; or

"(d.) that it does not name or describe with precision any person or thing:

"Provided that the justice may, if satisfied that it is necessary for a fair trial, order that a particular, further describing such means, person, place or thing, be furnished by the prosecutor.

"2. The description of any offence in the words of the Act, or any order, by-law, regulation or other document creating the offence, or any similar words, shall be sufficient in law."

Section **864**.—By substituting the following therefor:—

"**864**. Whenever any person is charged with common assault any justice may summarily hear and determine the charge.

“2. If the justice finds the assault complained of to have been accompanied by an attempt to commit some other indictable offence, or is of opinion that the same is, from any other circumstance, a fit subject for prosecution by indictment, he shall abstain from any adjudication thereupon, and shall deal with the case in all respects in the same manner as if he had no authority finally to hear and determine the same.”

Section **872**.—By adding the following paragraph at the end of subsection 1 thereof:—

“(c.) Whenever under such Act or law imprisonment with hard labour may be ordered or adjudged in the first instance as part of the punishment for the offence of the defendant, the imprisonment in default of distress or of payment may be with hard labour.”

916.—By striking out the first five lines of subsection 2 and substituting the following therefor:—

“2. If such court is a superior court having criminal jurisdiction one of such rolls shall be filed with the clerk, prothonotary, registrar or other proper officer.

“(a.) In the province of Ontario, of the High Court of Justice.”

Section **927**.—By substituting the following therefor:—

“**927**. Whenever no other provision is made by any law of Canada for the application of any fine, penalty or forfeiture imposed for the violation of any such law or of the proceeds of an estreated recognizance, the same shall be paid over by the magistrate or officer receiving the same to the treasurer of the province in which the same is imposed or recovered, to be by him paid over to the municipal or local authority, if any, which wholly or in part bears the expenses of administering the law under which the same was imposed or recovered, or to be applied in any other manner deemed best adapted to attain the objects of such law and secure its due administration, except that—

“(a.) all fines, penalties and forfeitures imposed in respect of the breach of any of the revenue laws of Canada, or imposed upon any officer or employee of the Government of Canada in respect of any breach of duty or malfeasance in his office or employment, and the proceeds of all recognizances estreated in connection with proceedings for the prosecution of persons charged with such breaches or malfeasance, and

“(b.) all fines, penalties and forfeitures imposed for whatever cause in any proceeding instituted at the instance of the Government of Canada or of any department thereof in which that Government bears the cost of prosecution, and the proceeds of all recognizances estreated in connection with such proceedings, shall belong to Her Majesty for the public uses of Canada, and shall be paid by the magistrate or officer re-

ceiving the same to the Receiver General and form part of the Consolidated Revenue Fund of Canada.

“Provided that nothing in this section contained shall affect any right of a private person suing as well for Her Majesty as for himself, to the moiety of any fine, penalty or forfeiture recovered in his suit.”

Section **943**.—By substituting the following therefor:—

“**943**. The duties imposed upon the sheriff, jailer, medical officer or surgeon by the three sections next preceding, may be, and, in his absence, shall be performed by his lawful deputy or assistant, or other officer or person ordinarily acting for him, or conjointly with him, or discharging the duties of any such officer.”

Section **955**.—By adding at the end of subsection 3 thereof the following:—

“and provided further that where any one is sentenced for any offence who is, at the date of such sentence, serving a term of imprisonment in a penitentiary for another offence, he may be sentenced for a term shorter than two years to imprisonment in the same penitentiary, such sentence to take effect from the termination of his existing sentence or sentences.”

Section **957**.—By substituting the following therefor:—

“**957**. Whenever whipping may be awarded for any offence, the court may sentence the offender to be once, twice or thrice whipped, within the limits of the prison, under the supervision of the medical officer of the prison, or if there be no such officer, or if the medical officer be for any reason unable to be present, then, under the supervision of a surgeon or physician to be named by the Minister of Justice, in the case of prisons under the control of the Dominion, and in the case of other prisons by the Attorney General of the province in which such prison is situated.

“2. The number of strokes shall be specified in the sentence; and the instrument to be used for whipping shall be a cat of nine tails unless some other instrument is specified in the sentence.

“3. Whenever practicable, every whipping shall take place not less than ten days before the expiration of any term of imprisonment to which the offender is sentenced for the offence.

“4. Whipping shall not be inflicted on any female.”

Section **958**, as amended by chapter 32 of the statutes of 1893.—By substituting the following therefor:—

“**958**. Every court of criminal jurisdiction and every magistrate under Part LV. before whom any person is convicted of an offence and is not sentenced to death, shall have power in addition to any sentence imposed upon such person, to require

quire him forthwith to enter into his own recognizances, or to give security to keep the peace, and be of good behaviour for any term not exceeding two years, and that such person in default shall be imprisoned for not more than one year after the expiry of his imprisonment under his sentence, or until such recognizances are sooner entered into or such security sooner given, and any person convicted, by any such court or magistrate of an indictable offence punishable with imprisonment for five years or less may be fined in addition to or in lieu of any punishment otherwise authorized, in which case the sentence may direct that in default of payment of his fine the person so convicted shall be imprisoned until such fine is paid, or for a period not exceeding five years, to commence at the end of the term of imprisonment awarded by the sentence, or forthwith as the case may require.

“2. Any person convicted of an indictable offence punishable with imprisonment for more than five years may be fined, in addition to, but not in lieu of, any punishment otherwise ordered, and in such case, also, the sentence may in like manner direct imprisonment in default of payment of any fine imposed.”

Section 971.—By substituting the following therefor :—

“971. In any case in which a person is convicted before any court of any offence punishable with not more than two years' imprisonment and no previous conviction is proved against him, if it appears to the court before which he is so convicted, that, regard being had to the age, character, and antecedents of the offender, to the trivial nature of the offence, and to any extenuating circumstances under which the offence was committed, it is expedient that the offender be released on probation of good conduct, the court may, instead of sentencing him at once to any punishment, direct that he be released on his entering into a recognizance, with or without sureties, and during such period as the court directs, to appear and receive judgment when called upon, and in the meantime to keep the peace and be of good behaviour.

“2. Where the offence is punishable with more than two years' imprisonment the court shall have the same power as aforesaid with the concurrence of the counsel acting for the Crown in the prosecution of the offender.

“3. The court may, if it thinks fit, direct that the offender shall pay the costs of the prosecution, or some portion of the same, within such period and by such instalments as the court directs.”

Schedule One, Form J.—By substituting the following therefor :—

“J.—(Section 569.)

INFORMATION TO OBTAIN A SEARCH WARRANT

Canada, }
 Province of , }
 County of . }

The information of A.B., of
 in the said county (*yeoman*), taken this
 day of in the year
 before me, J.S., Esquire, a justice of the peace, in and for the
 district (*or county, etc.*) of , who says that
 (*describe things to be searched for and offence in respect of which
 search is made*), and that he has just and reasonable cause to
 suspect, and suspects, that the said goods and chattels, or some
 part of them are concealed in the (*dwelling-house, &c.*) of C.D.,
 of in the said district (*or county, etc.*) (*here add the causes
 of suspicion, whatever they may be*): Wherefore (*he*) prays that
 a search warrant may be granted to him to search the (*dwelling-
 ing-house, &c.*), of the said C.D., as aforesaid, for the said goods
 and chattels so stolen, taken and carried away as aforesaid (*or
 as the case may be*).

Sworn (*or affirmed*) before me the day and year first above
 mentioned, at in the said county of

J.S.,
 J.P., (*name of district or county, etc.*)”

Schedule One, Forms BB and CC.—By substituting the
 following therefor :—

“BB.—(Section 601.)

RECOGNIZANCE OF BAIL.

Canada, }
 Province of , }
 County of . }

Be it remembered that on the day of
 the year , A.B. of (*labourer*) L. M.
 of , (*grocer*), and N. O. of , (*butcher*), personally
 came before (*us*) the undersigned, (*two*) justices of the peace
 for the county of , and severally acknowledged
 themselves to owe to our Sovereign Lady the Queen, her heirs
 and successors, the several sums following, that is to say: the
 said A.B. the sum of , and the said L.M. and N.O.
 the sum of , each, of good and lawful current money
 of Canada, to be made and levied of their several goods and
 chattels, lands and tenements respectively, to the use of our
 said Sovereign Lady the Queen, her heirs and successors, if he,
 the said A.B., fails in the condition endorsed (*or hereunder
 written*).

Taken and acknowledged the day and year first above mentioned, at _____ before us.

J. S.,
 J. N.,
 J. P. (*name of county.*)

The condition of the within (*or above*) written recognizance, is such that whereas the said A. B. was this day charged before (*us*), the justices within mentioned for that (*&c., as in the warrant*); if, therefore, the said A. B. appears at the next superior court of criminal jurisdiction (*or court of general or quarter sessions of the peace*) to be holden in and for the county of _____, and there surrenders himself into the custody of the keeper of the common jail (*or lock-up house*) there, and pleads to such indictment as may be found against him by the grand jury, for and in respect to the charge aforesaid, and takes his trial upon the same, and does not depart the said court without leave, then the said recognizance to be void, otherwise to stand in full force and virtue.”

“CC.—(*Section 602.*)

WARRANT OF DELIVERANCE ON BAIL BEING GIVEN FOR A PRISONER ALREADY COMMITTED.

Canada, }
 Province of _____, }
 County of _____.

To the keeper of the common jail of the county of _____ at _____, in the said county.

Whereas A. B. late of _____, (*labourer*), has before (*us*) (*two*) justices of the peace in and for the said county of _____, entered into his own recognizance, and found sufficient sureties for his appearance at the next superior court of criminal jurisdiction (*or court of general or quarter sessions of the peace*), to be holden in and for the county of _____, to answer our Sovereign Lady the Queen, for that (*&c., as in the commitment*), for which he was taken and committed to your said common jail: These are therefore to command you, in Her Majesty’s name, that if the said A. B. remains in your custody in the said common jail for the said cause, and for no other, you shall forthwith suffer him to go at large.

Given under our hands and seals, this _____ day of _____, in the year _____, at _____, in the county aforesaid.

J. S. [SEAL.]
 J. N. [SEAL.]
 J. P. (*name of county.*)”



63-64 VICTORIA.

CHAP. 47.

An Act to amend the Penitentiary Act.

[Assented to 7th July, 1900.]

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

1. The schedule to chapter 48 of the statutes of 1899 is ^{1899, c. 48,} repealed and the following is substituted therefor :— _{new schedule}

“ SCHEDULE.

KINGSTON PENITENTIARY,—

Warden (with free quarters, heated and lighted)	\$2,600 00
Deputy warden (with free quarters, heated and lighted)	1,500 00
Two chaplains, each	1,200 00
Surgeon	1,800 00
Accountant	1,200 00
Warden's clerk	800 00
Storekeeper	900 00
Assistant storekeeper	600 00
Steward	900 00
Chief keeper	\$1,200 00
Clerk of industries	500 00
} when united..	1,400 00
Hospital overseer and schoolmaster	1,200 00
Assistant hospital overseer and schoolmaster ..	700 00
Engineer	1,200 00
Electrician	800 00
Assistant electrician ..	600 00
Chief trade instructor	1,200 00
Superintendent, cordage industry	1,500 00
Assistant superintendent, cordage industry	900 00
Trade instructors	700 00
Keepers	600 00
Guards	500 00
Temporary guards	400 00

KINGSTON PENITENTIARY,—*Concluded.*

Messenger.....	\$ 500 00
Firemen.....	500 00
Matron.....	600 00
Deputy matron.....	400 00

ST. VINCENT DE PAUL PENITENTIARY,—

Warden (with free quarters, heated and lighted)	\$2,400 00
Deputy warden (with free quarters, heated and lighted).....	1,500 00
Two chaplains, each.....	1,200 00
Surgeon.....	1,600 00
Accountant.....	1,200 00
Warden's clerk.....	700 00
Storekeeper.....	900 00
Assistant storekeeper.....	600 00
Steward.....	800 00
Chief keeper.....	1,200 00
Hospital overseer..... \$750 00	} when united... 1,000 00
Schoolmaster..... 800 00	
Engineer.....	1,000 00
Chief trade instructor. \$1,200 00	} when united 1,500 00
Clerk of industries..... 500 00	
Trade instructors.....	700 00
Keepers.....	600 00
Guards.....	500 00
Temporary guards.....	400 00
Messenger.....	500 00
Firemen.....	500 00

DORCHESTER PENITENTIARY,—

Warden (with free quarters, heated and lighted)	\$2,000 00
Deputy warden (with free quarters, heated and lighted).....	1,500 00
Two chaplains, each.....	800 00
Surgeon.....	1,400 00
Accountant and warden's clerk.....	1,200 00
Storekeeper.....	800 00
Steward.....	800 00
Chief keeper.....	800 00
Chief trade instructor.....	1,000 00
Hospital overseer.. \$800 00	} when united... 1,000 00
Schoolmaster..... 700 00	
Engineer.....	1,000 00
Trade instructors.....	700 00
Keepers.....	600 00
Guards.....	500 00
Temporary guards.....	400 00
Messenger.....	500 00
Firemen.....	500 00
Matron.....	500 00
Deputy matron.....	400 00

MANITOBA PENITENTIARY,—

Warden (with free quarters, heated and lighted)	\$2,000 00
Deputy warden (with free quarters, heated and lighted),	1,500 00
Two chaplains, each.	800 00
Surgeon	1,500 00
Accountant and warden's clerk	1,100 00
Storekeeper.	800 00
Steward	800 00
Hospital overseer and schoolmaster.	900 00
Engineer	1,000 00
Trade instructors.	700 00
Keepers and guards.	600 00
Temporary guards.	500 00
Messenger.	600 00
Firemen	600 00

BRITISH COLUMBIA PENITENTIARY,—

Warden (with free quarters, heated and lighted)	\$2,000 00
Deputy warden (with free quarters, heated and lighted).	1,500 00
Two chaplains, each.	800 00
Surgeon.	1,000 00
Accountant and warden's clerk.	1,200 00
Steward.	800 00
Storekeeper.	800 00
Hospital overseer and schoolmaster.	800 00
Trade instructors	700 00
Keepers and guards.	600 00
Temporary guards.	500 00
Messenger	600 00
Firemen.	600 00

2. This Act shall not apply, nor shall chapter 48 of the statutes of 1899 be deemed to have applied, to any person who was in the penitentiary service on the twenty-first day of July, one thousand eight hundred and ninety-five, to his prejudice as regards the salary payable to him in respect of the office or employment then held by him. As to salaries of certain persons.



63-64 VICTORIA.

CHAP. 48.

An Act to amend an Act to provide for the Conditional Liberation of Penitentiary Convicts.

[Assented to 7th May, 1900.]

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

1. The provisions of chapter 49 of the statutes of 1899, ^{1899, c. 49} intituled *An Act to provide for the conditional liberation of Penitentiary Convicts*, shall apply to all persons convicted of any offence and being under sentence of imprisonment in any jail or other public or reformatory prison; and the Governor General may grant to any person so convicted and being under imprisonment in any jail or other public or reformatory prison a license to be at large in Canada upon the like terms and conditions as are by the said Act prescribed and authorized with respect to penitentiary convicts. applied to convicts in jails and other public or reformatory prisons.

2. The said Act and this Act may be cited respectively as *The Ticket of Leave Act, 1899*, and *The Ticket of Leave Amendment Act, 1900*, and may be cited collectively as *The Ticket of Leave Acts*. Short titles.

OTTAWA : Printed by SAMUEL EDWARD DAWSON, Law Printer to the Queen's most Excellent Majesty.

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