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CLASSIFIED TABLE

OF

PUBLIC GENERAL STATUTES OF CANADA,

WHOLLY OR PARTLY IN FORCE

AT THE

END OF THE SESSION OF 1877,

WITH NOTICES OF THOSE REPEALED OR EXPIRED, OR EFFETE
BY THE ACCOMPLISHMENT OF THEIR PURPOSE.

BY

G. W. WICKSTEED, Q. C.,

LAW CLERK, HOUSE OF COMMONS.

OTTAWA:

PRINTED BY MACLEAN, ROGER & Co., WELLINGTON STREET.

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— 0 —

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Post Office Department: 38 V. c. 7—40 V. c. 34—Subject as to 31 V. c. 10.—R. by 38 & c. 7, 32—33 V. c. 5. Expired.

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The Departments of President of Council and Receiver General are not provided for by any special Acts. The Receiver General is a member of the Treasury Board under 32—33 V. c. 4. I do not find either of them specially provided for otherwise.

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Currency: 31 V. c. 45 s. 2—34 V. c. 4, which last is extended to N. W. T., 38 V. c. 49.—and includes Manitoba as being part of 31 V. c. 45, Expd, except s. 2 the Dominion when it passed. Not to B. C., the currency of which differs a little; nor to P. E. I., which, however, has the same rates under its own law.

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- 31 V. c. 56, R. by 38 V. c. 88. Copy-rights: 31 V. c. 54. Foreign Reprints, 38 V. c. 88 (should be 99; *see* Customs.)
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- Fraudulent marking of merchandise: 35 V. c. 32.
- Insolvency: 38 V. c. 16—39 V. cc. 30, 31—40 V. c. 41.

TRADE AND COMMERCE, ETC. (*Continued.*)

Evidence in Canada, in foreign commercial and civil suits: 31 V. c. 76.
Trade Unions: 35 V. c. 30.

Trading or Business Co's.

Joint Stock Cos. Clauses Act: 32, 33 V. c. 12.
" by Letters Patent: 40 V. c. 43. 32, 33 V. c. 13, R. by 40 V. c. 43.
Railway Cos.: 31 V. c. 68—34 V. c. 43—36 V. c. c. 80, 81—(82
N. Colonization)—38 V. c. 24—39 V. c. 32—40 V. c. 45.
" Returns by: 38 V. c. 25—39 V. c. 14.
" and other Roads crossing Navigable Rivers: 39 V. c. 15.
Bridges, inspection of: 35 V. c. 25.
Telegraph Cos.: 32, 33 V. c. 14.—Q. & Ont., only.
" Marine, 38 V. c. 26.
Conveying Timber down Rivers: 36 V. c. 64.
Insurance Cos.: 38 V. c. 20—40 V. c. 42. 31 V. c. 48, R. 37 V. c. 48, R.
34 V. c. 9, R. 38 V. c. 21, R.
All R. by 38 V. c. 20 and 40
V. c. 42.
" Mutual, 34 V. c. 12.
Permanent Building Societies in Ontario: 37 V. c. 50—40 V. cc.
48, 49.
Building Societies in Quebec: 40 V. c. 50.

CRIMINAL LAW.

The word "ALL" means that the Acts have been *extended* to all the Provinces and Territories of Canada: those passed after the *admission* of a Province extend to it by virtue of their *date*.

Crown and Govt. lawless aggression: 31 V. c. 14—31 V. c. 29. All but Manitoba.
Unlawful training: 31 V. c. 15—32, 33 V. c. 17. All but Manitoba. Conspirators: 33 V. c. 1, expired.
Security of: 31 V. cc. 30, 69. All but Manitoba.
Coining offences, relating to: 32, 33 V. c. 13. All.
Copper Coin and Tokens: 31 V. c. 47. Q., O., N. S. and N. B. only.
Person, offences against: 32, 33 V. c. 20—36 V. c. 50—40 V. c. 28.
All.
Larceny: 32, 33 V. c. 21—35 V. c. 33 (stamps)—35 V. c. 35—38 V. c. 40 (timber)—40 V. c. 29—36 V. c. 55 ss. 11, 19, 20 (wrecks);
and see 38 V. c. 7 as to Post, Letters, &c. All.
Military & Naval Stores: 32, 33 V. c. 26—33 V. c. 31. All but N.W.T.
Malicious Injuries to Property: 32, 33 V. c. 22—35 V. c. 34,
—40 V. c. 29. All.
Forgery: 32, 33 V. c. 19. All.
Perjury: 32, 33, V. c. 23—33 V. c. 26. All.
Perjury, Forgery, &c., as respects Prov. Legislatures: 31 V. c. 71.
All but Manitoba.
Unnecessary Oaths suppressed: 37 V. c. 37. All.
Fraudulent Marking of Goods: 35 V. c. 32. All.
Libel, Crime of: 37 V. c. 38. All.
Riots and Riotous Assemblies: 31 V. c. 70. All but Manitoba.
Peace on Public Works: 32, 33 V. c. 24—33 V. c. 28—38 V. c. 38.
All.
Army & Navy, offences respecting: 32, 33 V. c. 25. All but N. W. T.
Firearms, improper use of: 40 V. c. 30.
Gambling and Gaming Houses: 38 V. c. 41—40 V. cc. 32, 33.
Betting and Pool Selling: 40 V. c. 31.
Breaches of contract of Service: 40 V. c. 35.
Trade Unions: 35 V. c. 30. All but P. E. I.
Violence and Threats: 35 V. c. 31—39 V. c. 37. All.
Vagrants: 32, 33 V. c. 28—37 V. c. 43. All. 38 V. c. 39, R. by 39 V. c. 37.

CRIMINAL LAW (*Continued*).

Cruelty to Animals: 32, 33 V. c. 27—33 V. c. 29. All.

“ “ *in transitu*: 38 V. c. 42.

Procedure: 32, 33 V. c. 29—36 V. cc. 3, 51—38 V. c. 43—40 V. c. 26—39 V. c. 36, witnesses. All.

—(See also 32, 33 V. c. 36 s. 5.

Accessories and Abettors: 31 V. c. 72—32, 33 V. c. 17. All but Manitoba.

Offences not wholly committed in Canada: 32, 33 V. c. 17. All but Manitoba.

Justices of the Peace, indictable offences: 32, 33 V. c. 30. All.

39 V. c. 23, R. by 40 V. c. 27. J. P.'s Summary Convictions, &c.:—32, 33 V. c. 31—c. 36—33 V. c. 27—40 V. c. 27. All. And see divers Acts giving jurisdiction under it.

Summary trial by consent: 32, 33 V. c. 32—37 V. c. 40, as to N. S. and N. B. All.

Juvenile Offenders: 32, 33 V. c. 33. All.

“ “ *in Quebec*: 32, 33 V. c. 34—34 V. c. 30.

Speedy Trial, Q. and O.: 32, 33 V. c. 35—38 V. c. 45 as to O—37 V. 41, Algoma, and 38 V. c. 54, Manitoba.

“ “ *in O.*, for felonies and misdemeanors, by Stipendiary Magistrates: 38 V. c. 47.

Police of Canada: 31 V. c. 73. All but Manitoba.

“ Mounted. See *Rupert's Land*, &c.

31 V. c. 75—33 V. c. 30—34 V. c. 26—Rockwood is Effete—36 V. c. 52, and the others R. by 38 V. c. 44. Penitentiaries: 38 V. c. 44—40 V. c. 38—(Rockwood.)

“ Assistant Inspectors in Manit. and B. C.—39 V. c. 24.

Reformatory Prisons, Quebec: 32, 33 V. c. 34—34 V. c. 30.

Central Prison, O.: 36 V. c. 69—38 V. c. 46.

Prisoners charged with treason or felony: 31 V. c. 74. All but Manitoba.

“ *in insecure gaols*: 40 V. c. 37.

Prison discipline, improvement of: 40 V. c. 39.

Employment of prisoners outside of gaols: 40 V. c. 36.

Halifax Industrial School: 33 V. c. 32.

Repeal of first 10 sections of c. 147, R. S. N. S.: 38 V. c. 48.

Repeal of Criminal Laws, General Act: 32, 33 V. c. 36. All.

Criminal Statistics, collection of, &c.: 39 V. c. 13.

Extradition: 31 V. c. 94—33 V. c. 25—40 V. c. 25. *But see note on POLITICAL AND INTERNATIONAL RIGHTS.*

Police Force, St. John, N. B., 33 V. cc. 33, 34.

MEMORANDUM

As to what Acts of Canada extend to the several Provinces or Territories constituted or admitted after the Union effected by B. N. A. Act, 1867.

Manitoba.

The Acts mentioned in 34 V. c. c. 13, 14. Those specially mentioned as extended to it, in the foregoing Tables; and all the Acts of 34 Vict. and subsequent Sessions, except in so far as they may be wholly or in part otherwise limited or inapplicable.

British Columbia.

The Acts mentioned in 34 V. c. 13. Those specially mentioned as extended to it, in the foregoing Tables; and all the Acts of 35 Vict. and subsequent Sessions; except in so far as they may be wholly or in part otherwise limited or inapplicable.

North West Territories.

The Acts mentioned in 38 V. c. 49, or extended by the Governor in Council under it. Those specially mentioned as extended to it, in the foregoing Tables; and all the Acts of the Sessions after 38 Vict., except in so far as they may be wholly or in part otherwise limited or inapplicable.

Keewatin.

The Acts mentioned in 39 V. c. 21, s. 11, and Schedule. Those specially mentioned as extended to it, in the foregoing Tables; and all Acts of the Sessions subsequent to 39 Vict.; except in so far as they may be wholly or in part otherwise limited or inapplicable. In the N. W. T. (and in Keewatin as having been part of them) the laws in force in them before their incorporation with Canada, remain in force, so far as they are consistent with the B. N. A. Act, 1867, the terms of the Order of H. M. in Council for the admission of the said Territories into the Union, and with Acts of Canada or Orders in Council since passed and applying to them.

Prince Edward Island.

The Acts mentioned in 36 V. c. 40, and 37 V. c. 27. Those specially mentioned as extended to it, in the foregoing Tables and all Acts of the Sessions subsequent to 36 Vict., except as they may be wholly or in part otherwise limited or inapplicable.

Note.

It is well to remark, that by 38 V. c. 1 s. 3, it is declared that no Act amending a previous one which does not apply to all the Provinces shall apply to any Province to which the amended Act does not apply, unless it is expressly provided that it shall apply to such Province or to all the Provinces.

I have prepared these Tables and Memorandum in place of the old Table of "Expiring Laws," which has dwindled down almost to nothing; and I believe they will be found very useful to Members who may wish to find all the Dominion Statutes on any subject or

class of subjects. In the order of subjects I have followed that which *we* adopted for the Consolidated Statutes of Canada as nearly as the case admitted, and the Acts are classified under the headings to which they *mainly*, though *not exclusively*, relate. Corrected for Acts of the present Session, and with a Chronological Table of all the Statutes of Canada, shewing the amendments, repeal, and other particulars relating to each, like those I prepared for Upper and Lower Canada previous to the Consolidation of 1859, and an Index, (for which and the said Table I have the materials in M. S., in my office,) they would be very useful until the completion of the contemplated Consolidation, which must necessarily be a work of time, and of which they would in fact form the basis. Some portions of the Consolidated Statutes and subsequent Acts of the *Province* of Canada, and also of the Provinces of Nova Scotia, New Brunswick, and British Columbia, on matters within the scope of the powers of the Parliament of Canada are still in force.. But these have been dealt with by the Consolidators in the several Provinces, or will be so, until they become absorbed in or repealed by Statutes of the Dominion ; any attempt to refer further to them in the foregoing Table would only have led to complication and confusion.

G. W. WICKSTEED,

Law Clerk, House of Commons.

OTTAWA, 11th March, 1878.