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ACTS
OF THE
PARLIAMENT OF THE UNITED KINGDOM
OF
GREAT BRITAIN AND IRELAND

PASSED IN THE SESSIONS HELD IN THE

56TH AND 57TH YEARS OF THE REIGN OF HER MAJESTY

QUEEN VICTORIA

BEING THE SECOND AND THIRD SESSIONS OF THE TWENTY-FIFTH PARLIAMENT
OF THE UNITED KINGDOM



OTTAWA
PRINTED BY SAMUEL EDWARD DAWSON
LAW PRINTER (FOR CANADA) TO THE QUEEN'S MOST EXCELLENT MAJESTY
ANNO DOMINI 1894





56-57 VICTORIA.

CHAP. 23.

An Act to provide for prohibiting the Catching of Seals at certain periods in Behring's Sea and other parts of the Pacific Ocean adjacent to Behring's Sea.

[29th June, 1893.]

WHEREAS it is expedient to extend the Seal Fishery 54-55 Vict. c. 19.
(Behring's Sea) Act, 1891, to other waters of the North Pacific Ocean adjacent to Behring's Sea, and for that purpose to repeal and re-enact that Act:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1.—(1.) Her Majesty the Queen may, by Order in Council, prohibit during the period specified by the Order, the catching of seals by British ships in such parts of the seas to which this Act applies as are specified by the Order. Power to prohibit by Order in Council the hunting of seals in Behring's Sea and adjacent parts of the Pacific Ocean.

(2.) While an Order in Council under this Act is in force—

(a.) a person belonging to a British ship shall not kill, take, or hunt, or attempt to kill or take, any seal during the period and within the seas specified by the Order; and

(b.) a British ship shall not, nor shall any of the equipment or crew thereof, be used or employed in such killing, taking, hunting, or attempt.

(3.) If there is any contravention of this Act, any person committing, procuring, aiding, or abetting such contravention shall be guilty of a misdemeanour within the meaning of the Merchant Shipping Act, 1854, and the ship and her equipment, and everything on board thereof, shall be liable to be forfeited to Her Majesty as if an offence had been committed under section one hundred and three of the said Act, and the provisions of sections one hundred and three and one hundred and four and Part Ten of the said Act, and of section thirty-four of the Merchant Shipping Act, 1876 (which are set out in the schedule to this Act) shall apply as if they were herein re-enacted, and in terms made applicable to an offence and forfeiture under 17-18 Vict. c. 104. 39-40 Vict. c. 80.

Seal Fishery (North Pacific) Act, 1893.

this Act, and any commissioned officer on full pay in the naval service of Her Majesty the Queen may seize the ship's certificate of registry.

(4.) Any commissioned officer on full pay in the naval service of Her Majesty the Queen shall have power, during the period and in the seas specified by the Order, to stop and examine any British ship, and to detain her, or any portion of her equipment, or any of her crew, if in his judgment the ship is being or is preparing to be used or employed in contravention of this Act.

(5.) For carrying into effect an arrangement with any foreign state, an Order in Council under this Act may provide that such officers of that state as are specified in the Order may exercise the like powers under this Act as may be exercised by such a commissioned officer as aforesaid in relation to a British ship, and the equipment and crew and certificate thereof, and that such British officers as are specified in the Order may exercise, with the necessary modifications, the powers conferred by this Act in relation to a ship of the said foreign state, and the equipment and crew and papers thereof.

(6.) If during the period and within the seas specified by the Order a British ship is found having on board thereof fishing or shooting implements or seal skins or bodies of seals, it shall lie on the owner or master of such ship to prove that the ship was not used or employed in contravention of this Act.

Provision as to
ship's papers.

2.—(1.) Where an officer has power under this Act to seize a ship's certificate of registry, he may either retain the certificate and give a provisional certificate in lieu thereof, or return the certificate with an indorsement of the grounds on which it was seized, and in either case may direct the ship, by an addition to the provisional certificate or to the indorsement, to proceed forthwith to a specified port, being a port where there is a British court having authority to adjudicate in the matter, and if this direction is not complied with, the owner and master of the ship shall, without prejudice to any other liability, each be liable to a fine not exceeding one hundred pounds.

(2.) Where in pursuance of this section a provisional certificate is given to a ship, or the ship's certificate is indorsed, any officer of customs in Her Majesty's dominions or British consular officer may detain the ship until satisfactory security is given for her appearance in any legal proceedings which may be taken against her in pursuance of this Act.

Evidence.

3.—(1.) A statement in writing, purporting to be signed by an officer having power in pursuance of this Act to stop and examine a ship, as to the circumstances under which or grounds on which he stopped and examined the ship, shall be admissible in any proceedings, civil or criminal, as evidence of the facts or matters therein stated.

Seal Fishery (North Pacific) Act, 1893.

(2.) If evidence contained in any such statement was taken on oath in the presence of the person charged in the evidence, and that person had an opportunity of cross-examining the person giving the evidence and of making his reply to the evidence, the officer making the statement may certify that the evidence was so taken and that there was such opportunity as aforesaid.

4.—(1.) Her Majesty the Queen in Council may make, revoke, and alter Orders for the purpose of this Act, and every such Order shall be forthwith laid before both Houses of Parliament and published in the *London Gazette*.

Orders in
Council.

(2.) Any such Order may contain any limitations, conditions, qualifications, and exceptions which appear to Her Majesty in Council expedient for carrying into effect the object of this Act.

5.—(1.) This Act shall apply to the animal known as the fur-seal, and to any marine animal specified in that behalf by an Order in Council under this Act, and the expression "seal" in this Act shall be construed accordingly.

Application,
construction,
short title,
and duration
of Act.

(2.) This Act shall apply to the seas within that part of the Pacific Ocean known as Behring's Sea and within such other parts of the Pacific Ocean as are north of the forty-second parallel of north latitude.

(3.) The expression "equipment" in this Act includes any boat, tackle, fishing or shooting instruments, and other things belonging to a ship.

(4.) This Act may be cited as the Seal Fishery (North Pacific) Act, 1893.

(5.) The Seal Fishery (Behring's Sea) Act, 1891, is hereby repealed, but any Order in Council in force under that Act shall continue as if it had been made in pursuance of this Act.

54-55 Vict.
c. 19.

(6.) This Act shall be and remain in force until the first day of July, one thousand eight hundred and ninety-five.

SCHEDULE.

ENACTMENTS OF MERCHANT SHIPPING ACT (17 & 18 VICT. C. 104) APPLIED.

Section 103.— * * * And in order that the above provisions as to forfeitures may be carried into effect, it shall be lawful for any commissioned officer on full pay in the military or naval service of Her Majesty, or any British officer of customs, or any British consular officer, to seize and detain any ship which has, either wholly or

Seal Fishery (North Pacific) Act, 1893.

as to any share therein, become subject to forfeiture as aforesaid, and to bring her for adjudication before the High Court of Admiralty in England or Ireland, or any court having admiralty jurisdiction in Her Majesty's dominions; and such court may thereupon make such order in the case as it may think fit, and may award to the officer bringing in the same for adjudication such portion of the proceeds of the sale of any forfeited ship or share as it may think right.

Officer not liable for any seizure made on reasonable grounds.

Section 104.—No such officer as aforesaid shall be responsible, either civilly or criminally, to any person whomsoever, in respect of the seizure or detention of any ship that has been seized or detained by him in pursuance of the provisions herein contained, notwithstanding that such ship is not brought in for adjudication, or, if so brought in, is declared not to be liable to forfeiture, if it is shown to the satisfaction of the judge or court before whom any trial relating to such ship or such seizure or detention is held that there were reasonable grounds for such seizure or detention; but if no such grounds are shown, such judge or court may award payment of costs and damages to any party aggrieved, and make such other order in the premises as it thinks just.

PART X.—LEGAL PROCEDURE.

APPLICATION.

Application of Part X. of the Act.

Section 517.—The Tenth Part of this Act shall in all cases where no particular country is mentioned, apply to the whole of Her Majesty's dominions.

LEGAL PROCEDURE (GENERAL).

Section 518.—In all places within Her Majesty's dominions, except Scotland, the offences hereinafter mentioned shall be punished and penalties recovered in manner following; (that is to say,)

Punishment of offences, and recovery of penalties.

(1.) Every offence by this Act declared to be a misdemeanour shall be punishable by fine or imprisonment with or without hard labour, and the court before which such offence is tried may in England make the same allowances and order payment of the same costs and expenses as if such misdemeanour had been enumerated in the Act passed in the seventh year of His late Majesty King George the Fourth, chapter sixty-four, or any other Act that may be passed for the like purpose, and may in any other part of Her Majesty's dominions make such allowances and order payment of such costs and expenses (if any) as are payable or allowable upon the trial of any misdemeanour under any existing Act or Ordinance or as may be payable or allowable under any Act or law for the time being in force therein :

7 Geo. 4., c. 64.

Seal Fishery (North Pacific) Act, 1893.

(2.) Every offence declared by this Act to be a misdemeanour shall also be deemed to be an offence hereby made punishable by imprisonment for any period not exceeding six months, with or without hard labour, or by a penalty not exceeding one hundred pounds, and may be prosecuted accordingly in a summary manner, instead of being prosecuted as a misdemeanour:

(3.) Every offence hereby made punishable by imprisonment for any period not exceeding six months, with or without hard labour, or by any penalty not exceeding one hundred pounds, shall in England and Ireland be prosecuted summarily before any two or more justices, as to England in the manner directed by the Act of the eleventh and twelfth years of the reign of Her Majesty Queen Victoria, chapter forty-three, and as to Ireland in the manner directed by the Act of the fourteenth and fifteenth years of the reign of Her Majesty Queen Victoria, chapter ninety-three, or in such other manner as may be directed by any Act or Acts that may be passed for like purposes: And all provisions contained in the said Acts shall be applicable to such prosecutions in the same manner as if the offences in respect of which the same are instituted were hereby stated to be offences in respect of which two or more justices have power to convict summarily or to make a summary order:

(4.) In all cases of summary convictions in England, where the sum adjudged to be paid exceeds five pounds, or the period of imprisonment adjudged exceeds one month, any person who thinks himself aggrieved by such conviction may appeal to the next court of general or quarter sessions:

(5.) All offences under this Act shall in any British possession be punishable in any court or by any justice of the peace or magistrate in which or by whom offences of a like character are ordinarily punishable, or in such other manner, or by such other courts, justices, or magistrates, as may from time to time be determined by any Act or Ordinance duly made in such possession in such manner as Acts and Ordinances in such possession are required to be made in order to have the force of law.

Section 519.—Any stipendiary magistrate shall have full power to do alone whatever two justices of the peace are by this Act authorized to do.

Section 520.—For the purpose of giving jurisdiction under this Act, every offence shall be deemed to have been committed, and every cause of complaint to have arisen, either in the place in which the same actually was committed or arose, or in any place in which the offender or person complained against may be.

Section 521.—In all cases where any district within which any court or justice of the peace or other magistrate has jurisdiction, either under this Act or under any other Act or at common law, for any purpose whatever, is situate on the coast

Stipendiary magistrate to have same power as two justices.

Offence where deemed to have been committed.

Jurisdiction over ships lying off the coasts

Seal Fishery (North Pacific) Act, 1893.

of any sea, or abutting on or projecting into any bay, channel, lake, river, or other navigable water, every such court, justice of the peace, or magistrate shall have jurisdiction over any ship or boat being on or lying or passing off such coast or being in or near such bay, channel, lake, river, or navigable water as aforesaid, and over all persons on board such ship or boat or for the time being belonging thereto, in the same manner as if such ship, boat, or persons were within the limits of the original jurisdiction of such court, justice or magistrate.

Service to be good if made personally, or on board ship.

Section 522.—Service of any summons or other matter in any legal proceeding under this Act shall be good service, if made personally on the person to be served, or at his last place of abode, or if made by leaving such summons for him on board any ship to which he may belong with the person being or appearing to be in command or charge of such ship.

Sums ordered to be paid leviable by distress on ship.

Section 523.—In all cases where any court, justice or justices of the peace, or other magistrate, has or have power to make an order directing payment to be made of any seaman's wages, penalties, or other sums of money, then, if the party so directed to pay the same is the master or owner of a ship, and the same is not paid at the time and in manner prescribed in the order, the court, justice or justices, or other magistrate, who made the order, may, in addition to any other powers they or he may have for the purpose of compelling payment, direct the amount remaining unpaid to be levied by distress or pouncing and sale of the said ship, her tackle, furniture, and apparel.

Application of penalties.

Section 524.—Any court, justice, or magistrate imposing any penalty under this Act, for which no specific application is herein provided, may, if it or he thinks fit, direct the whole or any part thereof to be applied in compensating any person for any wrong or damage which he may have sustained by the act or default in respect of which such penalty is imposed, or to be applied in or towards payment of the expenses of the proceedings; and, subject to such directions or specific application as aforesaid, all penalties recovered in the United Kingdom shall be paid into the receipt of Her Majesty's Exchequer in such manner as the Treasury may direct, and shall be carried to and form part of the Consolidated Fund of the United Kingdom; and all penalties recovered in any British possession shall be paid over into the public treasury of such possession, and form part of the public revenue thereof.

Limitation of time in summary proceedings.

Section 525.—The time for instituting summary proceedings under this Act shall be limited as follows; (that is to say,)

(1.) No conviction for any offence shall be made under this Act in any summary proceeding instituted in the United Kingdom, unless such proceeding is commenced within six months after the commission of the offence; or, if both or either of the parties to such proceeding happen during such time to be out

Seal Fishery (North Pacific) Act, 1893.

of the United Kingdom, unless the same is commenced within two months after they both first happen to arrive or to be at one time within the same :

(2.) No conviction for any offence shall be made under this Act in any proceeding instituted in any British possession, unless such proceeding is commenced within six months after the commission of the offence ; or if both or either of the parties to the proceeding happen during such time not to be within the jurisdiction of any court capable of dealing with the case, unless the same is commenced within two months after they both first happen to arrive or to be at one time within such jurisdiction :

(3.) No order for the payment of money shall be made under this Act in any summary proceeding instituted in the United Kingdom, unless such proceeding is commenced within six months after the cause of complaint arises ; or, if both or either of the parties happen during such time to be out of the United Kingdom, unless the same is commenced within six months after they both first happen to arrive or to be at one time within the same :

(4.) No order for the payment of money shall be made under this Act in any summary proceeding instituted in any British possession, unless such proceeding is commenced within six months after the cause of complaint arises ; or, if both or either of the parties to the proceeding happen during such time not to be within the jurisdiction of any court capable of dealing with the case, unless the same is commenced within six months after they both first happen to arrive or be at one time within such jurisdiction ;

And no provision contained in any other Act or Acts, Ordinance or Ordinances for limiting the time within which summary proceedings may be instituted shall affect any summary proceeding under this Act.

Section 526.—Any document required by this Act to be executed in the presence of or to be attested by any witness or witnesses, may be proved by the evidence of any person who is able to bear witness to the requisite facts, without calling the attesting witness or witnesses or any of them.

Document proved without calling attesting witness.

Section 527.—Whenever any injury has, in any part of the world, been caused to any property belonging to Her Majesty or to any of Her Majesty's subjects by any foreign ship, if at any time thereafter such ship is found in any port or river of the United Kingdom or within three miles of the coast thereof, it shall be lawful for the judge of any court of record in the United Kingdom or for the judge of the High Court of Admiralty, or in Scotland the Court of Session, or the sheriff of the county within whose jurisdiction such ship may be, upon its being shown to him by any person applying summarily that

Power of judge of court of record or admiralty to arrest foreign ship that has occasioned damage.

Seal Fishery (North Pacific) Act, 1893.

such injury was probably caused by the misconduct or want of skill of the master or mariners of such ship, to issue an order directed to any officer of customs or other officer named by such judge, requiring him to detain such ship until such time as the owner, master, or consignee thereof has made satisfaction in respect of such injury, or has given security, to be approved by the judge, to abide the event of any action, suit, or other legal proceeding that may be instituted in respect of such injury, and to pay all costs and damages that may be awarded thereon; and any officer of customs or other officer to whom such order is directed shall detain such ship accordingly.

Power in certain cases to detain ship before application made to judge.

Section 528.—In any case where it appears that before any application can be made under the foregoing section such foreign ship will have departed beyond the limits therein mentioned, it shall be lawful for any commissioned officer on full pay in the military or naval service of Her Majesty, or any British officer of customs, or any British consular officer, to detain such ship until such time as will allow such application to be made and the result thereof to be communicated to him; and no such officer shall be liable for any costs or damages in respect of such detention unless the same is proved to have been made without reasonable grounds.

Who to be defendant to suit in such cases.

Section 529.—In any action, suit, or other proceeding in relation to such injury, the person so giving security as aforesaid shall be made defendant or defender, and shall be stated to be the owner of the ship that has occasioned such damage; and the production of the order of the judge made in relation to such security shall be conclusive evidence of the liability of such defendant or defender to such action, suit, or other proceeding.

LEGAL PROCEDURE (SCOTLAND).

Offences punishable as misdemeanours.

Section 530.—In Scotland every offence which by this Act is described as a felony or misdemeanour may be prosecuted by indictment or criminal letters at the instance of Her Majesty's Advocate before the High Court of Justiciary, or by criminal libel at the instance of the procurator fiscal of the county before the sheriff, and shall be punishable with fine and with imprisonment, with or without hard labour in default of payment, or with imprisonment, with or without hard labour, or with both, as the court may think fit, or in the case of felony with penal servitude, where the court is competent thereto; and such court may also, if it think fit, order payment by the offender of the costs and expenses of the prosecution.

Summary proceedings.

Section 531.—In Scotland, all prosecutions, complaints, actions, or proceedings under this Act, other than prosecutions for felonies or misdemeanours, may be brought in a summary form before the sheriff of the county, or before any two justices

Seal Fishery (North Pacific) Act, 1893.

of the peace of the county or burgh where the cause of such prosecution or action arises, or where the offender or defender may be for the time, and when of a criminal nature or for penalties, at the instance of the procurator fiscal of court, or at the instance of any party aggrieved, with concurrence of the procurator fiscal of court; and the court may, if it think fit, order payment by the offender or defender of the costs of the prosecution or action.

Section 532.—In Scotland all prosecutions, complaints, actions, or other proceedings under this Act may be brought either in a written or printed form, or partly written and partly printed, and where such proceedings are brought in a summary form it shall not be necessary in the complaint to recite or set forth the clause or clauses of the Act on which such proceeding is founded, but it shall be sufficient to specify or refer to such clause or clauses, and to set forth shortly the cause of complaint or action, and the remedy sought; and when such complaint or action is brought in whole or in part for the enforcement of a pecuniary debt or demand, the complaint may contain a prayer for warrant to arrest upon the dependence.

Form of complaint.

Section 533.—In Scotland, on any complaint or other proceeding brought in a summary form under this Act being presented to the sheriff clerk or clerk of the peace, he shall grant warrant to cite the defender to appear personally before the said sheriff or justices of the peace on a day fixed, and at the same time shall appoint a copy of the same to be delivered to him by a sheriff officer or constable, as the case may be, along with the citation; and such deliverance shall also contain a warrant for citing witnesses and havers to compare at the same time and place to give evidence and produce such writs as may be specified in their citation; and where such warrant has been prayed for in the complaint or other proceeding, the deliverance of the sheriff clerk or clerk of the peace shall also contain warrant to arrest upon the dependence in common form: Provided always, that where the apprehension of any party, with or without a warrant, is authorized by this Act, such party may be detained in custody until he can be brought at the earliest opportunity before any two justices, or the sheriff who may have jurisdiction in the place, to be dealt with as this Act directs, and no citation or induciæ shall in such case be necessary.

Mode of requiring appearance of defender and witnesses.

Section 534.—When it becomes necessary to execute such arrestment on the dependence against goods or effects of the defender within Scotland, but not locally situated within the jurisdiction of the sheriff or justices of the peace by whom the warrant to arrest has been granted, it shall be competent to carry the warrant into execution on its being indorsed by the sheriff clerk or clerk of the peace of the county or burgh respectively within which such warrant comes to be executed.

Backing arrestments.

Seal Fishery (North Pacific) Act, 1893.

Compelling attendance of witnesses.

Section 535.—In all proceedings under this Act in Scotland the sheriff or justices of the peace shall have the same power of compelling attendance of witnesses and havers as in cases falling under their ordinary jurisdiction.

Proceedings to be vivâ voce.

Section 536.—The whole procedure in cases brought in a summary form before the sheriff or justices of the peace in Scotland shall be conducted vivâ voce, without written pleadings, and without taking down the evidence in writing, and no record shall be kept of the proceedings other than the complaint, and the sentence or decree pronounced thereon.

Power to adjourn.

Section 537.—It shall be in the power of the sheriff or justices of the peace in Scotland to adjourn the proceedings from time to time to any day or days to be fixed by them, in the event of absence of witnesses or of any other cause which shall appear to them to render such adjournment necessary.

Sentence to be in writing.

Section 538.—In Scotland all sentences and decrees to be pronounced by the sheriff or justices of the peace upon such summary complaints shall be in writing ; and where there is a decree for payment of any sum or sums of money against a defender, such decree shall contain warrant for arrestment, poiding, and imprisonment in default of payment, such arrestment, poiding, or imprisonment to be carried into effect by sheriffs officers or constables, as the case may be, in the same manner as in cases arising under the ordinary jurisdiction in the sheriff or justices : Provided always, that nothing herein contained shall be taken or construed to repeal or affect an Act of the fifth and sixth years of William the Fourth, intituled "An Act for abolishing, in Scotland, imprisonment for civil debts of small amount."

5 & 6 W. 4., c. 70.

Sentence and penalties in default of defender's appearance.

Section 539.—In all summary complaints and proceedings for recovery of any penalty or sum of money in Scotland, if a defender who has been duly cited shall not appear at the time and place required by the citation, he shall be held as confessed, and sentence or decree shall be pronounced against him in terms of the complaint, with such costs and expenses as to the court shall seem fit : Provided always, that he shall be entitled to obtain himself reponed against any such decree at any time before the same be fully implemented, by lodging with the clerk of court a reponing note, and consigning in his hands the sum decerned for, and the costs which had been awarded by the court, and on the same day delivering or transmitting through the post to the pursuer or his agent a copy of such reponing note ; and a certificate by the clerk of the court of such note having been lodged shall operate as a sist of diligence till the cause shall have been reheard and finally disposed of, which shall be on the next sitting of the court, or on any day to which the court shall then adjourn it.

Warrant to apprehend in

Section 540.—In all summary complaints or other proceedings not brought for the recovery of any penalty or sum of

Seal Fishery (North Pacific) Act, 1893.

money in Scotland, if a defender, being duly cited, shall fail to appear, the sheriff or justices may grant warrant to apprehend and bring him before the court.

default of appearance.

Section 541.—In all cases where sentences or decrees of the sheriff or justices require to be enforced within Scotland, but beyond the jurisdiction of the sheriff or justices by whom such sentences or decrees have been pronounced, it shall be competent to carry the same into execution upon the same being indorsed by the sheriff clerk or clerk of the peace of the county or burgh within which such execution is to take place.

Backing sentences or decrees.

Section 542.—No order, decree, or sentence pronounced by any sheriff or justice of the peace in Scotland under the authority of this Act shall be quashed or vacated for any misnomer, informality, or defect of form; and all orders, decrees, and sentences so pronounced shall be final and conclusive, and not subject to suspension, advocacy, reduction, or to any form of review or stay of execution, except on the ground of corruption or malice on the part of the sheriff or justices, in which case the suspension, advocacy, or reduction must be brought within fourteen days of the date of the order, decree, or sentence complained of: Provided always, that no stay of execution shall be competent to the effect of preventing immediate execution of such order, decree, or sentence.

Orders not to be quashed for want of form; and to be final.

Section 543.—Such of the general provisions with respect to jurisdiction, procedure and penalties contained in this Act as are not inconsistent with the special rules hereinbefore laid down for the conduct of legal proceedings and the recovery of penalties in Scotland, shall, so far as the same are applicable, extend to such last-mentioned proceedings and penalties: Provided always, that nothing in this Act contained shall be held in any way to annul or restrict the common law of Scotland with regard to the prosecution or punishment of offences at the instance or by the direction of the Lord Advocate, or the rights of owners or creditors in regard to enforcing a judicial sale of any ship and tackle, or to give to the High Court of Admiralty of England any jurisdiction in respect of salvage in Scotland which it has not heretofore had or exercised.

General rules, so far as applicable, to extend to penalties and proceedings in Scotland.

ENACTMENT OF MERCHANT SHIPPING ACT, 1876
(39 & 40 VICT. CHAP. 80), APPLIED.

Section 34.—Where under the Merchant Shipping Acts, 1854 to 1876, or any of them, a ship is authorized or ordered to be detained, any commissioned officer on full pay in the naval or military service of Her Majesty, or any officer of the Board of Trade or Customs, or any British consular officer may detain the ship, and if the ship after such detention or after service on the master of any notice of or order for such detention pro-

Enforcing detention of ship.

Seal Fishery (North Pacific) Act, 1893.

ceeds to sea before it is released by competent authority, the master of the ship, and also the owner, and any person who sends the ship to sea, if such owner or person be party or privy to the offence, shall forfeit and pay to Her Majesty a penalty not exceeding one hundred pounds.

Where a ship so proceeding to sea takes to sea when on board thereof in the execution of his duty any officer authorized to detain the ship, or any surveyor or officer of the Board of Trade or Customs, the owner and master of the ship shall each be liable to pay all expenses of and incidental to the officer or surveyor being so taken to sea and also a penalty not exceeding one hundred pounds, or, if the offence is not prosecuted in a summary manner, not exceeding ten pounds for every day until the officer or surveyor returns, or until such time as would enable him after leaving the ship to return to the port from which he is taken, and such expenses may be recovered in like manner as the penalty.



57 VICTORIA.

CHAP. 2.

An Act to provide for carrying into effect the Award of the Tribunal of Arbitration constituted under a Treaty between Her Majesty the Queen and the United States of America.

[23rd April, 1894.]

WHEREAS by a treaty between Her Majesty the Queen and the Government of the United States of America various questions which had arisen respecting the taking and preservation of the fur-seal in the North Pacific were referred to arbitrators as mentioned in the treaty :

And whereas the award of such arbitrators (in this Act referred to as the Behring Sea Arbitration Award) dated the fifteenth day of August, one thousand eight hundred and ninety-three, contained the provisions set out in the first schedule to this Act ; and it is expedient to provide for carrying the same into effect ;

Be it therefore enacted, by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1.—(1.) The provisions of the Behring Sea Arbitration Award set out in the first schedule to this Act shall have effect as if those provisions (in this Act referred to as the scheduled provisions) were enacted by this Act, and the Acts directed by articles one and two thereof to be forbidden were expressly forbidden by this Act.

Enactment of articles of arbitrators' award respecting the fur-seal.

(2.) If there is any contravention of this Act, any person committing, procuring, aiding, or abetting such contravention shall be guilty of a misdemeanour within the meaning of the Merchant Shipping Act, 1854, and the ship employed in such contravention and her equipment, and everything on board thereof, shall be liable to be forfeited to Her Majesty as if an offence had been committed under section one hundred and three of the said Act ; Provided that the court, without prejudice to any other power, may release the ship, equipment, or thing, on payment of a fine not exceeding five hundred pounds.

17-18 Vict.
c. 104.

Behring Sea Award Act, 1894.

(3.) The provisions of the Merchant Shipping Act, 1854, with respect to official logs (including the penal provisions) shall apply to every vessel engaged in fur-seal fishing.

(4.) Every person who forges or fraudulently alters any licence or other document issued for the purpose of article four or of article seven in the first schedule to this Act, or who procures any such licence or document to be forged or fraudulently altered, or who knowing any such licence or document to be forged or fraudulently altered uses the same, or who aids in forging or fraudulently altering any such licence or document, shall be guilty of a misdemeanour within the meaning of the Merchant Shipping Act, 1854.

17-18 Vict.
c. 104.

(5.) Subject to this Act, the provisions of sections one hundred and three and one hundred and four and Part Ten of the Merchant Shipping Act, 1854, and of section thirty-four of the Merchant Shipping Act, 1876, which are set out in the second schedule to this Act, shall apply as if they were herein re-enacted, and in terms made applicable to an offence and forfeiture under this Act; and any commissioned officer on full pay in the naval service of Her Majesty the Queen may seize the ship's certificate of registry.

39-40 Vict.
c. 80.

Provision as
to ship's
papers.

2.—(1.) Where an officer seizes, under this Act, a ship's certificate of registry, he shall either retain the certificate and give a provisional certificate in lieu thereof, or return the certificate with an indorsement of the grounds on which it was seized, and in either case shall direct the ship, by an addition to the provisional certificate or to the indorsement, to proceed forthwith to a specified port, being a port where there is a British court having authority to adjudicate in the matter, and if this direction is not complied with, the owner and master of the ship shall, without prejudice to any other liability, each be liable to a fine not exceeding one hundred pounds.

(2.) Where in pursuance of this section a provisional certificate is given to a ship, or the ship's certificate is indorsed, any officer of customs in Her Majesty's dominions or British consular officer may detain the ship until satisfactory security is given for her appearance in any legal proceedings which may be taken against her in pursuance of this Act.

Orders in
Council.

3.—(1.) Her Majesty the Queen in Council may make, revoke, and alter Orders for carrying into effect the scheduled provisions, and this Act, and every such Order shall be forthwith laid before both Houses of Parliament and published in the *London Gazette*, and shall have effect as if enacted in this Act.

(2.) If there is any contravention of any regulation made by any such Order, any person committing, procuring, aiding, or abetting such contravention shall be liable to a penalty not exceeding one hundred pounds.

Behring Sea Award Act, 1894.

(3.) An Order in Council under this Act may provide, that such officers of the United States of America as are specified in the Order may, in respect of offences under this Act, exercise the like powers under this Act as may be exercised by a commissioned officer of Her Majesty in relation to a British ship, and the equipment and certificate thereof, or such of those powers as appear to Her Majesty in Council to be exercisable under the law of the United States of America against ships of the United States; and that such British officers as are specified in the Order may exercise the powers conferred by this Act, with any necessary modifications specified in the Order, in relation to a ship of the United States of America, and the equipment and certificate thereof.

4.—(1.) Where any offence under this Act has been committed by some person belonging to a ship, or by means of a ship, or the equipment of a ship, the master of the ship shall be deemed guilty of such offence, and the ship and her equipment shall be liable to forfeiture under this Act; Liability of master to punishment.

(2.) Provided that if it is proved that the master issued proper orders for the observance, and used due diligence to enforce the observance of this Act, and the regulations in force thereunder, and that the offence in question was actually committed by some other person without his connivance, and that the actual offender has been convicted, or that he has taken all proper means in his power to prosecute such offender, if alive, to conviction, the master or the ship shall not be liable to any penalty or forfeiture other than such sum as will prevent any profit accruing by reason of the offence to the master or crew or owner of the ship.

5. The expression "equipment" in this Act includes any boat, tackle, fishing or shooting instruments, and other things belonging to a ship. Definitions.

6. This Act may be cited as the Behring Sea Award Act, 1894. Short title.

7.—(1.) This Act shall come into operation on the first day of May, one thousand eight hundred and ninety-four, provided that Her Majesty in Council, if at any time it appears expedient so to do, having regard to the circumstances which have then arisen in relation to the scheduled provisions or to the enforcement thereof, may suspend the operation of this Act or any part thereof during the period mentioned in the Order, and the same shall be suspended accordingly. Commencement of Act.

(2.) Where on any proceeding in any court against a person or ship in respect of any offence under this Act it is proved

Behring Sea Award Act, 1894.

that the ship sailed from its port of departure before the provisions of the award mentioned in the first schedule to this Act were known there, and that such person or the master of the ship did not, after such sailing and before the alleged offence, become aware of those provisions, such person shall be acquitted, and the ship shall be released and not forfeited.

Duration of Act.

S. This Act shall remain in force so long as the scheduled provisions remain in force and no longer ;

Provided that if by agreement between Her Majesty the Queen and the Government of the United States of America, the scheduled provisions are modified, then Her Majesty in Council may order that this Act shall, subject to any modifications specified in the order, apply, and the same shall accordingly apply, to the modified provisions in like manner as if they were set out in the first schedule to this Act.

SCHEDULES.

FIRST SCHEDULE.

PROVISIONS in Award of the Tribunal of Arbitration constituted under the Treaty concluded at Washington on the 29th February, 1892, between Her Majesty the Queen and the United States of America.

And whereas the aforesaid determination of the foregoing questions as to the exclusive jurisdiction of the United States mentioned in Article VI. leaves the subject in such a position that the concurrence of Great Britain is necessary to the establishment of regulations for the proper protection and preservation of the fur-seal in or habitually resorting to the Behring Sea, the tribunal having decided by a majority as to each article of the following regulations, we the said Baron de Courcel, Lord Hannen, Marquis Visconti Venosta, and Mr. Gregers Gram, assenting to the whole of the nine articles of the following regulations, and being a majority of the said arbitrators, do decide and determine in the mode provided by the treaty that the following concurrent regulations outside the jurisdictional limits of the respective governments are necessary, and that they should extend over the waters hereinafter mentioned ; that is to say :—

Article 1. The Governments of the United States and of Great Britain shall forbid their citizens and subjects respectively to kill, capture, or pursue at any time and in any manner whatever, the animals commonly called fur-seals, within a zone of 60 miles around the Pribiloff Islands, inclusive of the territorial waters.

The miles mentioned in the preceding paragraph are geographical miles, of 60 to a degree of latitude.

Behring Sea Award Act, 1894.

Article 2. The two governments shall forbid their citizens and subjects respectively to kill, capture, or pursue, in any manner whatever, during the season extending each year from the 1st May to the 31st July, both inclusive, the fur-seals on the high sea in the part of the Pacific Ocean, inclusive of the Behring Sea, which is situated to the north of the 35th degree of north latitude, and eastward of the 180th degree of longitude from Greenwich till it strikes the water boundary described in article I. of the Treaty of 1867 between the United States and Russia, and following that line up to Behring Straits.

Article 3. During the period of time and in the waters in which the fur-seal fishing is allowed, only sailing vessels shall be permitted to carry on or take part in fur-seal fishing operations. They will, however, be at liberty to avail themselves of the use of such canoes or undecked boats, propelled by paddles, oars, or sails, as are in common use as fishing boats.

Article 4. Each sailing vessel authorized to fish for fur-seals must be provided with a special licence issued for that purpose by its government and shall be required to carry a distinguishing flag to be prescribed by its government.

Article 5. The masters of the vessels engaged in fur-seal fishing shall enter accurately in their official log-book the date and place of each fur-seal fishing operation, and also the number and sex of the seals captured upon each day. These entries shall be communicated by each of the two governments to the other at the end of each fishing season.

Article 6. The use of nets, firearms, and explosives shall be forbidden in the fur-seal fishing. This restriction shall not apply to shot-guns when such fishing takes place outside of Behring's Sea during the season when it may be lawfully carried on.

Article 7. The two governments shall take measures to control the fitness of the men authorized to engage in fur-seal fishing. These men shall have been proved fit to handle with sufficient skill the weapons by means of which this fishing may be carried on.

Article 8. The regulations contained in the preceding articles shall not apply to Indians dwelling on the coasts of the territory of the United States or of Great Britain, and carrying on fur-seal fishing in canoes or undecked boats not transported by or used in connection with other vessels and propelled wholly by paddles, oars, or sails, and manned by not more than five persons each in the way hitherto practised by the Indians, provided such Indians are not in the employment of other persons, and provided that, when so hunting in canoes or undecked boats, they shall not hunt fur-seals outside of territorial waters under contract for the delivery of the skins to any person.

Behring Sea Award Act, 1894.

This exemption shall not be construed to affect the municipal law of either country, nor shall it extend to the waters of Behring Sea, or the waters of the Aleutian Passes.

Nothing herein contained is intended to interfere with the employment of Indians as hunters or otherwise in connection with fur-sealing vessels as heretofore.

Article 9. The concurrent regulations hereby determined with a view to the protection and preservation of the fur-seals, shall remain in force until they have been, in whole or in part, abolished or modified by common agreement between the Governments of the United States and of Great Britain.

The said concurrent regulations shall be submitted every five years to a new examination, so as to enable both interested governments to consider whether, in the light of past experience there is occasion for any modification thereof.

SECOND SCHEDULE.

ENACTMENTS OF MERCHANT SHIPPING ACT (17
AND 18 VICT. C. 104) APPLIED.

Section 103.— * * * And in order that the above provisions as to forfeitures may be carried into effect, it shall be lawful for any commissioned officer on full pay in the military or naval service of Her Majesty, or any British officer of customs, or any British consular officer, to seize and detain any ship which has, either wholly or as to any share therein, become subject to forfeiture as aforesaid, and to bring her for adjudication before the High Court of Admiralty in England or Ireland, or any court having admiralty jurisdiction in Her Majesty's dominions; and such court may thereupon make such order in the case as it may think fit, and may award to the officer bringing in the same for adjudication such portion of the proceeds of the sale of any forfeited ship or share as it may think right.

Officer not
liable for any
seizure made
on reasonable
grounds.

Section 104.—No such officer as aforesaid shall be responsible, either civilly or criminally, to any person whomsoever, in respect of the seizure or detention of any ship that has been seized or detained by him in pursuance of the provisions herein contained, notwithstanding that such ship is not brought in for adjudication, or, if so brought in, is declared not to be liable to forfeiture, if it is shown to the satisfaction of the judge or court before whom any trial relating to such ship or such seizure or detention is held that there were reasonable grounds for such seizure or detention; but if no such grounds are shown, such judge or court may award payment of costs and damages to any party aggrieved, and make such other order in the premises as it thinks just.

Behring Sea Award Act, 1894.

PART X.—LEGAL PROCEDURE.

APPLICATION.

Section 517.—The Tenth Part of this Act shall in all cases where no particular country is mentioned, apply to the whole of Her Majesty's dominions. Application of Part X. of the Act.

LEGAL PROCEDURE (GENERAL).

Section 518.—In all places within Her Majesty's dominions except Scotland, the offences hereinafter mentioned shall be punished and penalties recovered in manner following; (that is to say,) Punishment of offences, and recovery of penalties.

- (1.) Every offence by this Act declared to be a misdemeanour shall be punishable by fine or imprisonment with or without hard labour, and the court before which such offence is tried may in England make the same allowances and order payment of the same costs and expenses as if such misdemeanour had been enumerated in the Act passed in the seventh year of His late Majesty King George the Fourth, chapter sixty-four, or any other Act that may be passed for the like purpose, and may in any other part of Her Majesty's dominions make such allowances and order payment of such costs and expenses (if any) as are payable or allowable upon the trial of any misdemeanour under any existing Act or Ordinance or as may be payable or allowable under any Act or law for the time being in force therein : 7 Geo. 4. c. 64.
- (2.) Every offence declared by this Act to be a misdemeanour shall also be deemed to be an offence hereby made punishable by imprisonment for any period not exceeding six months, with or without hard labour, or by a penalty not exceeding one hundred pounds, and may be prosecuted accordingly in a summary manner, instead of being prosecuted as a misdemeanour :
- (3.) Every offence hereby made punishable by imprisonment for any period not exceeding six months, with or without hard labour, or by any penalty not exceeding one hundred pounds, shall in England and Ireland be prosecuted summarily before any two or more justices, as to England in the manner directed by the Act of the eleventh and twelfth years of the reign of Her Majesty Queen Victoria, chapter forty-three, and as to Ireland in the manner directed by the Act of the fourteenth and fifteenth years of the reign of Her Majesty Queen Victoria, chapter ninety-three, or in such other manner as may be directed by any Act or Acts that may be passed for like purposes : And all provisions contained in the said Acts shall be applicable

Behring Sea Award Act, 1894.

to such prosecutions in the same manner as if the offences in respect of which the same are instituted were hereby stated to be offences in respect of which two or more justices have power to convict summarily or to make a summary order :

- (4.) In all cases of summary convictions in England, where the sum adjudged to be paid exceeds five pounds, or the period of imprisonment adjudged exceeds one month, any person who thinks himself aggrieved by such conviction may appeal to the next court of general or quarter sessions :
- (5.) All offences under this Act shall in any British possession be punishable in any court or by any justice of the peace or magistrate in which or by whom offences of a like character are ordinarily punishable, or in such other manner, or by such other courts, justices, or magistrates, as may from time to time be determined by any Act or Ordinance duly made in such possession in such manner as Acts and Ordinances in such possession are required to be made in order to have the force of law.

Stipendiary magistrate to have same power as two justices.

Section 519. Any stipendiary magistrate shall have full power to do alone whatever two justices of the peace are by this Act authorized to do.

Offence where deemed to have been committed.

Section 520. For the purpose of giving jurisdiction under this Act, every offence shall be deemed to have been committed, and every cause of complaint to have arisen, either in the place in which the same actually was committed or arose, or in any place in which the offender or person complained against may be.

Jurisdiction over ships lying off the coasts.

Section 521. In all cases where any district within which any court or justice of the peace or other magistrate has jurisdiction, either under this Act or under any other Act or at common law, for any purpose whatever, is situate on the coast of any sea, or abutting on or projecting into any bay, channel, lake, river, or other navigable water, every such court, justice of the peace, or magistrate shall have jurisdiction over any ship or boat being on or lying or passing off such coast, or being in or near such bay, channel, lake, river, or navigable water as aforesaid, and over all persons on board such ship or boat or for the time being belonging thereto, in the same manner as if such ship, boat, or persons were within the limits of the original jurisdiction of such court, justice, or magistrate.

Service to be good if made personally, or on board ship.

Section 522. Service of any summons or other matter in any legal proceeding under this Act shall be good service, if made personally on the person to be served, or at his last place of abode, or if made by leaving such summons for him on board any ship to which he may belong with the person being or appearing to be in command or charge of such ship.

Sums ordered to be paid leviable by

Section 523. In all cases where any court, justice or justices of the peace, or other magistrate, has or have power to make

Behring Sea Award Act, 1894.

an order directing payment to be made of any seaman's wages, penalties, or other sums of money, then, if the party so directed to pay the same is the master or owner of a ship, and the same is not paid at the time and in manner prescribed in the order, the court, justice or justices, or other magistrate, who made the order, may, in addition to any other powers they or he may have for the purpose of compelling payment, direct the amount remaining unpaid to be levied by distress or pouncing and sale of the said ship, her tackle, furniture, and apparel.

distress on ship.

Section 524. Any court, justice, or magistrate imposing any penalty under this Act, for which no specific application is herein provided, may, if it or he thinks fit, direct the whole or any part thereof to be applied in compensating any person for any wrong or damage which he may have sustained by the act or default in respect of which such penalty is imposed, or to be applied in or towards payment of the expenses of the proceedings; and, subject to such directions or specific application as aforesaid, all penalties recovered in the United Kingdom shall be paid into the receipt of Her Majesty's Exchequer in such manner as the Treasury may direct, and shall be carried to and form part of the Consolidated Fund of the United Kingdom; and all penalties recovered in any British possession shall be paid over into the public treasury of such possession, and form part of the public revenue thereof.

Application of penalties.

Section 525. The time for instituting summary proceedings under this Act shall be limited as follows; (that is to say,)

Limitation of time in summary proceedings.

- (1.) No conviction for any offence shall be made under this Act in any summary proceeding instituted in the United Kingdom, unless such proceeding is commenced within six months after the commission of the offence; or, if both or either of the parties to such proceeding happen during such time to be out of the United Kingdom, unless the same is commenced within two months after they both first happen to arrive or to be at one time within the same:
- (2.) No conviction for any offence shall be made under this Act in any proceeding instituted in any British possession, unless such proceeding is commenced within six months after the commission of the offence; or if both or either of the parties to the proceeding happen during such time not to be within the jurisdiction of any court capable of dealing with the case, unless the same is commenced within two months after they both first happen to arrive or to be at one time within such jurisdiction:
- (3.) No order for the payment of money shall be made under this Act in any summary proceeding instituted in the United Kingdom, unless such proceeding is commenced within six months after the cause of complain

Behring Sea Award Act, 1894.

arises ; or, if both or either of the parties happen during such time to be out of the United Kingdom, unless the same is commenced within six months after they both first happen to arrive or to be at one time within the same :

- (4.) No order for the payment of money shall be made under this Act in any summary proceeding instituted in any British possession, unless such proceeding is commenced within six months after the cause of complaint arises ; or, if both or either of the parties to the proceeding happen during such time not to be within the jurisdiction of any court capable of dealing with the case, unless the same is commenced within six months after they both first happen to arrive or be at one time within such jurisdiction.

And no provision contained in any other Act or Acts, Ordinance or Ordinances for limiting the time within which summary proceedings may be instituted shall affect any summary proceeding under this Act.

Document proved without calling atesting witness.

Section 526. Any document required by this Act to be executed in the presence of or to be attested by any witness or witnesses, may be proved by the evidence of any person who is able to bear witness to the requisite facts, without calling the attesting witness or witnesses or any of them.

Power of judge of court of record or admiralty to arrest foreign ship that has occasioned damage.

Section 527. Whenever any injury has, in any part of the world, been caused to any property belonging to Her Majesty or to any of Her Majesty's subjects by any foreign ship, if at any time thereafter such ship is found in any port or river of the United Kingdom or within three miles of the coast thereof, it shall be lawful for the judge of any court of record in the United Kingdom, or for the judge of the High Court of Admiralty, or in Scotland the Court of Session, or the sheriff of the county within whose jurisdiction such ship may be, upon its being shown to him by any person applying summarily that such injury was probably caused by the misconduct or want of skill of the master or mariners of such ship, to issue an order directed to an officer of customs or other officer named by such judge, requiring him to detain such ship until such time as the owner, master, or consignee thereof has made satisfaction in respect of such injury, or has given security, to be approved by the judge, to abide the event of any action, suit, or other legal proceeding that may be instituted in respect of such injury, and to pay all costs and damages that may be awarded thereon ; and any officer of customs or other officer to whom such order is directed shall detain such ship accordingly.

Power in certain cases to detain ship

Section 528. In any case where it appears that before any application can be made under the foregoing section such

Behring Sea Award Act, 1894.

foreign ship will have departed beyond the limits therein mentioned, it shall be lawful for any commissioned officer on full pay in the military or naval service of Her Majesty, or any British officer of customs, or any British consular officer, to detain such ship until such time as will allow such application to be made and the result thereof to be communicated to him; and no such officer shall be liable for any costs or damages in respect of such detention unless the same is proved to have been made without reasonable grounds.

before applica-
tion made to
judge.

Section 529. In any action, suit, or other proceeding in relation to such injury, the person so giving security as aforesaid shall be made defendant or defender and shall be stated to be the owner of the ship that has occasioned such damage; and the production of the order of the judge made in relation to such security shall be conclusive evidence of the liability of such defendant or defender to such action, suit, or other proceeding.

Who to be
defendant to
suit in such
cases.

LEGAL PROCEDURE (SCOTLAND).

Section 530. In Scotland every offence which by this Act is described as a felony or misdemeanour may be prosecuted by indictment or criminal letters at the instance of Her Majesty's Advocate before the High Court of Justiciary, or by criminal libel at the instance of the procurator fiscal of the county before the sheriff, and shall be punishable with fine and with imprisonment, with or without hard labour in default of payment, or with imprisonment with or without hard labour, or with both, as the court may think fit, or in the case of felony with penal servitude, where the court is competent thereto; and such court may also, if it think fit, order payment by the offender of the costs and expenses of the prosecution.

Offences
punishable as
misdemean-
ours.

Section 531. In Scotland, all prosecutions, complaints, actions, or proceedings under this Act, other than prosecutions for felonies or misdemeanours, may be brought in a summary form before the sheriff of the county, or before any two justices of the peace of the county or burgh where the cause of such prosecution or action arises, or where the offender or defender may be for the time, and when of a criminal nature or for penalties, at the instance of the procurator fiscal of court or at the instance of any party aggrieved, with concurrence of the procurator fiscal of court; and the court may, if it think fit, order payment by the offender or defender of the costs of the prosecution or action.

Summary
proceedings.

Section 532. In Scotland all prosecutions, complaints, actions, or other proceedings under this Act may be brought either in a written or printed form, or partly written and partly printed, and where such proceedings are brought in a summary form it shall not be necessary in the complaint to recite or set forth

Form of com-
plaint.

Behring Sea Award Act, 1894.

the clause or clauses of the Act on which such proceeding is founded, but it shall be sufficient to specify or refer to such clause or clauses, and to set forth shortly the cause of complaint or action, and the remedy sought; and when such complaint or action is brought in whole or in part for the enforcement of a pecuniary debt or demand, the complaint may contain a prayer for warrant to arrest upon the dependence.

Mode of requiring appearance of defender and witnesses.

Section 533. In Scotland, on any complaint or other proceeding brought in a summary form under this Act being presented to the sheriff clerk or clerk of the peace, he shall grant warrant to cite the defender to appear personally before the said sheriff or justices of the peace on a day fixed, and at the same time shall appoint a copy of the same to be delivered to him by a sheriff officer or constable, as the case may be, along with the citation; and such deliverance shall also contain a warrant for citing witnesses and havers to compare at the same time and place to give evidence and produce such writs as may be specified in their citation; and where such warrant has been prayed for in the complaint or other proceeding, the deliverance of the sheriff clerk or clerk of the peace shall also contain warrant to arrest upon the dependence in common form: Provided always, that where the apprehension of any party, with or without a warrant, is authorized by this Act, such party may be detained in custody until he can be brought at the earliest opportunity before any two justices, or the sheriff who may have jurisdiction in the place, to be dealt with as this Act directs, and no citation or induciæ shall in such case be necessary.

Backing arrestments.

Section 534. When it becomes necessary to execute such arrestment on the dependence against goods or effects of the defender within Scotland, but not locally situated within the jurisdiction of the sheriff or justices of the peace by whom the warrant to arrest has been granted, it shall be competent to carry the warrant into execution on its being indorsed by the sheriff clerk or clerk of the peace of the county or burgh respectively within which such warrant comes to be executed.

Compelling attendance of witnesses.

Section 535. In all proceedings under this Act in Scotland the sheriff or justices of the peace shall have the same power of compelling attendance of witnesses and havers as in cases falling under their ordinary jurisdiction.

Proceedings to be vivâ voce.

Section 536. The whole procedure in cases brought in a summary form before the sheriff or justices of the peace in Scotland shall be conducted vivâ voce, without written pleadings, and without taking down the evidence in writing, and no record shall be kept of the proceedings other than the complaint, and the sentence or decree pronounced thereon.

Power to adjourn.

Section 537. It shall be in the power of the sheriff or justices of the peace in Scotland to adjourn the proceedings from time

Behring Sea Award Act, 1894.

to time to any day or days to be fixed by them, in the event of absence of witnesses or of any other cause which shall appear to them to render such adjournment necessary.

Section 538. In Scotland all sentences and decrees to be pronounced by the sheriff or justices of the peace upon such summary complaints shall be in writing; and where there is a decree for payment of any sum or sums of money against a defender, such decree shall contain warrant for arrestment, poinding, and imprisonment in default of payment, such arrestment, poinding, or imprisonment to be carried into effect by sheriffs officers or constables, as the case may be, in the same manner as in cases arising under the ordinary jurisdiction in the sheriff or justices: Provided always, that nothing herein contained shall be taken or construed to repeal or affect an Act of the fifth and sixth years of William the Fourth, intitled "An Act for abolishing, in Scotland, imprisonment for civil debts of small amount."

Sentence to be in writing.

Imprisonment to be inflicted in default of payment.

5 & 6 W. 4. c. 70.

Section 539. In all summary complaints and proceedings for recovery of any penalty or sum of money in Scotland, if a defender who has been duly cited shall not appear at the time and place required by the citation, he shall be held as confessed, and sentence or decree shall be pronounced against him in terms of the complaint, with such costs and expenses as to the court shall seem fit: Provided always, that he shall be entitled to obtain himself reponed against any such decree at any time before the same be fully implemented, by lodging with the clerk of court a reponing note, and consigning in his hands the sum decerned for, and the costs which had been awarded by the court, and on the same day delivering or transmitting through the post to the pursuer or his agent a copy of such reponing note; and a certificate by the clerk of court of such note having been lodged shall operate as a sist of diligence till the cause shall have been reheard and finally disposed of, which shall be on the next sitting of the court, or on any day to which the court shall then adjourn it.

Sentence and penalties in default of defender's appearance.

Section 540. In all summary complaints or other proceedings not brought for the recovery of any penalty or sum of money in Scotland, if a defender, being duly cited, shall fail to appear, the sheriff or justices may grant warrant to apprehend and bring him before the court.

Warrant to apprehend in default of appearance.

Section 541. In all cases where sentences or decrees of the sheriff or justices require to be enforced within Scotland, but beyond the jurisdiction of the sheriff or justices by whom such sentences or decrees have been pronounced, it shall be competent to carry the same into execution upon the same being indorsed by the sheriff clerk or clerk of the peace of the county or burgh within which such execution is to take place.

Backing sentences or decrees.

Behring Sea Award Act, 1894.

Orders not to be quashed for want of form; and to be final.

Section 542. No order, decree, or sentence pronounced by any sheriff or justice of the peace in Scotland under the authority of this Act shall be quashed or vacated for any misnomer, informality, or defect of form; and all orders, decrees, and sentences so pronounced shall be final and conclusive, and not subject to suspension, advocacy, reduction, or to any form of review or stay of execution, except on the ground of corruption or malice on the part of the sheriff or justices, in which case the suspension, advocacy, or reduction must be brought within fourteen days of the date of the order, decree, or sentence complained of: Provided always, that no stay of execution shall be competent to the effect of preventing immediate execution of such order, decree, or sentence.

General rules, so far as applicable, to extend to penalties and proceedings in Scotland.

Section 543. Such of the general provisions with respect to jurisdiction, procedure and penalties contained in this Act as are not inconsistent with the special rules hereinbefore laid down for the conduct of legal proceedings and the recovery of penalties in Scotland, shall, so far as the same are applicable, extend to such last-mentioned proceedings and penalties: Provided always, that nothing in this Act contained shall be held in any way to annul or restrict the common law of Scotland with regard to the prosecution or punishment of offences at the instance or by the direction of the Lord Advocate, or the rights of owners or creditors in regard to enforcing a judicial sale of any ship and tackle, or to give to the High Court of Admiralty of England any jurisdiction in respect of salvage in Scotland which it has not heretofore had or exercised.

ENACTMENT OF MERCHANT SHIPPING ACT, 1876
(39 & 40 VICT. C. 80), APPLIED.

Enforcing detention of ship.

Section 34. Where under the Merchant Shipping Acts, 1854 to 1876, or any of them, a ship is authorized or ordered to be detained, any commissioned officer on full pay in the naval or military service of Her Majesty, or any officer of the Board of Trade or Customs, or any British consular officer, may detain the ship, and if the ship after such detention or after service on the master of any notice of or order for such detention proceeds to sea before it is released by competent authority, the master of the ship, and also the owner, and any person who sends the ship to sea, if such owner or person be party or privy to the offence, shall forfeit and pay to Her Majesty a penalty not exceeding one hundred pounds.

Where a ship so proceeding to sea takes to sea when on board thereof in the execution of his duty any officer authorized to detain the ship, or any surveyor or officer of the Board of Trade or Customs, the owner and master of the ship shall each be liable to pay all expenses of and incidental to the

Behring Sea Award Act, 1894.

officer or surveyor being so taken to sea, and also a penalty not exceeding one hundred pounds, or, if the offence is not prosecuted in a summary manner, not exceeding ten pounds for every day until the officer or surveyor returns, or until such time as would enable him after leaving the ship to return to the port from which he is taken, and such expenses may be recovered in like manner as the penalty.

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

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 1894

ORDERS IN COUNCIL AND TREATIES.

AT THE COURT AT WINDSOR, THE 15TH DAY OF MARCH, 1893.

Present :

THE QUEEN'S MOST EXCELLENT MAJESTY.

Lord President.

Lord Chamberlain.

Mr. Bryce.

HER Majesty in Council was this day pleased, by and with the advice of her Privy Council, to revoke her Order in Council of the 16th day of March, 1892, providing for appeals to Her Majesty in Council from the Queen's Bench for Manitoba.

C. L. PEEL.

AT THE COURT AT WINDSOR, THE 26TH DAY OF NOVEMBER, 1892.

Present :

THE QUEEN'S MOST EXCELLENT MAJESTY.

Lord President.

Viscount Oxenbridge.

Mr. Mundella.

WHEREAS by an Act of the Parliament of Manitoba, passed in the 48th year of Her Majesty's reign, chapter 48, entitled "An Act respecting the Court of Queen's Bench," it was enacted that Her Majesty's Court of Queen's Bench for Manitoba should exist and continue under the name and style of "Her Majesty's Court of Queen's Bench for Manitoba," and that it was and should continue to be a court of original and appellate jurisdiction, and should possess and exercise all such powers and authorities as by the laws of England are incident to a superior court of record of civil and criminal jurisdiction, in all matters civil and criminal whatsoever, but no provision has yet been made for the prosecution and regulation of appeals to Her Majesty in Council from the said court ;

And whereas it is expedient that provision should be made by this Order to enable parties to appeal from the decisions of the said court to Her Majesty in Council, it is hereby ordered by the Queen's most Excellent Majesty, by and with the advice of her Privy Council, as follows:—

1. Any person or persons may appeal to Her Majesty, her heirs and successors, in her or their Privy Council, from any final judgment, decree, order, or sentence of the said Court of Queen's Bench for Manitoba, in such manner, within such time, and under and subject to such rules, regulations, and limitations as are hereinafter mentioned ; that is to say,—

In case any such judgment, decree, order or sentence shall be given or pronounced for or in respect of any sum or matter at issue above the amount or value of three hundred pounds sterling (£300), or in case such judgment, decree, order, or sentence shall involve directly or indirectly any claim, demand, or question to or respecting property or any civil right amounting to or of the value of three hundred pounds sterling (£300), the person or persons feeling

Court of Queen's Bench for Manitoba.

aggrieved by any such judgment, decree, order or sentence may, within fourteen days next after the same shall have been pronounced, made, or given, apply to the said court by motion or petition for leave to appeal therefrom to Her Majesty, her heirs and successors, in her or their Privy Council;

In case such leave to appeal shall be prayed by the party or parties who is or are directed to pay any such sum of money or perform any duty, the said court may either direct that the judgment, decree, order, or sentence appealed from shall be carried into execution, or that the execution thereof shall be suspended pending the said appeal as to the said court may appear to be most consistent with real and substantial justice;

And in case the said court shall direct such judgment, decree, order, or sentence to be carried into execution, the person or persons in whose favour the same shall be given shall, before the execution thereof, enter into good and sufficient security to be approved by the said court for the due performance of such order as Her Majesty, her heirs and successors, shall think fit to make upon such appeal;

In all cases security shall also be given by the party or parties appellant in a bond or mortgage or personal recognizance not exceeding the value of five hundred pounds sterling (£500) for the prosecution of the appeal, and the payment of all such costs as may be awarded by Her Majesty, her heirs and successors, or by the Judicial Committee of Her Majesty's Privy Council, to the party or parties respondent; and if such last-mentioned security shall be entered into within three months from the date of such motion or petition for leave to appeal, then, and not otherwise, the said court shall admit the appeal, and the party or parties appellant shall be at liberty to prefer and prosecute his, her, or their appeal to Her Majesty, her heirs and successors, in her or their Privy Council, in such manner and under such rules as are or may be observed in appeals to Her Majesty from Her Majesty's colonies and plantations abroad.

2. It shall be lawful for the said court at its discretion, on the motion or petition of any party who considers himself aggrieved by any preliminary or interlocutory judgment, decree, order, or sentence of the said court, to grant permission to such party to appeal against the same to Her Majesty, her heirs and successors, in her or their Privy Council, subject to the same rules, regulations and limitations, as are herein expressed respecting appeals from final judgments, decrees, orders, and sentences.

3. Nothing herein contained doth or shall extend or be construed to extend to take away or abridge the undoubted right and authority of Her Majesty, her heirs and successors, upon the humble petition of any person or persons aggrieved by any judgment or determination of the said court, at any time to admit his, her or their appeal therefrom, upon such terms as Her Majesty, her heirs or successors, shall think fit, and to reverse, correct, or vary such judgment or determination in such manner as to Her Majesty, her heirs and successors, shall seem meet.

4. In all cases of appeal admitted by the said court, or by Her Majesty, her heirs or successors, the said court shall certify and transmit to Her Majesty, her heirs or successors, in her or their Privy Council, a true and exact copy of all evidence, proceedings, judgments, decrees, and orders had or made in

Court of Queen's Bench for Manitoba.

such cases appealed so far as the same have relation to the matter of appeal, such copies to be certified under the seal of the said court, and the said court shall also certify and transmit to Her Majesty, her heirs and successors, in her or their Privy Council, a copy of the reasons given by the judges of such court, or by any of such judges, for or against the judgment or determination appealed against, where such reasons shall have been given in writing, and where such reasons shall have been given orally, then a statement in writing of the reasons given by the judges of such court, or by any of such judges, for or against the judgment or determination appealed against.

5. The said court shall, in all cases of appeal to Her Majesty, her heirs or successors, conform to and execute or cause to be executed such judgments and orders as Her Majesty, her heirs and successors, shall think fit to make in the premises, in such manner as any original judgment, decree, or decretal order, or other order or rule of the said court should or might have been executed.

And the most Honourable the Marquess of Ripon, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

HERBERT M. SUFT.

AT THE COURT AT OSBORNE HOUSE, ISLE OF WIGHT, THE 30TH
DAY OF JANUARY, 1893.

Present :

THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by an Order in Council made in pursuance of the Merchant Shipping Act Amendment Act, 1862, and dated the 11th day of August, 1884, Her Majesty, on the joint recommendation of the Admiralty and the Board of Trade, was pleased to direct that, on and after the 1st day of September, 1884, the regulations contained in the schedule thereto should, so far as regards British ships and boats, be substituted for the regulations contained in the first schedule to an Order in Council made as aforesaid, and dated the 14th day of August, 1879 ;

And whereas by two Orders in Council made in pursuance of the said Act, and on such joint recommendation as aforesaid, and dated respectively the 30th day of December, 1884, and the 24th day of June, 1885, certain modifications and additions were made to the said regulations contained in the schedule to the said recited Order in Council of the 11th day of August, 1884, as regards British fishing vessels and boats ;

And whereas by another Order in Council made in pursuance of the said Act and on such joint recommendation as aforesaid, and dated the 18th day of August, 1892, certain modifications and additions were made to the said regulations contained in the schedule to the said recited Order in Council of the 11th August, 1884, as regards steam pilot vessels ;

Merchant Shipping—Sea-going Steamships—Lights.

And whereas by the said regulations contained in the schedule to the said Order in Council of the 11th day of August, 1884, it is amongst other things provided as follows:—

Art. 3. A sea-going steamship when under way shall carry—

(a.) On or in front of the foremast, at a height above the hull of not less than 20 feet, and if the breadth of the ship exceeds 20 feet, then at a height above the hull not less than such breadth, a bright white light, so constructed as to show an uniform and unbroken light over an arc of the horizon of 20 points of the compass, so fixed as to throw the light 10 points on each side of the ship, viz., from right ahead to two points abaft the beam on either side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least five miles.

(b.) On the starboard side, a green light, so constructed as to show an uniform and unbroken light over an arc of the horizon of 10 points of the compass, so fixed as to throw the light from right ahead to two points abaft the beam on the starboard side, and of such a character as to be visible on a dark night with a clear atmosphere, at a distance of at least two miles.

(c.) On the port side, a red light, so constructed as to show an uniform and unbroken light over an arc of the horizon of 10 points of the compass, so fixed as to throw the light from right ahead to two points abaft the beam on the port side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least two miles.

(d.) The said green and red side lights shall be fitted with inboard screens projecting at least three feet forward from the light, so as to prevent these lights from being seen across the bow.

Art. 15.—If two ships under steam are meeting end on, or nearly end on, so as to involve risk of collision, each shall alter her course to starboard, so that each may pass on the port side of the other.

This article only applies to cases where ships are meeting end on, or nearly end on, in such a manner as to involve risk of collision, and does not apply to two ships which must, if both keep on their respective courses, pass clear of each other.

The only cases to which it does apply are, when each of the two ships is end on, or nearly end on, to the other; in other words, to cases in which by day, each ship sees the masts of the other in a line, or nearly in a line, with her own; and by night to cases in which each ship is in such a position as to see both the side lights of the other.

It does not apply by day, to cases in which a ship sees another ahead crossing her own course; or by night, to cases where the red light of one ship is opposed to the red light of the other, or where the green light of one ship is opposed to the green light of the other; or where a red light without a green light, or a green light without a red light, is seen ahead, or where both green and red lights are seen anywhere but ahead.

And whereas there has been doubt or misapprehension concerning the effect of the said two articles, and whereas the Admiralty and the Board of Trade have jointly recommended to Her Majesty to make the following additions to the said regulations for the purpose of explaining the said recited articles, and of removing the said doubt or misapprehension,—

Merchant Shipping—Sea-going Steamships—Lights.

Now, therefore Her Majesty, by virtue of the powers vested in her by the said Act, and by and with the advice of her Privy Council, is pleased to direct that from the date of this Order the regulations contained in the schedule to the said Order in Council of the 11th day of August, 1884, shall be further modified by the addition to the said recited article 3 of the provisions contained in the schedule hereto.

HERBERT M. SUFT.

SCHEDULE.

(e.) To ensure that the red and green side lights shall show an uniform light from right ahead of the ship to two points abaft the beam on the port and starboard sides respectively, and shall not show across the bow of the ship itself, the said lights must be fixed and the screens fitted so that the rays from the red and green lights shall cross the line of the ship's keel projected ahead of the ship at a reasonable distance ahead of the ship.

With regard to all vessels whose lights are inspected by the officers of the Board of Trade the red or green side light will not be deemed to be fixed and fitted in accordance with the regulations unless it is so fixed and screened that a line drawn from the outside edge of the wick to the foremost end of the inboard screen of such light shall make an angle of 4 degrees, or as near thereto as may be practicable, with a line drawn parallel with the keel of the ship from the outside edge of the wick.

AT THE COURT AT OSBORNE HOUSE, ISLE OF WIGHT,
THE 18TH DAY OF AUGUST, 1892.

Present :

THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by an Order in Council made in pursuance of the Merchant Shipping Act Amendment Act, 1862, and dated the eleventh day of August, one thousand eight hundred and eighty-four, Her Majesty, on the joint recommendation of the Admiralty and the Board of Trade, was pleased to direct that on and after the first day of September, one thousand eight hundred and eighty-four, the regulations contained in the schedule thereto should, so far as regards British ships and boats, be substituted for the regulations contained in the first schedule to an Order in Council made as aforesaid, and dated the fourteenth day of August, one thousand eight hundred and seventy-nine ;

And whereas by two Orders in Council made in pursuance of the said Act, and on such joint recommendation as aforesaid, and dated respectively the thirtieth day of December, one thousand eight hundred and eighty-four, and the twenty-fourth day of June, one thousand eight hundred and eighty-

Merchant Shipping—Pilot Vessels—Lights.

five, certain modifications and additions were made to the said regulations contained in the schedule to the said recited Order in Council of the eleventh day of August, one thousand eight hundred and eighty-four, as regards British fishing vessels and boats ;

And whereas by the said regulations contained in the schedule to the said Order in Council of the eleventh day of August, one thousand eight hundred and eighty-four, it is, amongst other things, provided as follows, namely :—

Article 9. A pilot vessel, when engaged on her station on pilotage duty, shall not carry the lights required for other vessels, but shall carry a white light at the masthead, visible all round the horizon, and shall also exhibit a flare-up light or flare-up lights at short intervals, which shall never exceed fifteen minutes.

A pilot vessel, when not engaged on her station on pilotage duty, shall carry lights similar to those of other ships.

And whereas, the Admiralty and the Board of Trade have, in pursuance of the said recited Act, jointly recommended to Her Majesty that the said regulations contained in the schedule to the said Order in Council of the eleventh day of August, one thousand eight hundred and eighty-four, should be further modified by adding to the said recited article 9 thereof the provision contained in the schedule hereto :—

Now, therefore, Her Majesty, by virtue of the powers vested in her by the said Act, and by and with the advice of her Privy Council, is pleased to direct that from the date of this Order the regulations contained in the schedule to the said Order in Council of the eleventh day of August, one thousand eight hundred and eighty-four, shall be further modified by the addition to the said recited article 9 thereof of the provisions contained in the schedule hereto.

C. L. PEEL.

SCHEDULE.

A steam pilot vessel exclusively employed for the service of pilots licensed or certified by any pilotage authority or the committee of any pilotage district in the United Kingdom when engaged on her station on pilotage duty and in British waters and not at anchor shall, in addition to the lights required for all pilot boats, carry at a distance of eight feet below her white masthead light a red light visible all round the horizon and of such a character as to be visible on a dark night with a clear atmosphere at a distance of at least two miles and also the coloured side lights required to be carried by vessels when under way.

When engaged on her station on pilotage duty and in British waters and at anchor she shall carry in addition to the light required for all pilot boats the red light above mentioned but not the coloured side lights.

When not engaged on her station on pilotage duty she shall carry the same lights as other steam vessels.

The Seal Fishery (Behring's Sea) Order in Council, 1893.

AT THE COURT AT WINDSOR, THE 16TH DAY OF MAY, 1893.*Present :*

THE QUEEN'S MOST EXCELLENT MAJESTY.

Lord President. Marquess of Ripon. Mr. Secretary Asquith.

WHEREAS by "The Seal Fishery (Behring's Sea) Act, 1891," it is enacted that Her Majesty the Queen may by Order in Council prohibit the catching of seals by British ships in Behring's Sea or such part thereof as is defined by the said Order during the period limited by the Order ;

And whereas the expression "Behring's Sea" in the said Act means the seas known as Behring's Sea within the limits described in an Order under the said Act ;

And whereas an Order in Council was issued on the twenty-third day of June, one thousand eight hundred and ninety-one, prohibiting the catching of seals by British ships in Behring's Sea as therein defined, until the first day of May, one thousand eight hundred and ninety-two ;

And whereas a further Order in Council was issued on the ninth day of May, one thousand eight hundred and ninety-two, prohibiting the catching of seals by British ships in Behring's Sea, as therein defined, until the first day of May, one thousand eight hundred and ninety-three.

Now, therefore, Her Majesty, in virtue of the powers vested in her by the said recited Act, by and with the advice of her Privy Council, is hereby pleased to order, and it is hereby ordered as follows :—

1. This Order may be cited as the Seal Fishery (Behring's Sea) Order in Council, 1893.

2. From and after the date of the present Order until the first day of May, one thousand eight hundred and ninety-four, unless Her Majesty in Council shall otherwise direct, the catching of seals by British ships in Behring's Sea as hereinafter defined is hereby prohibited.

3. For the purposes of the said recited Act and of this Order the expression "Behring's Sea" means so much of that part of the Pacific Ocean known as Behring's Sea as lies between the parallel of 65° 30' north latitude and the chain of the Aleutian Islands and eastward of the following line of demarcation, that is to say, a line commencing at a point in Behring's Straits on the said parallel of 65° 30' north latitude, at its intersection by the meridian which passes midway between the islands of Krusenstern or Ignalook and the island of Ratmanoff or Noonarbook, and proceeding thence in a course nearly south-west through Behring's Straits and the seas known as Behring Sea so as to pass midway between the north-west point of the island of St. Lawrence and the south-east point of Cape Choukotski to the meridian of 172° west longitude, thence, from the intersection of that meridian in a south-westerly direction so as to pass midway between the island of Attou and the Copper Island of the Kormandorski couplet or group in the North Pacific Ocean, to the meridian of 193° west longitude.

C. L. PEEL.

The Seal Fishery (North Pacific) Order in Council, 1893.

AT THE COURT AT WINDSOR, THE 4TH DAY OF JULY, 1893.

Present :

THE QUEEN'S MOST EXCELLENT MAJESTY.

Lord President.
Lord Steward.

Lord Kensington.
Lord Vivian.

WHEREAS by "The Seal Fishery (North Pacific) Act, 1893," it is enacted that Her Majesty the Queen may by Order in Council prohibit during the period specified by the Order the catching of seals by British ships in such parts of the seas to which that Act applies as are specified by the Order; and that for carrying into effect an arrangement with any foreign state an Order in Council may provide that such officers of that state as are specified in the Order may exercise the like powers under the Act as may be exercised by a commissioned officer on full pay in the naval service of Her Majesty in relation to a British ship and the equipment and crew and certificate thereof; and that any such Order may contain any limitations, conditions, qualifications, and exceptions which appear to Her Majesty in Council expedient for carrying into effect the object of the said Act :

And whereas the said Act applies to the seas within that part of the Pacific Ocean known as Behring's Sea, and within such other parts of the North Pacific Ocean as are north of the forty-second parallel of north latitude :

And whereas an arrangement has been made between Her Majesty the Queen and His Imperial Majesty the Emperor of Russia, whereby British ships engaged in hunting seals within such parts of the said seas as are hereinafter specified may be seized by Russian cruisers :

Now, therefore, Her Majesty, in virtue of the powers vested in her by the said recited Act, and of all other powers enabling her in that behalf, is hereby pleased, by and with the advice of her Privy Council, to order, and it is hereby ordered, as follows :—

1. From and after the fourth day of July, one thousand eight hundred and ninety-three, until the first day of January, one thousand eight hundred and ninety-four, the catching of seals by British ships is hereby prohibited within such parts of the seas to which the recited Act applies as are comprised within the following zones, that is to say (i.) a zone of ten marine miles on all the Russian coasts of Behring Sea and the North Pacific Ocean, and (ii.) a zone of thirty marine miles round the Komandorsky Islands and Tulénéw (Robben Island).

2. The powers which under the recited Act may be exercised by any commissioned officer on full pay in the naval service of Her Majesty may be exercised by the captain or other officer in command of any war vessel of his Imperial Majesty the Emperor of Russia in relation to a British ship, and the equipment and crew and certificate thereof.

3. This Order may be cited as "The Seal Fishery (North Pacific) Order in Council, 1893."

C. L. PEEL.

Merchant Shipping—Tonnage Measurement.

AT THE COURT AT WINDSOR, THE 23RD DAY OF NOVEMBER, 1893.

Present:

THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by the Merchant Shipping Act Amendment Act, 1862, it is enacted that whenever it is made to appear to Her Majesty that the rules concerning the measurement of tonnage of merchant ships for the time being in force under the Merchant Shipping Act, 1854, therein called the principal Act, have been adopted by the government of any foreign country, and are in force in that country, it shall be lawful for Her Majesty by Order in Council to direct that the ships of such foreign country shall be deemed to be of the tonnage denoted in their certificates of registry or other national papers, and thereupon it shall no longer be necessary for such ships to be re-measured in any port or place in Her Majesty's dominions, but such ships shall be deemed to be of the tonnage denoted on their certificates of registry or other papers in the same manner, to the same extent, and for the same purposes in, to, and for which the tonnage denoted in the certificates of registry of British ships is to be deemed the tonnage of such ships:

And whereas Her Majesty, by Order in Council dated the 30th day of September, 1873, was pleased to direct that merchant, sailing, and steam ships, belonging to the Kingdom of Italy, the measurement whereof had, after the first day of July, one thousand eight hundred and seventy-three, been ascertained and denoted in the registers and other national papers of such ships testified by the dates thereof, should be deemed to be of the tonnage denoted in their registers or other national papers in the same manner and to the same extent, and for the same purposes, in, to, and for which the tonnage denoted in the certificates of registry of British ships is deemed to be the tonnage of such ships; provided, nevertheless, that if the owner or master of any Italian steamship should desire the deduction for engine-room in such ship to be estimated under the rules for engine-room measurement and deduction applicable to British ships, instead of under the Italian rule, the engine-room should be measured and the deduction calculated according to the British rules:

And whereas Her Majesty, by Order in Council dated the 14th day of February, 1883, was pleased to declare that (the rules for engine-room measurement and deduction applicable to the steamships of Italy, having been modified by royal decree of His Majesty the King of Italy, dated the 30th day of July, 1882), the steamships of Italy, the certificates of Italian nationality and registry of which were dated on or after the 21st day of September, 1882, should be deemed to be of the tonnage denoted in the said certificates of Italian nationality and registry:

And whereas it has been made to appear to Her Majesty that it is expedient that certain additions should be made to the provisions of the said last recited Order in Council in regard to the mode of estimating the net registered tonnage of Italian ships:

Now, therefore, Her Majesty in virtue of the powers vested in her by the said recited Acts, and by and with the advice of her Privy Council, is

Precedence of certain Functionaries.

further pleased to direct as follows, viz., that in the event of the net registered tonnage of Italian ships, estimated under the British rules, being denoted on their certificates of registry or other national papers, the same shall be deemed to be of the tonnage so denoted therein.

C. L. PEEL.

The Marquess of Ripon to the Earl of Aberdeen.

DOWNING STREET,
29th December, 1893.

MY LORD,—I have the honour to acknowledge the receipt of your despatch, No. 292, of the 21st of November, and I have to signify to you Her Majesty's approval of the precedence which your ministers propose should be assigned to the Solicitor General, the Comptroller of Customs, and the Comptroller of Inland Revenue, namely, in the above order, as I understand, and next after members of the Privy Council not of the cabinet, and of their being styled "Honourable" while in office.

I have further to signify to you Her Majesty's approval of the precedence which it is proposed to assign to the Lieutenant-Governors of Manitoba, British Columbia, Prince Edward Island, and the North-west Territories, namely, immediately after the Lieutenant-Governor of New Brunswick, and of the precedence which it is proposed to assign to the Judge of the Exchequer Court of Canada, namely, next after the Puisne Judges of the Supreme Court of Canada.

I have, &c.,

(Signed) RIPON.

Governor General,
&c., &c., &c.

AT THE COURT AT OSBORNE HOUSE, ISLE OF WIGHT, THE 29TH
DAY OF JANUARY, 1894.

Present :

THE QUEEN'S MOST EXCELLENT MAJESTY.

Lord Steward.

Sir John Cowell.

Sir William Vernon Harcourt.

Sir Philip Currie.

Sir Henry Ponsonby.

WHEREAS by the Extradition Acts, 1870 and 1873, 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

Extradition Treaty—Argentine Republic.

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 that if, by any law made after the passing of the Act of 1870 by the legislature of any British possession, provision is made for carrying into effect within such possession the surrender of fugitive criminals who are in or suspected of being in such British possession, Her Majesty may, by the Order in Council applying the said Acts in the case of any foreign state, or by any subsequent Order, suspend the operation within any such British possession of the said Acts, or of any part thereof, so far as it relates to such foreign state, and so long as such law continues in force there, and no longer:

And whereas by an Act of the Parliament of Canada passed in 1886, and entitled "An Act respecting the Extradition of Fugitive Criminals," provision is made for carrying into effect within the Dominion the surrender of fugitive criminals:

And whereas by an Order of Her Majesty the Queen in Council, dated the seventeenth day of November, one thousand eight hundred and eighty-eight, it was directed that the operation of the Extradition Acts, 1870 and 1873, should be suspended within the Dominion of Canada so long as the provision of the said Act of the Parliament of Canada of 1886 should continue in force and no longer:

And whereas a treaty was concluded on the twenty-second day of May, one thousand eight hundred and eighty-nine, between Her Majesty and the President of the Argentine Republic, 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, and His Excellency the President of the Argentine Republic, having judged it expedient, with a view to the better administration of justice and to the prevention of crime within the two countries and their jurisdictions, that persons charged with or convicted of the crimes or offences hereinafter enumerated, and being fugitives from justice, should, under certain circumstances, be reciprocally delivered up, have named as their plenipotentiaries to conclude a treaty, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, her Chargé d'Affaires *ad interim* Mr. George Jenner;

And His Excellency the President of the Argentine Republic, His Excellency Doctor Don Norberto Quirno Costa, Secretary of State for the Department of Foreign Affairs;

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, under certain circumstances and conditions stated in the present treaty, those persons who, being accused or convicted of any of the crimes or offences enumerated in article II., committed in the territory of the one party, shall be found within the territory of the other party.

Extradition Treaty—Argentine Republic.

ARTICLE II.

Extradition shall be reciprocally granted for the following crimes or offences :—

1. Murder (including assassination, parricide, infanticide, poisoning), or attempt or conspiracy to murder.
2. Manslaughter.
3. Administering drugs or using instruments with intent to procure the miscarriage of women.
4. Rape.
5. Carnal knowledge, or any attempt to have carnal knowledge, of a girl under sixteen years of age, if the evidence produced justifies committal for those crimes according to the laws of both the contracting parties.
6. Indecent assault.
7. Kidnapping and false imprisonment, child-stealing.
8. Abduction.
9. Bigamy.
10. Malicious wounding or inflicting grievous bodily harm.
11. Assault occasioning actual bodily harm.
12. Threats by letter, or otherwise, with intent to extort money or other things of value.
13. Perjury, or subornation of perjury.
14. Arson.
15. Burglary or housebreaking, robbery with violence, larceny, or embezzlement.
16. Fraud by a bailee, banker, agent, factor, trustee, director, member or public officer of any company, punishable with imprisonment for not less than one year by any law for the time being in force.
17. Obtaining money, valuable security, or goods by false pretenses ; receiving any money, valuable security, or other property, knowing the same to have been stolen or unlawfully obtained, the value thereof exceeding \$1,000, or £200 sterling.
- 18.—(a.) Counterfeiting or altering money, or bringing into circulation counterfeited or altered money.
- (b.) Knowingly making, without lawful authority, any instrument, tool, or engine adapted and intended for the counterfeiting of the coin of the realm.
- (c.) Forgery, or uttering what is forged.
19. Crimes against bankruptcy law.
20. Any malicious act done with intent to endanger the safety of any person travelling or being upon a railway.
21. Malicious injury to property, if such offence be indictable.
22. Piracy and other crimes or offences committed at sea against persons or things which, according to the laws of the high contracting parties, are extradition offences, and are punishable by more than one year's imprisonment.
23. Dealing in slaves in such manner as to constitute a criminal offence against the laws of both states.

Extradition Treaty—Argentine Republic.

The extradition is also to be granted for participation in any of the aforesaid crimes, provided such participation be punishable by the laws of both 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 reserves the right to refuse or grant the surrender of its own subjects or citizens to the other government.

ARTICLE IV.

The extradition shall not take place if the person claimed on the part of Her Majesty's Government, or the person claimed on the part of the Government of the Argentine Republic, has already been tried and discharged or punished, or is still under trial in the territory of the Argentine Republic or in the United Kingdom respectively, for the crime for which his extradition is demanded.

If the person claimed on the part of Her Majesty's Government, or on the part of the Government of the Argentine Republic, should be under examination for any other crime in the territory of the Argentine Republic or in the United Kingdom respectively, his extradition shall be deferred until the conclusion of the trial and the full execution of any punishment awarded to him.

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 applying or applied to.

It shall likewise not take place when, according to the laws of either country, the maximum punishment for the offence is imprisonment for less than one year.

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

Extradition Treaty—Argentine Republic.

have taken place, until he has been restored or has 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 through the diplomatic agents of the high contracting parties respectively.

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.

A fugitive criminal may be apprehended under a warrant issued by any police magistrate, justice of the peace, or other competent authority in either country, on such information or complaint, and such evidence, or after such proceedings, as would, in the opinion of the authority issuing the warrant, justify the issue of a warrant if the crime had been committed or the person convicted in that part of the dominions of the two contracting parties in which the magistrate, justice of the peace, or other competent authority exercises jurisdiction: provided, however, that in the United Kingdom the accused shall, in such case, be sent as speedily as possible before a police magistrate in London. He shall, in accordance with this article, be discharged, as well in the Argentine Republic as in the United Kingdom, if within the term of thirty days a requisition for extradition shall not have been made by the diplomatic agent of his country in accordance with the stipulations of this treaty. The same rule shall apply to the cases of persons accused or convicted of any of the crimes or offences specified in this treaty, and committed on the high seas on board any vessel of either country which may come into a port of the other.

ARTICLE XI.

The extradition shall take place only if the evidence be found sufficient, according to the laws of the state applied to, either to justify the committal of

Extradition Treaty—Argentine Republic.

the prisoner for trial, in case the crime had been committed in the territory of the same 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; and no criminal shall be surrendered until after the expiration of fifteen days from the date of his committal to prison to await the warrant for his surrender.

ARTICLE XII.

In the examinations which they have to make in accordance with the foregoing stipulations, the authorities of the state applied to shall admit as valid evidence the sworn depositions or statements of witnesses taken in the other state, 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 other state.

2. Depositions or affirmations, or the copies thereof, must purport to be certified under the hand of a judge, magistrate, or officer of the other state, to be the original depositions or affirmations, or to be 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 other state.

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 of the minister of justice, or some other minister of the other state; but any other mode of authentication for the time being permitted by the law of the country where the examination is taken, may be substituted for the foregoing.

ARTICLE XIII.

If the individual claimed by one of the 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

Extradition Treaty—Argentine Republic.

of the state applied to for the extradition has ordered the delivery of such articles, 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.

All expenses connected with extradition shall be borne by the demanding state.

ARTICLE XVII.

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 the chief consular officer of the Argentine Republic in such colony or possession.

Such requisition 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 Argentine criminals who may take refuge within such colonies and foreign possessions, on the basis, 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 XVIII.

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 by a notice not exceeding one year, and not less than six months.

The treaty, after receiving the approval of the Congress of the Argentine Republic, shall be ratified, and the ratifications shall be exchanged at Buenos Ayres as soon as possible.

In witness whereof the respective plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at Buenos Ayres, on the twenty-second day of May, one thousand eight hundred and eighty-nine.

[L.S.] G. JENNER.

[L.S.] N. QUIRNO COSTA.

The Seal Fishery (North Pacific) Order in Council, 1894.

And whereas the ratifications of the said treaty were exchanged at Buenos Ayres on the fifteenth day of December, one thousand eight hundred and ninety-three ;

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 ninth day of February, one thousand eight hundred and ninety-four, the said Acts shall apply in the case of the Argentine Republic, and of the said treaty with the Argentine Republic.

Provided always, and it is hereby further ordered that the operation of the said Extradition Acts, 1870 and 1873, shall be suspended within the Dominion of Canada so far as relates to the Argentine Republic and to the said treaty, and so long as the provisions of the Canadian Act aforesaid of 1886 continue in force, and no longer.

C. L. PEEL.

AT THE COURT AT OSBORNE HOUSE, ISLE OF WIGHT, THE
29TH DAY OF JANUARY, 1894.

Present :

THE QUEEN'S MOST EXCELLENT MAJESTY.

Lord Steward.

Sir Henry Ponsonby.

Sir William Vernon Harcourt.

Sir John Cowell.

Sir Philip Currie.

WHEREAS by "The Seal Fishery (North Pacific) Act, 1893," it is enacted that Her Majesty the Queen may, by Order in Council, prohibit during the period specified by the Order, the catching of seals by British ships in such parts of the seas to which that Act applies as are specified by the Order ; and that for carrying into effect an arrangement with any foreign state, an Order in Council may provide that such officers of that state as are specified in the Order may exercise the like powers under the Act as may be exercised by a commissioned officer on full pay in the naval service of Her Majesty in relation to a British ship, and the equipment and crew and certificate thereof ; and that any such Order may contain any limitations, conditions, qualifications and exceptions which appear to Her Majesty in Council expedient for carrying into effect the object of the said Act ;

And whereas the said Act applies to the seas within that part of the Pacific Ocean known as Behring Sea, and within such other parts of the North Pacific Ocean as are north of the forty-second parallel of north latitude ;

And whereas an arrangement has been made between Her Majesty the Queen and His Imperial Majesty the Emperor of Russia, whereby British ships engaged in hunting seals within such parts of the said seas as are hereinafter specified may be seized by Russian cruisers ;

And whereas an Order in Council, intituled "The Seal Fishery (North Pacific) Order in Council, 1893," was issued on the fourth day of July, one thousand eight hundred and ninety-three, prohibiting the catching of seals by

The Seal Fishery (North Pacific) Order in Council, 1894.

British ships within the zones as therein defined until the first day of January, one thousand eight hundred and ninety-four.

Now, therefore, Her Majesty in virtue of the powers vested in her by the said recited Act, and of all other powers enabling her in that behalf, is hereby pleased, by and with the advice of her Privy Council, to order, and it is hereby ordered as follows :—

1. From and after the date of the present Order until Her Majesty in Council shall otherwise direct the catching of seals by British ships is hereby prohibited within such parts of the seas to which the recited Act applies as are comprised within the following zones, that is to say :

(1.) A zone of ten marine miles on all the Russian coasts of Behring Sea and the North Pacific Ocean, and

(2.) A zone of thirty marine miles round the Kormandorsky Islands and Tulenew (Robben Island).

2. The powers which under the recited Act may be exercised by any commissioned officer on full pay in the naval service of Her Majesty may be exercised by the captain or other officer in command of any war vessel of His Imperial Majesty the Emperor of Russia in relation to a British ship, and the equipment and crew and certificate thereof.

3. This Order may be cited as “The Seal Fishery (North Pacific) Order in Council, 1894.”

C. L. PEEL.

AT THE COURT AT WINDSOR, THE 3RD DAY OF MARCH, 1894.

Present :

THE QUEEN'S MOST EXCELLENT MAJESTY.

Lord President.

Earl Spencer.

Marquess of Ripon.

Mr. Gladstone.

Sir William Vernon Harcourt.

WHEREAS by the Extradition Acts, 1870 and 1873, 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 that if, by any law made after the passing of the Act of 1870 by the legislature of any British possession, provision is made for carrying into effect within such possession the surrender of fugitive criminals who are in or suspected of being in such British possession, Her Majesty may, by the Order in Council applying the said Acts in the case of any foreign state, or by any subsequent Order, suspend the operation within any such British possession of the said Acts, or of any part thereof, so far as it

Extradition Treaty—Portugal.

relates to such foreign state, and so long as such law continues in force there and no longer :

And whereas by an Act of the Parliament of Canada passed in 1886, and entitled "An Act respecting the Extradition of Fugitive Criminals," provision is made for carrying into effect within the Dominion the surrender of fugitive criminals :

And whereas by an Order of Her Majesty the Queen in Council, dated the seventeenth day of November, one thousand eight hundred and eighty-eight, it was directed that the operation of the Extradition Acts, 1870 and 1873, should be suspended within the Dominion of Canada so long as the provision of the said Act of the Parliament of Canada of 1886 should continue in force, and no longer :

And whereas a treaty was concluded on the seventeenth day of October, one thousand eight hundred and ninety-two, between Her Majesty and His Majesty the King of Portugal 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 His most Faithful Majesty the King of Portugal and of the Algarves, 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 as 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, Sir George Glynn Petre, Knight Commander of the most Distinguished Order of Saint Michael and Saint George, Companion of the most Honourable Order of the Bath, Her Majesty's Envoy Extraordinary and Minister Plenipotentiary at the Court of His most Faithful Majesty, etc. ; and

His most Faithful Majesty the King of Portugal and of the Algarves, Dom Antonio Ayres de Gouvêa, Councillor of His Majesty, Peer of the Realm, Bishop of Bethsaida, retired Professor of the University of Coimbra, His Majesty's Minister and Secretary of State for Foreign Affairs, etc. ;

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 (including assassination, infanticide, and poisoning), or attempt or conspiracy to murder.

Extradition Treaty—Portugal.

2. Manslaughter.
3. Maliciously wounding or inflicting grievous bodily harm.
4. Assault occasioning actual bodily harm.
5. Counterfeiting or altering money, either metallic or of any other kind representing the first named, or uttering counterfeit or altered money of any of those kinds.
6. Knowingly making any instrument, tool, or engine adapted and intended for counterfeiting coin.
7. Forgery, counterfeiting, or altering or uttering what is forged or counterfeited or altered.
8. Embezzlement or larceny.
9. Malicious injury to property, if the offence be indictable.
10. Obtaining money, goods, or valuable securities, by false pretenses.
11. Receiving money, valuable security, or other property, knowing the same to have been stolen, embezzled, or unlawfully obtained.
12. Crimes against bankruptcy law.
13. Fraud by a bailee, banker, agent, factor, trustee, or director, or member, or public officer of any company, made criminal by any law for the time being in force.
14. Perjury or subornation of perjury.
15. Rape.
16. Carnal knowledge or any attempt to have carnal knowledge of a girl under 16 years of age.
17. Indecent assault.
18. Administering drugs or using instruments with intent to procure the miscarriage of a woman.
19. Abduction.
20. Bigamy.
21. Child-stealing.
22. Abandoning children, exposing or unlawfully detaining them.
23. Kidnapping and false imprisonment.
24. Burglary or housebreaking.
25. Arson.
26. Robbery with violence.
27. Any malicious act done with intent to endanger the safety of any person in a railway train.
28. Threats by letter or otherwise, with intent to extort.
29. Piracy by law of nations.
30. Sinking or destroying a vessel at sea, or attempting or conspiring to do so.
31. Assaults on board a ship on the high seas, with intent to destroy life or to do grievous bodily harm.
32. Revolt, or conspiracy to revolt, by two or more persons on board a ship on the high seas against the authority of the master.
33. 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 Treaty—Portugal.

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.

The Portuguese Government will not deliver up any person either guilty or accused of any crime punishable with death.

ARTICLE III.

The Portuguese Government will not grant the extradition of any Portuguese subject, and Her Britannic Majesty's Government will not grant the extradition of any British subject; but in the case of a naturalized subject, this article shall only be applicable if the naturalization was obtained previous to the commission of the crime giving rise to the application for extradition.

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 Portuguese Government, has already been tried and discharged or punished, or is still under trial within the territories of the two high contracting parties respectively, 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 Portuguese Government, should be under examination, or is 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.

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 through the diplomatic agents of the high contracting parties respectively.

Extradition Treaty—Portugal.

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 circumstances may cause a person so sentenced *in contumaciam* to 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 has 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.

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 the dominions of Portugal, 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 Portuguese judge, magistrate, or officer.

2. Depositions or affirmations, or the copies thereof, must purport to be certified under the hand of a Portuguese judge, magistrate, or officer, 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 Portuguese judge, magistrate, or officer.

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 of the minister of justice, or some other Portuguese minister; 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 dominions of Portugal, his surrender shall be granted if upon examination by a competent authority it appears that the documents furnished by the British Government contain sufficient *primâ facie* evidence to justify the extradition.

Extradition Treaty—Portugal.

The Portuguese authorities 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.

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.

All expenses connected with extradition shall be borne by the demanding state.

ARTICLE XVII.

The stipulations of the present treaty shall be applicable to the colonies and foreign possessions of both of the high contracting parties, so far as the

Extradition Treaty—Portugal.

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 the chief consular authority of the other state in such colony or possession.

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.

The high contracting parties, shall, however, be at liberty to make special arrangements in their respective colonies and foreign possessions for the surrender of criminals who may take refuge therein 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 either of the high contracting parties shall be governed by the rules laid down in the preceding articles of the present treaty.

ARTICLE XVIII.

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 Lisbon as soon as possible.

In witness whereof the respective plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done in duplicate at Lisbon, the seventeenth day of October, in the year of our Lord one thousand eight hundred and ninety-two.

[L.S.] GEORGE G. PETRE.
[L.S.] A. AYRES DE GOUVÊA.

And whereas a protocol relative to the said treaty was signed at Lisbon on the thirtieth day of November, one thousand eight hundred and ninety-two, which protocol is the terms following:—

The stipulations of the present treaty do not apply to extradition between British and Portuguese India, which is reserved for ulterior negotiation.

Done in duplicate at Lisbon, the thirtieth day of November, in the year of our Lord one thousand eight hundred and ninety-two.

Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary,

GEORGE G. PETRE.

O Ministro e Secretário de Estado dos Negocios Extranjeros de Sua Magestade Fidelissima,

A. AYRES DE GOUVÊA.

Extradition Treaty—Portugal.

And whereas the ratifications of the said treaty and protocol were exchanged at Lisbon on the thirteenth day of November, one thousand eight hundred and ninety-three :

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 March, one thousand eight hundred and ninety-four, the said Acts shall apply in the case of Portugal, and of the said treaty and protocol with His Majesty the King of Portugal.

Provided always, and it is hereby further ordered, that the operation of the said Extradition Acts, 1870 and 1873, shall be suspended within the Dominion of Canada so far as relates to Portugal and to the said treaty and protocol, and so long as the provisions of the Canadian Act aforesaid of 1886 continue in force, and no longer.

C. L. PEEL.

AT THE COURT AT WINDSOR, THE 10TH DAY OF MARCH, 1894.

Present :

THE QUEEN'S MOST EXCELLENT MAJESTY.

Lord President.
Lord Privy Seal.

Earl of Kimberley.
Mr. Secretary Fowler.

Mr. Lefevre.
Mr. Bryce.

WHEREAS by the Extradition Acts, 1870 and 1873, 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 that if, by any law made after the passing of the Act of 1870 by the legislature of any British possession, provision is made for carrying into effect within such possession the surrender of fugitive criminals who are in or suspected of being in such British possession, Her Majesty may, by the Order in Council applying the said Acts in the case of any foreign state, or by any subsequent Order, suspend the operation within any such British possession of the said Acts, or of any part thereof, so far as it relates to such foreign state, and so long as such law continues in force there and no longer :

And whereas by 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," provision is made for carrying into effect within the Dominion the surrender of fugitive criminals :

And whereas by an Order of Her Majesty the Queen in Council, dated the seventeenth day of November, one thousand eight hundred and eighty-

Extradition Treaty—Liberia.

eight, it was directed that the operation of the Extradition Acts, 1870 and 1873, should be suspended within the Dominion of Canada so long as the provision of the said Act of the Parliament of Canada of 1886 should continue in force and no longer :

And whereas a treaty was concluded on the sixteenth day of December, one thousand eight hundred and ninety-two, between Her Majesty and the President of the Republic of Liberia, 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 His Excellency the President of Liberia, 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 as 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, the Right Honourable Archibald Philip, Earl of Rosebery, Knight of the most Noble Order of the Garter, Her Majesty's Principal Secretary of State for Foreign Affairs ; and

His Excellency the President of Liberia, Henry Hayman, Esq., Consul-General of the Republic of Liberia in London ;

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, 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.
2. Manslaughter.
3. Assault occasioning actual bodily harm.
4. Maliciously wounding or inflicting grievous bodily harm.
5. Counterfeiting or altering money, or uttering counterfeit or altered money.
6. Knowingly making any instrument, tool, or engine adapted and intended for counterfeiting coin.
7. Forgery, counterfeiting, or altering or uttering what is forged, or counterfeited, or altered.
8. Embezzlement or larceny.
9. Malicious injury to property if the offence be indictable.

Extradition Treaty—Liberia.

10. Obtaining money, goods, or valuable security by false pretenses.
11. Receiving money, valuable security, or other property, knowing the same to have been stolen, embezzled, or unlawfully obtained.
12. Crimes against bankruptcy law.
13. Fraud by a bailee, banker, agent, factor, trustee, or director or member or public officer of any company, made criminal by any law for the time being in force.
14. Perjury, or subornation of perjury.
15. Rape.
16. Carnal knowledge, or any attempt to have carnal knowledge, of a girl under sixteen years of age.
17. Indecent assault.
18. Administering drugs, or using instruments, with intent to procure the miscarriage of a woman.
19. Abduction.
20. Child-stealing.
21. Abandoning children, exposing or unlawfully detaining them.
22. Kidnapping and false imprisonment.
23. Burglary or housebreaking.
24. Arson.
25. Robbery with violence.
26. Any malicious act done with intent to endanger the safety of any person in a railway train.
27. Threats by letter or otherwise, with intent to extort.
28. Piracy by law of nations.
29. Sinking or destroying a vessel at sea, or attempting or conspiring to do so.
30. Assaults on board a ship on the high seas, with intent to destroy life, or do grievous bodily harm.
31. Revolt, or conspiracy to revolt, by two or more persons on board a ship on the high seas, against the authority of the master.
32. 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.

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 Liberian Government, has already been tried and discharged or punished, or is still under trial, within the territories of the two high contracting parties respectively, for the crime for which his extradition is demanded.

Extradition Treaty—Liberia.

If the person claimed on the part of the British Government, or if the person claimed on the part of the Liberian Government, should be under examination, or is 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.

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 Liberia shall be made by Her Majesty's consul at Monrovia.

Application on behalf of the Liberian Government for the surrender of a fugitive criminal in the United Kingdom shall be made by the diplomatic representative of Liberia in London, or in the absence of such representative, by the consul general for Liberia in London.

The requisition for the extradition of the accused person must be accompanied by 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.

Extradition Treaty—Liberia.

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 has 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.

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 Liberia, 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 Liberia.

2. Depositions or affirmations, or the copies thereof, must purport to be certified under the hand of a judge, magistrate, or officer of Liberia, 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 Liberia.

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 of the minister of justice, or some other minister of Liberia ; 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 Liberia his surrender shall be granted if, upon examination by a competent authority, it appears that the documents furnished by the British Government contain sufficient *primâ facie* evidence to justify the extradition.

The authorities of Liberia 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

Extradition Treaty—Liberia.

of the prisoner for trial, in case the crime has 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. 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.

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 three 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.

All expenses connected with extradition shall be borne by the demanding state.

ARTICLE XVII.

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 Liberia, or if there is no such consular officer in the colony, by the diplomatic representative of Liberia in London, or in his absence by the Liberian consul-general.

Extradition Treaty—Liberia.

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 Liberia 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 XVIII.

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 London as soon as possible.

In witness whereof the respective plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at London, the sixteenth day of December, one thousand eight hundred and ninety-two.

[L.S.] ROSEBERRY.
[L.S.] H. HAYMAN.

And whereas the ratifications of the said treaty were exchanged at London on the thirty-first day of January, one thousand eight hundred and ninety-four:

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 twenty-third day of March, one thousand eight hundred and ninety-four, the said Acts shall apply in the case of Liberia, and of the said treaty with the Republic of Liberia.

Provided always, and it is hereby further ordered, that the operation of the said Extradition Acts, 1870 and 1873, shall be suspended within the Dominion of Canada so far as relates to Liberia and to the said treaty and so long as the provisions of the Canadian Act aforesaid of 1886 continue in force, and no longer.

C. L. PEEL.

Extradition Treaty—Roumania.

AT THE COURT AT WINDSOR, THE 30TH DAY OF APRIL, 1894.

Present :

THE QUEEN'S MOST EXCELLENT MAJESTY.

Lord President.
Lord Steward.

Earl of Chesterfield.
Lord Chamberlain.

Sir Charles Russell.
Sir Frank Lascelles.

WHEREAS by the Extradition Acts, 1870 and 1873, 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 that if, by any law made after the passing of the Act of 1870 by the legislature of any British possession, provision is made for carrying into effect within such possession the surrender of fugitive criminals who are in or suspected of being in such British possession, Her Majesty may, by the Order in Council applying the said Acts in the case of any foreign state, or by any subsequent Order, suspend the operation within any such British possession of the said Acts, or of any part thereof, so far as it relates to such foreign state, and so long as such law continues in force there and no longer:

And whereas by an Act of the Parliament of Canada passed in 1886, and entitled "An Act respecting the Extradition of Fugitive Criminals," provision is made for carrying into effect within the Dominion the surrender of fugitive criminals:

And whereas by an Order of Her Majesty the Queen in Council, dated the seventeenth day of November, one thousand eight hundred and eighty-eight, it was directed that the operation of the Extradition Acts, 1870 and 1873, should be suspended within the Dominion of Canada so long as the provision of the said Act of the Parliament of Canada of 1886 should continue in force and no longer:

And whereas a treaty was concluded on the twenty-first day of March, one thousand eight hundred and ninety-three, between Her Majesty and His Majesty the King of Roumania 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 His Majesty the King of Roumania, 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 as their plenipotentiaries to conclude a treaty for this purpose, that is to say:

Extradition Treaty—Roumania.

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, the Honourable Charles Hardinge, Her Britannic Majesty's Chargé d'Affaires at Bucharest, etc., etc.;

And His Majesty the King of Roumania, M. Alexandre N. Lahovari, Grand Cross of His Order of the Crown of Roumania, etc., etc., his Minister-Secretary of State for Foreign Affairs;

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.
2. Manslaughter.
3. Assault occasioning actual bodily harm. Maliciously wounding or inflicting grievous bodily harm.
4. Counterfeiting or altering money, or uttering counterfeit or altered money.
5. Knowingly making any instrument, tool, or engine adapted and intended for counterfeiting coin.
6. Forgery, counterfeiting, or altering or uttering what is forged, or counterfeited, or altered.
7. Embezzlement or larceny.
8. Malicious injury to property, by explosives or otherwise, if the offence be indictable.
9. Obtaining money, goods, or valuable securities by false pretences.
10. Receiving money, valuable security, or other property, knowing the same to have been stolen, embezzled or unlawfully obtained.
11. Crimes against bankruptcy law.
12. Fraud by a bailee, banker, agent, factor, trustee, or director, or member, or public officer of any company, made criminal by any law for the time being in force.
13. Perjury or subornation of perjury.
14. Rape.
15. Carnal knowledge, or any attempt to have carnal knowledge, of a girl under fourteen years of age.
16. Indecent assault.
17. Procuring miscarriage, administering drugs or using instruments with intent to procure the miscarriage of a woman.
18. Abduction.
19. Child-stealing.
20. Abandoning children, exposing or unlawfully detaining them.

Extradition Treaty—Roumania.

21. Kidnapping and false imprisonment.
22. Burglary or housebreaking.
23. Arson.
24. Robbery with violence.
25. Any malicious act done with intent to endanger the safety of any person in a railway train.
26. Threats by letter or otherwise with intent to extort.
27. Piracy by law of nations.
28. Sinking or destroying a vessel at sea, or attempting or conspiring to do so.
29. Assaults on board a ship on the high seas, with intent to destroy life or do grievous bodily harm.
30. Revolt, or conspiracy to revolt, by two or more persons on board a ship on the high seas against the authority of the master.
31. Dealing in slaves.

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.

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 has already been tried and discharged or punished, or is still under trial, within the territories of the two high contracting parties, respectively, for the crime for which his extradition is demanded.

If the person claimed should be under examination, or is 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.

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

Extradition Treaty—Roumania.

or on account of any other matter 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 through the diplomatic agents of the high contracting parties respectively.

The requisition for the extradition of the 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 has 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.

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 Roumania, 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 judicial officer of police of Roumania.

2. Depositions or affirmations, or the copies thereof, must purport to be certified under the hand of a judge, magistrate, or judicial officer of police of Roumania, 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 judicial officer of police of Roumania.

4. In every case such warrant, deposition, affirmation, copy, certificate, or judicial document must be authenticated either by the oath of some witness,

Extradition Treaty—Roumania.

or by being sealed with the official seal of the minister of justice, or of foreign affairs of Roumania; 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.

On the part of the Roumanian Government, the extradition shall take place as follows in Roumania :—

The minister, or other diplomatic agent of Her Britannic Majesty in Roumania, shall send to the minister for foreign affairs, in support of each demand for extradition, an authentic and duly legalized copy either of a certificate of condemnation, or of a warrant of arrest against an incriminated or accused person, showing clearly the nature of the crime or offence on account of which proceedings are being taken against the fugitive. The judicial documents so produced shall be accompanied by a description and other particulars serving to establish the identity of the person whose extradition is claimed.

In case the documents produced by the British Government to establish the identity, and the particulars gathered by the Roumanian police authorities for the same purpose, should be deemed to be insufficient, notice thereof shall forthwith be given to the minister or other diplomatic agent of Her Britannic Majesty in Roumania, and the individual whose extradition is desired, if he has been arrested, shall remain in detention until the British Government has produced new elements of proof to establish his identity, or to clear up any other difficulties arising in the examination.

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 wait his surrender.

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

Extradition Treaty—Roumania.

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.

All expenses connected with the extradition shall be borne by the demanding state.

ARTICLE XVII.

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 Roumania.

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 Roumania 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 XVIII.

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.

Extradition Treaty—Roumania.

The treaty shall be ratified, and the ratifications shall be exchanged at Bucharest as soon as possible.

In witness whereof the respective plenipotentiaries have signed the same and have affixed thereto the seal of their arms.

Done in duplicate at Bucharest, the twenty-first (ninth) day of March, in the year of our Lord one thousand eight hundred and ninety-three.

[L.S.] CHARLES HARDINGE.
[L.S.] AL. LAHOVARI.

And whereas a protocol relative to the aforesaid treaty was signed at Bucharest on the twenty-first day of March, one thousand eight hundred and ninety-three, which protocol is in the terms following:—

At the moment of proceeding to the signature of the treaty of extradition concluded this day, the undersigned plenipotentiaries of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and of His Majesty the King of Roumania, have agreed upon the following declaration:—

The Roumanian Government may in its absolute discretion refuse to deliver up any person charged with a crime punishable with death.

This protocol shall have the same force and the same duration as the treaty of extradition signed to-day.

In witness whereof the respective plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done in duplicate at Bucharest, the 21st (9th) March, 1893.

[L.S.] CHARLES HARDINGE.
[L.S.] AL. LAHOVARI.

And whereas a protocol explanatory of section twenty-one of article II. of the aforesaid treaty was signed at Bucharest on the thirteenth day of March, one thousand eight hundred and ninety-four, which protocol is in the terms following:—

In order to avoid the possibility of any misunderstanding arising from the present text of §21 of article II. of the treaty of extradition concluded between Great Britain and Roumania on the 21st (9th) of March, 1893, the undersigned plenipotentiaries, duly authorized thereto by their respective governments, have agreed as follows:—

The fact of having kidnapped or falsely imprisoned one or more persons will not admit of a requisition for extradition being made unless the act shall have been committed by private individuals. No such requisition can be made as against public functionaries who may have been guilty of the act in question while in the performance of their duties.

The present protocol shall be considered as approved and sanctioned by the respective governments without any special ratification, by the sole fact of the exchange of the ratifications of the treaty to which it refers.

Done in duplicate at Bucharest thirteenth (first) day of March, in the year of our Lord one thousand eight hundred and ninety-four.

[L.S.] JOHN WALSHAM.
[L.S.] AL. LAHOVARI.

Rules for Life-Saving Appliances (Merchant Shipping Act).

And whereas the ratifications of the said treaty and protocol of the twenty-first day of March, one thousand eight hundred and ninety-three, were exchanged at Bucharest on the thirteenth day of March, one thousand eight hundred and ninety-four ;

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 twenty-first day of May, one thousand eight hundred and ninety-four, the said Acts shall apply in the case of Roumania, and of the said treaty and protocol of the twenty-first of March, one thousand eight hundred and ninety-three, and of the protocol of the thirteenth of March, one thousand eight hundred and ninety-four, with the King of Roumania.

Provided always, and it is hereby further ordered, that the operation of the said Extradition Acts, 1870 and 1873, shall be suspended within the Dominion of Canada so far as relates to Roumania and to the said treaty and protocols, and so long as the provisions of the Canadian Act aforesaid of 1886 continue in force, and no longer.

C. L. PEEL.

Rules made by the Board of Trade under "The Merchant Shipping (Life-saving Appliances) Act, 1888," (51 and 52 Vict., c. 24) to come into effect on the 1st day of June, 1894.

AT THE COUNCIL CHAMBER, WHITEHALL, THE 9TH DAY
OF MARCH, 1894.

Present :

The Right Honourable A. J. Mundella, M.P., &c.

IN pursuance of the provisions of the Merchant Shipping (Life-Saving Appliances) Act, 1888, the Board of Trade do hereby make the annexed rules relating to life-saving appliances, in substitution of any rules heretofore made under the said Act, and do hereby direct that these rules shall come into effect on the 1st day of June, 1894.

A. J. MUNDELLA.

Merchant Shipping (Life-Saving Appliances) Act, 1888.

For the purposes of these rules, British ships shall be arranged into the following classes :—

DIVISION (A).

- Class 1.—Steamships carrying emigrant passengers subject to all the provisions of the "Passengers Acts."
Class 2.—Foreign-going steamships having passenger certificates under the "Merchant Shipping Acts."

Rules for Life-Saving Appliances (Merchant Shipping Act).

- Class 3.—Steamships having passenger certificates under the “Merchant Shipping Acts” authorizing them to carry passengers anywhere within the home-trade limits; that is to say, between places in the United Kingdom, or between the United Kingdom and ports in Europe between the River Elbe and Brest.
- Class 4.—Foreign-going steamships not certified to carry passengers.

DIVISION (B).

- Class 1.—Sailing ships carrying emigrant passengers subject to all the provisions of the “Passengers Acts.”
- Class 2.—Foreign-going sailing ships carrying passengers, but not subject to all the provisions of the “Passengers Acts.”
- Class 3.—Foreign-going sailing ships not carrying passengers.
- Class 4.—Sailing ships carrying passengers anywhere within the home-trade limits.

DIVISION (C).

- Class 1.—Steamships not certified to carry passengers plying anywhere within the home-trade limits.
- Class 2.—Sailing ships in the same trades not carrying passengers.

DIVISION (D).

- Class 1.—Steamships having passenger certificates authorizing them to carry passengers within certain specified limits of the home-trade; that is to say, on short specified passages along the coasts of the United Kingdom, or between Great Britain and Ireland, or between Great Britain or Ireland and the Isle of Man.
- Class 2.—Steamships carrying passengers in estuaries or mouths of rivers, or on short excursions or pleasure trips to sea.
- Class 3.—Steamships not certified to carry passengers but employed solely in the coasting trade.
- Class 4.—Sailing ships not carrying passengers but employed solely in the coasting trade.
- Class 5.—Steam fish carriers, tug boats, and steam lighters which proceed to sea.
- Class 6.—Steam launches proceeding for short distances to sea.

DIVISION (E).

- Class 1.—Steamships carrying passengers on rivers, lakes, or land-locked inland waters, but not going to sea or into rough waters.
- Class 2.—Tug boats and steam lighters which do not proceed to sea.
- Class 3.—Hulks, dredgers, steam hoppers, etc., which proceed to sea and which do not proceed to sea.

General rules.

Appendix.

Rules for Life-Saving Appliances (Merchant Shipping Act).

DIVISION (A).—CLASS I.

RULES for Steamships carrying emigrant passengers subject to all the provisions of the "Passengers Acts."

(a.) Ships of division (A) class 1, shall carry boats placed under davits, fit and ready for use, and having proper appliances for getting them into the water, in number and capacity as prescribed by the table in the appendix to these rules; such boats shall be equipped in the manner required by and shall be of the description defined in the general rules appended hereto.

(b.) Masters or owners of ships of this class claiming to carry fewer boats under davits than are given in the table must declare before the collector or other officer of customs, at the time of clearance, that the boats actually placed under davits are sufficient to accommodate all persons on board, allowing 10 (ten) cubic feet of boat capacity for each adult person, or "statute adult."

(c.) Not less than half the number of boats placed under davits having at least half the cubic capacity required by the tables, shall be boats of section (A), or section (B). The remaining boats may also be of such description, or may, in the option of the shipowner, conform to section (C) or section (D), provided that not more than two boats shall be of section (D).

(d.) If the boats placed under davits in accordance with the table do not furnish sufficient accommodation for all persons on board, then additional wood, metal, collapsible or other boats of approved description (whether placed under davits or otherwise) or approved life-rafts shall be carried. One of these boats may be a steam launch; but in that case the space occupied by the engines and boilers is not to be included in the estimated cubic capacity of the boat.

Subject to the provisions contained in paragraph (f) of these rules, such additional boats or rafts shall be of at least such carrying capacity that they and the boats required to be placed under davits by the table provide together in the aggregate, in vessels of 5,000 tons gross and upwards, three-fourths, and in vessels of less than 5,000 tons gross, one-half, more than the minimum cubic contents required by column 3 of that table. For this purpose 3 cubic feet of air case in the life-raft is to be estimated as 10 cubic feet of internal capacity. Provided always that the rafts will accommodate all the persons for which they are to be certified under the rules, and also have 3 cubic feet of air case for each person.

All such additional boats or rafts shall be placed as conveniently for being available as the ship's arrangements admit of, having regard to the avoidance of undue incumbrance of the ship's deck, and to the safety of the ship for her voyage.

(e.) In addition to the life-saving appliances before mentioned, ships of this class shall carry not less than one approved life-buoy for every boat placed under davits. They shall also carry approved life-belts or other similar approved articles of equal buoyancy suitable for being worn on the person, so that there may be at least one for each person on board the ship.

(f.) Provided nevertheless that no ship of this class shall be required to carry more boats or rafts than will furnish sufficient accommodation for all persons on board.

Rules for Life-Saving Appliances (Merchant Shipping Act).

DIVISION (A).—CLASS 2.

RULES for foreign-going steamships having passenger certificates under the "Merchant Shipping Acts."

Ships of this class shall be subject to the same requirements as those in division (A), class 1.

DIVISION (A).—CLASS 3.

RULES for steamships having passenger certificates under the "Merchant Shipping Acts" authorizing them to carry passengers anywhere within the home-trade limits; that is to say, between places in the United Kingdom or between the United Kingdom and ports in Europe between the River Elbe and Brest.

(a.) Ships of this class shall carry boats placed under davits in accordance with the table.

(b.) Masters or owners of ships of this class claiming to carry fewer boats under davits than are given in the table must declare before the collector or other officer of customs that the boats actually placed under davits are sufficient to accommodate all persons on board, allowing 10 (ten) cubic feet of boat capacity for each adult person, or "statute adult."

(c.) Not less than half the number of boats placed under davits shall be boats of section (A), or section (B). The remaining boats may also be of such description, or may, in the option of the shipowner, conform to section (C), or section (D), provided that not more than two boats shall be of section (D).

(d.) If the boats placed under davits in accordance with this requirement do not furnish sufficient accommodation for all persons on board, then additional wood, metal, collapsible, or other boats of approved description (whether placed under davits or otherwise), or approved life-rafts, or approved buoyant deck seats or other approved buoyant deck fittings, shall be carried of at least such cubical capacity that they and the boats required to be placed under davits by the table provide together in the aggregate one-half more than the minimum cubic contents provided by column 3^d of that table. For this purpose 3 cubic feet of air case in the life-raft is to be estimated as 10 cubic feet of internal capacity. Provided always that the rafts will accommodate all the persons for which they are to be certified under the rules, and also have 3 cubic feet of air case for each person.

(e.) Ships of this class shall carry not less than six approved life-buoys.

(f.) They shall also carry, in addition to the boats and appliances required above, approved life-belts or other similar approved articles of equal buoyancy suitable for being worn on the person, so that there may be at least one for each person on board the ship.

(g.) Provided nevertheless that no ship of this class shall be required to carry more boats, rafts, and other buoyant deck fittings than will furnish sufficient accommodation for all persons on board.

Rules for Life-Saving Appliances (Merchant Shipping Act).

DIVISION (A).—CLASS 4.

RULES for foreign-going Steamships not certified to carry passengers.

(a.) Ships of this class shall carry, on each side, at least so many and such boats of wood or metal placed under davits (of which one on one side shall be a boat of section (A), or section (B), and on the other side shall be a boat of section (A), or section (B), or section (C), that the boats on each side of the ship shall be sufficient to accommodate all persons on board.

(b.) They shall carry approved life-belts, so that there may be one for each person carried on board the ship.

(c.) They shall carry not less than six approved life-buoys.

In the case of small steamships a discretion may be exercised by the Board of Trade to modify the requirements as to boats.

DIVISION (B).—CLASS 1.

RULES for Sailing Ships carrying Emigrant Passengers subject to all the provisions of the "Passengers Acts."

(a.) Ships of division (B), class 1, shall carry boats in accordance with the table, and such boats shall be as far as practicable placed under davits, with proper appliances for getting them into the water. All boats not placed under davits are to be so carried that they can be readily got into the water.

(b.) Not less than half the number of boats placed under davits having at least half the cubic capacity required by the tables, shall be boats of section (A), or section (B). The remaining boats may also be of such description, or may, in the option of the shipowner, conform to section (C), or section (D), provided that not more than two boats shall be of section (D).

(c.) If the boats placed under davits in accordance with the table do not furnish sufficient accommodation for all persons on board, then additional wood, metal, collapsible, or other boats of approved description (whether placed under davits or otherwise), or approved life-rafts shall be carried. One of these boats may be a steam launch; but in that case the space occupied by the engines and boilers is not to be included in the estimated cubic capacity of the boat.

Subject to the provisions contained in paragraph (c) of these rules, such additional boats or rafts shall be of at least such carrying capacity that they and the boats required to be placed under davits by the table, provide together in the aggregate three-fourths more than the minimum cubic contents required by column 3 of that table. For this purpose 3 cubic feet of air case in the life-raft is to be estimated as 10 cubic feet of internal capacity. Provided always that the rafts will accommodate all the persons for which they are to be certified under the rules, and also have 3 cubic feet of air case for each person.

All such additional boats or rafts shall be placed as conveniently for being available as the ship's arrangements admit of, having regard to the avoidance of undue incumbrance of the ship's deck, and to the safety of the ship for her voyage.

Rules for Life-Saving Appliances (Merchant Shipping Act).

(d.) In addition to the life-saving appliances before mentioned, ships of this class shall carry not less than one approved life-buoy for every boat required by the rules to be placed under davits. They shall also carry approved life-belts or other similar approved articles of equal buoyancy suitable for being worn on the person, so that there may be at least one for each person on board the ship.

(e.) Provided nevertheless that no ship of this class shall be required to carry more boats or rafts than will furnish sufficient accommodation for all persons on board.

DIVISION (B).—CLASS 2.

RULES for Foreign-going Sailing Ships carrying Passengers, but not subject to all the provisions of the "Passengers Acts."

Ships of this class shall be subject to the same requirements as those in division (B), class 1.

DIVISION (B).—CLASS 3.

RULES for Foreign-going Sailing Ships not carrying Passengers.

(a.) Ships of this class shall carry a boat or boats of Sections (A) or (B) sufficient for all the persons on board, and in addition thereto one good serviceable boat of section (D). Such boats shall as far as practicable having due regard to their safety at sea, be placed under davits, with proper appliances for getting them quickly into the water; all boats not placed under davits are to be so carried that they can readily be got into the water to the satisfaction of the Board of Trade officer.

(b.) They shall carry approved life-belts as required for ships in division (B), class 1, and also one life-buoy for each boat of wood or metal.

In the case of small vessels a discretion may be exercised by the Board of Trade to modify the boat requirements.

DIVISION (B).—CLASS 4.

SAILING Ships carrying Passengers anywhere within the Home-trade Limits.

(a.) Ships of this class shall carry a boat or boats of sections (A) and (B) or (C) sufficient for all the persons on board. Such boats shall be as far as practicable under davits; all boats not placed under davits are to be so carried that they can readily be got into the water to the satisfaction of the Board of Trade officer.

(b.) They shall carry four life-buoys and a life-belt or other similar approved article for each person on board.

DIVISION (C).—CLASS 1.

RULES for Steamships not certified to carry Passengers plying anywhere within the Home-trade Limits.

(a.) Ships of this class shall carry, on each side, at least so many and such boats of wood or metal placed under davits (of which one on each side shall

Rules for Life-Saving Appliances (Merchant Shipping Act).

be a boat of section (A), or of section (B), or of section (C),) that the boats on each side of the ship shall be sufficient to accommodate all persons on board. They shall have proper appliances for getting the boats into the water.

(b.) They shall also carry approved life-belts, so that there may be at least one for each person carried on board the ship.

(c.) They shall also carry not less than four approved life-buoys.

DIVISION (C.)—CLASS 2.

RULES for sailing Ships in the same Trades not carrying Passengers.

(a.) Ships of this class shall carry a boat or boats of wood or metal, at least sufficient for all persons on board, and in such a position as to be readily got into the water. Each boat shall be provided with one gallon of vegetable or animal oil, and a vessel of an approved pattern for distributing it in the water in rough weather.

(b.) Ships of this class shall also carry an approved life-belt for each person on board.

(c.) They shall also carry at least two approved life-buoys.

DIVISION (D.)—CLASS 1.

RULES for Steamships having Passenger Certificates authorizing them to carry Passengers within certain specified limits of the Home-trade; that is to say, on short specified Passages along the Coasts of the United Kingdom, or between Great Britain and Ireland, or between Great Britain or Ireland and the Isle of Man.

(a.) Ships of this class shall, according to their tonnage, carry boats placed under davits, as required by the table.

(b.) Masters or owners of ships of this class claiming to carry fewer boats under davits than are given in the table must declare before the collector or other officer of customs that the boats actually placed under davits are sufficient to accommodate all persons on board, allowing 10 (ten) cubic feet of boat capacity for each adult person, or "statute adult." Not less than half the number of boats placed under davits having at least half the cubic capacity required by the tables, shall be of boats of section (A) or section (B). The remaining boats may also be of such description or may, in the option of the shipowners, conform to section (C) or section (D), provided that not more than two boats shall be of section (D).

(c.) If the boats placed under davits in accordance with the above requirements do not furnish sufficient accommodation for all persons on board, then additional wood, metal, collapsible, or other boats of approved description (whether placed under davits or otherwise), or approved life-rafts, or approved buoyant deck seats, or other approved buoyant deck fittings, shall be carried of at least such cubical capacity that they and the boats required to be placed under davits, by the table provide together in the aggregate one-half more than the minimum cubic contents provided by column 3 of the table. For this purpose 3 cubic feet of air case in the life-raft is to be estimated as 10

Rules for Life-Saving Appliances (Merchant Shipping Act).

cubic feet of internal capacity ; provided always that the rafts will accommodate the persons for which they are certified under the rules, and also have 3 cubic feet of air case for each person.

(d.) Ships of this class shall also carry approved life-belts or other similar approved articles of equal buoyancy suitable for being worn on the person, so that there may be at least one for each person on board the ship.

(e.) At least one approved life-buoy shall also be provided for each boat of wood or metal carried by the ship, but in no case shall less than six approved life-buoys be provided.

(f.) Provided nevertheless that no ship of this class shall be required to carry more boats, rafts, and other buoyant deck fittings than will furnish sufficient accommodation for all persons on board.

DIVISION (D).—CLASS 2.

Steamships carrying passengers in estuaries or mouths of rivers, or on short excursions or pleasure trips to sea :—

(a.) Ships of this class shall carry at least two boats of section (A), or section (B), or section (C), placed under davits, and with proper appliances for getting them into the water.

(b.) They shall also carry other boats, approved buoyant apparatus, and (or) approved life-belts sufficient (with the boats required by paragraph (a)) to keep afloat all the persons on board the ship.

(c.) At least four approved life-buoys shall be carried.

DIVISION (D).—CLASS 3.

Steamships not certified to carry passengers, and employed solely in the coasting trade :—

(a.) Ships of this class shall carry one boat of sections (A), (B), or (C), so fitted that it can be readily put out on either side of the ship, and amply sufficient to carry all the persons on board.

(b.) They shall carry two approved life-buoys.

(c.) They shall carry life-belts, so that there may be one for each person on board the ship.

DIVISION (D).—CLASS 4.

Sailing ships not carrying passengers, and employed solely in the coasting trade :—

(a.) Ships of this class shall carry one boat so fitted that it can be readily put out on either side of the ship, and amply sufficient to carry all the persons on board.

(b.) They shall carry two approved life-buoys.

(c.) They shall carry life-belts so that there may be one for each person on board the ship.

Rules for Life-Saving Appliances (Merchant Shipping Act).

DIVISION (D).—CLASS 5.

Steam fish carriers, tug boats, and steam lighters which proceed to sea :—

(a.) Ships of this class shall carry one boat of sections (A), (B) or (C), so fitted that it can be readily put out on either side of the ship, and amply sufficient to carry all the persons on board.

(b.) They shall carry two approved life-buoys.

(c.) They shall carry life-belts, so that there may be one for each person on board the ship.

DIVISION (D).—CLASS 6.

Steam launches proceeding for short distances to sea :—

(a.) Steam launches are themselves little more than boats, and therefore shall not be required to carry boats.

(b.) They shall carry two approved life-buoys.

(c.) They shall carry life-belts, so that there may be one for each person on board.

DIVISION (E).—CLASS 1.

RULES for Steamships carrying Passengers on rivers, lakes, or land-locked inland waters, but not going to sea, or into rough waters.

(a.) Ships of this class shall carry one boat in such a position that it can readily be got into the water. They shall also carry approved buoyant apparatus or approved life-belts and approved life-buoys at least sufficient, together with the boat, to keep afloat all persons carried on board.

(b.) At least four approved life-buoys shall be carried.

NOTE.—A discretion may be exercised by the Board of Trade to relieve steam launches, steamers plying in narrow waters, and ferry boats, from the operation of the whole or part of rule (a) of this class.

DIVISION (E).—CLASS 2.

Tug boats and steam lighters which do not proceed to sea :—

(a.) These vessels shall carry one boat of any section sufficient to carry all the persons on board.

(b.) They shall carry two approved life-buoys.

(c.) They shall carry approved life-belts, so that there may be one for each person on board.

DIVISION (E).—CLASS 3.

Hulks, dredgers, steam hoppers, etc. :—

If these vessels do not proceed to sea from one port to another they shall carry the same boats and appliances as provided for in class 2.

Rules for Life-Saving Appliances (Merchant Shipping Act).

If they proceed to sea from one port to another they shall carry in addition one boat of sections (A), (B) or (C) sufficient to carry all the persons on board, and with proper appliances to enable it to be put out readily on either side of the ship.

GENERAL RULES.

(1.) *Boats.*—All boats shall be constructed and properly equipped as provided by these rules, and all boats and other life-saving appliances are to be kept ready for use to the satisfaction of the Board of Trade. Internal buoyancy apparatus may be constructed of wood, or of copper or yellow metal of not less than 18 oz. to the superficial foot, or of other durable material.

Section (A).—A boat of this section shall be a life-boat, of whale-boat form, properly constructed of wood or metal, having for every 10 cubic feet of her capacity computed as in rule (2), at least 1 cubic foot of strong and serviceable inclosed air-tight compartments, so constructed that water cannot find its way into them. In the case of metal boats an addition will have to be made to the cubic capacity of the air-tight compartments, so as to give them buoyancy equal to that of the wooden boat.

Section (B).—A boat of this section shall be a life-boat, of whale-boat form, properly constructed of wood or metal, having inside and outside buoyancy apparatus together equal in efficiency to the buoyancy apparatus provided for a boat of section (A). At least one-half of the buoyancy apparatus must be attached to the outside of the boat.

Section (C).—A boat of this section shall be a life-boat, properly constructed of wood or metal, having some buoyancy apparatus attached to the inside and (or) outside of the boat equal in efficiency to one-half of the buoyancy apparatus provided for a boat of section (A) or section (B). At least one-half of the buoyancy apparatus must be attached to the outside of the boat.

Section (D).—A boat of this section shall be a properly constructed boat of wood or metal.

Section (E).—A boat of this section shall be a boat of approved construction, form and material, and may be collapsible.

(2.) *Cubic capacity.*—The cubic capacity of a boat shall be deemed to be her cubic capacity, ascertained (as in measuring ships for tonnage capacity) by Stirling's rule; but as the application of that rule entails much labour, the following simple plan, which is approximately accurate, may be adopted for general purposes, and when no question requiring absolute correct adjustment is raised:—

Measure the length and breadth outside and the depth inside. Multiply them together and by $\cdot 6$; the product is the capacity of the boat in cubic feet. Thus a boat 28 ft. long, 8 ft. 6 in. broad, and 3 ft. 6 in. deep, will be regarded as having a capacity of $28 \times 8\cdot 5 \times 3\cdot 5 \times \cdot 6 = 499\cdot 8$, or 500 cubic feet. If the oars are pulled in rowlocks, the bottom of the rowlock is to be considered the gunwale of the boat for ascertaining her depth.

Rules for Life-Saving Appliances (Merchant Shipping Act).

(3.) *Number of persons for boats.*—The number of persons a boat of section (A) shall be deemed fit to carry shall be the number of cubic feet ascertained as in rule (2) divided by 10.

The number of persons a boat of section (B), section (C), section (D), or section (E) shall be deemed fit to carry shall be the number of cubic feet ascertained as in rule (2) divided by 8. The space in the boat shall be sufficient for the seating of the persons carried in it, and for the proper use of the oars.

(4.) *Appliances for lowering boats.*—Appliances for getting a boat into the water must fulfil the following conditions:—Means are to be provided for speedily, but not necessarily simultaneously or automatically, detaching the boats from the lower blocks of the davit tackles; the boats placed under davits are to be attached to the davit tackles and kept ready for service; the davits are to be strong enough and so spaced that the boats can be swung out with facility; the points of attachment of the boats to the davits are to be sufficiently away from the ends of the boats to ensure their being easily swung clear of the davits; the boats' chocks are to be such as can be expeditiously removed; the davits, falls, blocks, eyebolts, rings, and the whole of the tackling are to be of sufficient strength; the boats' falls are to be long enough to lower the boat into the water with safety when the vessel is light. The life-lines shall be fitted to the davits and be long enough to reach the water when the vessel is light; and hooks are not to be attached to the lower tackle blocks.

(5.) *Equipments for collapsible or other boats and for life-rafts.*—In order to be properly equipped, each boat shall be provided as follows:—

(a.) With the full single-banked complement of oars, and two spare oars.

(b.) With two plugs for each plug-hole, attached with lanyards or chains, and one set and a half of thole pins or crutches, attached to the boat by sound lanyards.

(c.) With a sea-anchor, a baler, a rudder and a tiller, or yoke and yoke lines, a painter of sufficient length, and a boat-hook. The rudder and baler to be attached to the boat by sufficiently long lanyards, and kept ready for use. In boats where there may be a difficulty in fitting a rudder a steering oar may be provided instead.

(d.) A vessel to be kept filled with fresh water shall be provided for each boat.

(e.) Life-rafts shall be fully provided with a suitable approved equipment.

(6.) *Additional equipments for boats of section (A) and section (B).*—In order to be properly equipped, each boat of sections (A) and (B) in addition to being provided with all the requisites laid down in rule (5), shall be equipped as follows, but not more than four boats in any one ship require to have this outfit, and where boats of sections (A) or (B) are carried in lieu of boats of sections (C) or (D), this additional outfit need not be insisted on:—

(a.) With two hatchets or tomahawks, one to be kept in each end of the boat, and to be attached to the boat by a lanyard.

(b.) With a mast or masts, and with at least one good sail, and proper gear for each.

(c.) With a line becketted round the outside of the boat and securely made fast.

(d.) With an efficient compass.

Rules for Life-Saving Appliances (Merchant Shipping Act).

(e.) With one gallon of vegetable or animal oil, and a vessel of an approved pattern for distributing it in the water in rough weather.

(f.) With a lantern trimmed, with oil in its receiver sufficient to burn eight hours.

(7.) *Number of persons for life-rafts.*—The number of persons that any approved life-raft for use at sea shall be deemed to be capable of carrying shall be determined with reference to each separate pattern approved by the Board of Trade; provided always, that for every person so carried there shall be at least 3 cubic feet of strong and serviceable inclosed air-tight compartments, constructed so that water cannot find its way into them. Any approved life-raft of other construction may be used, provided that it has equivalent buoyancy to that hereinbefore described. Every such approved life-raft shall be marked in such a way as to plainly indicate the number of adult persons it can carry.

(8.) *Buoyant apparatus.*—Approved buoyant apparatus shall be deemed sufficient, so far as buoyancy is concerned, for a number of persons, to be ascertained by dividing the number of pounds of iron which it is capable of supporting in fresh water by 32. Such buoyant apparatus shall not require to be inflated before use, shall be of approved construction, and marked in such a way as plainly to indicate the number of persons for whom it is sufficient.

(9.) *Life-belts.*—An approved life-belt shall mean a belt which does not require to be inflated before use, and which is capable at least of floating in the water for 24 hours with 15 lbs. of iron suspended from it. Life-belts are to be cut out 2 inches under the arm-pits, and fitted so as to remain securely in their place when put on.

(10.) *Life-buoys.*—An approved life-buoy shall mean either—

(a.) A life-buoy built of solid cork, capable of floating in the water for at least 24 hours with 32 lbs. of iron suspended from it; or

(b.) A strong life-buoy of any other approved pattern or material, provided that it is capable of floating in the water for at least 24 hours with 32 lbs. of iron suspended from it, and provided also that it is not stuffed with rushes, cork shavings, or other shavings, or loose granulated cork, or other loose material, and does not require inflation before use.

All life-buoys shall be fitted with beackets securely seized, and not less than two of them shall be fitted with life-lines 15 fathoms in length.

(11.) *Position of life-buoys and life-belts.*—All life-buoys and life-belts shall be so placed as to be readily accessible to all persons on board, and so that their position may be known to those for whom they are intended.

(12.) *Water-tight compartments.*—When ships of any class are divided into efficient water-tight compartments to the satisfaction of the Board of Trade, they shall only be required to carry additional boats, rafts, and buoyant apparatus of one-half of the capacity required by these rules, but the exemption shall not extend to life-jackets or similar approved articles of equal buoyancy suitable to be worn on the person.

Rules for Life-Saving Appliances (Merchant Shipping Act).

APPENDIX.

THE TABLE referred to in the foregoing Rules, showing the Minimum Number of Boats to be placed under Davits and their Minimum Cubic Contents.

Gross Tonnage.	Minimum Number of Boats to be placed under Davits.	Total Minimum Cubic Contents of Boats to be placed under Davits. L. x B. x D x 6.
1.	2.	3.
10,000 and upwards.	16	5,500
9,000 and upwards.	14	5,250
8,500 and under 9,000.	14	5,100
8,000 " 8,500.	14	5,000
7,750 " 8,000.	12	4,700
7,500 " 7,750.	12	4,600
7,250 " 7,500.	12	4,500
7,000 " 7,250.	12	4,400
6,750 " 7,000.	12	4,300
6,500 " 6,750.	12	4,200
6,250 " 6,500.	12	4,100
6,000 " 6,250.	12	4,000
5,750 " 6,000.	10	3,700
5,500 " 5,750.	10	3,600
5,250 " 5,500.	10	3,500
5,000 " 5,250.	10	3,400
4,750 " 5,000.	10	3,300
4,500 " 4,750.	8	2,900
4,250 " 4,500.	8	2,900
4,000 " 4,250.	8	2,800
3,750 " 4,000.	8	2,700
3,500 " 3,750.	8	2,600
3,250 " 3,500.	8	2,500
3,000 " 3,250.	8	2,400
2,750 " 3,000.	6	2,100
2,500 " 2,750.	6	2,050
2,250 " 2,500.	6	2,000
2,000 " 2,250.	6	1,900
1,750 " 2,000.	6	1,800
1,500 " 1,750.	6	1,700
1,250 " 1,500.	6	1,500
1,000 " 1,250.	4	1,200
900 " 1,000.	4	1,000
800 " 900.	4	900
700 " 800.	4	800
600 " 700.	3	700
500 " 600.	3	600
400 " 500.	2	400
300 " 400.	2	350
200 " 300.	2	300
100 " 200.	2	250

Note.—Where in ships already fitted the required cubic contents of boats placed under davits is provided, although by a smaller number of boats than the minimum required by this table, such ships shall be regarded as complying with the rules as to boats to be carried under davits.

In the case of vessels under 200 tons gross tonnage the capacity of any boat to be supplied should not be less than 125 cubic feet. If, however, in

Rules for Life-Saving Appliances (Merchant Shipping Act).

any case this rule be found to be impracticable, a discretion may then be exercised by the Board of Trade.

In cases where a small vessel is unable to carry more than one boat, a discretion may be exercised by the Board of Trade, but whenever one boat only is carried there must be proper provision to enable it to be placed readily in the water on either side of the ship.

AT THE COURT AT WINDSOR, THE 30TH DAY OF APRIL, 1894.

Present :

THE QUEEN'S MOST EXCELLENT MAJESTY.

Lord President.

Lord Camberlain.

Lord Steward.

Sir Charles Russell.

Earl of Chesterfield.

Sir Frank Lascelles.

WHEREAS by "The Behring Sea Award Act, 1894," it is enacted that Her Majesty the Queen in Council may make orders for carrying into effect the provisions of the Behring Sea Arbitration Award set out in the first schedule to that Act, and therein referred to as the scheduled provisions :

And whereas by the said Act, it is also enacted that an Order in Council made under that Act may provide that such officers of the United States of America as are specified in the Order may, in respect of offences under that Act, exercise the like powers under that Act as may be exercised by a commissioned officer of Her Majesty in relation to a British ship, and the equipment and certificate thereof, or such of those powers as appear to Her Majesty in Council to be exercisable under the law of the United States of America against ships of the United States, and that such British officers as are specified in the Order may exercise the powers conferred by that Act, with any necessary modifications specified in the Order, in relation to a ship of the United States of America, and the equipment and certificate thereof :

And whereas the powers which article 1 of this Order confers upon the officers of the United States therein specified are powers which, in respect of offences under the said Act, may be exercised by a commissioned officer of Her Majesty in relation to a British ship and the equipment and certificate thereof, and appear to Her Majesty in Council to be exercisable under the law of the United States against ships of the United States :

Now, therefore, Her Majesty, in virtue of the powers vested in her by the said recited Act, and of all other powers enabling her in that behalf, is hereby pleased, by and with the advice of her Privy Council, to order, and it is hereby ordered, as follows :—

1. The commanding officer of any vessel belonging to the naval or revenue service of the United States of America, and appointed for the time being by the President of the United States for the purpose of carrying into effect the powers conferred by this article, the name of which vessel shall have been communicated by the President of the United States to Her Majesty as being a vessel so appointed as aforesaid, may, if duly commissioned and instructed by the President in that behalf, seize and detain any British vessel

The Behring Sea Award Order in Council, 1894.

which has become liable to be forfeited to Her Majesty under the provisions of the recited Act, and may bring her for adjudication before any such British Court of Admiralty as is referred to in section 103 of "The Merchant Shipping Act, 1854" (which section is set out in the second schedule to the recited Act), or may deliver her to any such British officer as is mentioned in the said section for the purpose of being dealt with pursuant to the recited Act.

2. The commanding officer of any vessel belonging to the naval or revenue service of Her Majesty, and appointed for the time being by Her Majesty for the purpose of carrying into effect the powers conferred by this article, the name of which vessel shall have been communicated by Her Majesty to the President of the United States as being a vessel so appointed as aforesaid, may, if duly commissioned and instructed by Her Majesty in that behalf, exercise the powers conferred by the recited Act in relation to a ship of the United States: Provided that such officer, after seizing and detaining a ship of the United States in exercise of the said powers, shall take her for adjudication before a court of the United States having jurisdiction to adjudicate in the matter, or deliver her to any naval or revenue officer or other authorities of the United States.

3. Until arrangements for giving further effect to articles 4 and 7 of the said scheduled provisions shall have been made between Her Majesty and the Government of the United States, the following provisions should have effect:—

- (a.) A secretary of state, or any person duly authorized by him for the purpose, may grant a special license in such form and manner as he may think fit to any British sailing vessel, authorizing such vessel for the present year to fish for fur-seals during the period of time in the manner and in the waters in which fur-seal fishing is allowed by the recited Act, and until the delivery of such special license, any British sailing vessel which before the date of this Order has left port, and is or is intended to be employed in the said fishing, shall be deemed to have been duly authorized, and duly provided with a special license, within the meaning of the said article 4; and all persons on board any such vessel, which is or is deemed to have been provided with a special license, shall be deemed to have been duly authorized to engage in fur-seal fishing within the meaning of the said article 7.
- (b.) A secretary of state may, by notice published in the *London Gazette*, prescribe the flag to be used by such British vessels as are, or shall be, authorized to fish for fur-seals under the provisions of this Order, and may cause one such flag to be delivered to each authorized vessel which has left port before receiving a special license; and every vessel which before leaving port has received a special license, and every authorized vessel to which such flag shall have been delivered, shall carry such flag during the period of time and in the waters in which fur-seal fishing is allowed by the recited Act, and shall hoist it at such times and in such manner as may be prescribed by such notice.

The Behring Sea Award Order in Council, 1894.

(c.) A secretary of state may give such further provisional directions as he may deem necessary for the due observance of the provisions of the recited Act and this Order, and any such directions, on being published in such manner as he may direct, shall be observed as if they were contained in this Order.

4. This Order may be cited as "The Behring Sea Award Order in Council, 1894."

And the Right Honourable the Earl of Kimberley, K.G., the Most Honourable the Marquess of Ripon, K.G., two of Her Majesty's Principal Secretaries of State, and the Lords Commissioners of the Admiralty, are to give the necessary directions herein as to them may respectively appertain.

C. L. PEEL.

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 1894

ORDERS IN COUNCIL, &c.

Governor General.

CANADA.

By His Excellency the Right Honourable Sir JOHN CAMPBELL HAMILTON-GORDON, Earl of Aberdeen, Viscount Formartine, Baron Haddo, Methlic, Tarves and Kellie, in the Peerage of Scotland, Viscount Gordon of Aberdeen, County of Aberdeen, in the Peerage of the United Kingdom, Baronet of Nova Scotia, &c., &c., Governor General of Canada.

To all to whom these presents shall come—GREETING :

A PROCLAMATION.

WHEREAS, Her Majesty the Queen, by commission under her royal sign manual bearing date at the Court of St. James on the 22nd day of May, 1893, has been graciously pleased to appoint me to be, during her royal pleasure, Her Majesty's governor general in and over her Dominion of Canada, and has further in and by the said commission, authorized, empowered and commanded me to exercise and perform all and singular the powers and directions contained in Her Majesty's letters patent under the great seal of Her Majesty's United Kingdom of Great Britain and Ireland, constituting the office of governor general, and bearing date at Westminster the fifth day of October, in the year of our Lord one thousand eight hundred and seventy-eight, according to such orders and instructions as Her Majesty's governor general, at the time being, in and over her said Dominion of Canada hath already received from Her Majesty, or as have been given to me with the said Commission or as I shall hereafter receive from Her Majesty.

Now therefore know ye, that I have thought fit to issue this proclamation in order to make known Her Majesty's said appointment, and I do also hereby require and command that all and singular Her Majesty's officers and ministers in the said Dominion of Canada do continue in the execution of their several and respective offices, places and employments, and that Her Majesty's loving subjects and all others whom it may concern do take notice hereof and govern themselves accordingly.

Given under my hand and seal at arms at Quebec, this eighteenth day of September, in the year of our Lord one thousand eight hundred and ninety-three, and in the fifty-seventh year of Her Majesty's reign.

ABERDEEN.

By command,

JOHN COSTIGAN.

Secretary of State.

Vide Canada Gazette, vol. xxvii., p. 436.

Department of Agriculture.

Department of Agriculture.

By Order in Council of the 20th of June, 1893, in virtue of the provisions of chapter 68 of the Revised Statutes, intituled "An Act respecting Quarantine," the quarantine regulations established by the Order in Council of the 12th day of May, 1888, chapter 6 of the Consolidated Orders in Council of Canada, were rescinded, and the following revised and amended quarantine regulations were substituted therefor:—

CANADIAN QUARANTINE REGULATIONS.

The Quarantine Stations.

1. The quarantine stations of Canada at the Atlantic maritime ports are:—

(a.) Grosse Isle, in the River St. Lawrence, with Rimouski, the Louise Embankment and the Grand Trunk wharf at Lévis, as sub-stations, province of Quebec;

(b.) Halifax, the harbour and Lawlor's Island, in the province of Nova Scotia;

(c.) St. John, the harbour and Partridge Island, in the province of New Brunswick;

(d.) Sydney, Cape Breton, in the province of Nova Scotia;

(e.) Pictou, in the province of Nova Scotia;

(f.) Hawkesbury, in the province of Nova Scotia;

(g.) Chatham, in the province of New Brunswick;

(h.) Charlottetown, in the province of Prince Edward Island;

2. On the Pacific coast:—

(a.) William's Head, including Albert Head, in the Strait of Fuca, province of British Columbia, and also including as a sub-station the port of Victoria; and—

3. Every other port, on both oceans, at each of which the collector of customs is the quarantine officer, such port being designated an unorganized quarantine station.

4. And every inland customs port on the Canadian frontier, between the Pacific and Atlantic Oceans, each such port being designated an unorganized inland quarantine station.

General Provisions.

5. Every quarantine officer at a quarantine station in Canada, and every customs collector in his quality of quarantine officer, shall for the purpose of these regulations be a justice of the peace in virtue of the provisions of section 5 of the Act respecting Quarantine, chapter 68, Revised Statutes.

6. Within the meaning of these regulations an infected port or country is a port or country where Asiatic cholera or other epidemic disease has been communicated to one or more persons through the medium of an infected per-

Department of Agriculture.

son, personal effects or otherwise. A port or country is not considered infected when a single case or a small number of cases have been imported and the disease has not been communicated from such cases.

7. Any of Her Majesty's ships of war or any transport having the Queen's troops on board, accompanied by a medical officer and in a healthy state, is exempt from quarantine inspection and detention.

8. Every vessel from any port outside of Canada requiring quarantine inspection shall, on arrival at any port in Canada, display a yellow flag at the fore, for a distinctive quarantine signal, in order to inform the quarantine officer that his services are required, and any vessel arriving by night shall display a red light at the fore for such signal.

9. Coasting vessels from Newfoundland and from ports in the United States contiguous to Canada and free from infectious disease may, from time to time, be excepted from these regulations by order of the Minister of Agriculture.

10. Every vessel arriving from any port outside of Canada (liable to quarantine) shall be inspected by a duly appointed quarantine officer and shall not be allowed to make customs entry at any port in Canada until it has received a clean bill of health.

11. No person shall be allowed to land from any vessel until such person shall have been declared by a quarantine officer free from infectious disease, and until, in the judgment of such officer, such landing can be effected without danger to the public health.

Quarantine Detention.

12. Every quarantine officer shall satisfy himself as to the presence or absence of infectious disease by the personal inspection of those on board or by the sworn statement of the captain or surgeon, in the form hereto annexed, or by both.

(a.) A vessel may be detained at quarantine for disinfection during the time necessary for that purpose ;

(b.) The time during which a vessel may be detained for quarantine of observation is the accepted period of the incubation of the disease quarantined against, from the ascertained date of last possible exposure.

13. Every vessel with infectious disease on board, or coming from an infected port or country, shall be liable to be detained at a quarantine station for disinfection, together with its passengers, crew and pilot, and passengers' luggage and cargo.

14. Any vessel so detained by order of the quarantine officer shall forthwith be anchored or moored in such position as the quarantine officer shall direct.

15. And whilst such ship is so detained no person shall leave the same, nor shall communication be allowed with such vessel, without permission from the quarantine officer.

16. The quarantine officer detaining any ship as aforesaid shall immediately notify the Minister of Agriculture, stating the cause of such detention.

Department of Agriculture.

Hours of Inspection—Putting Back—Costs.

17. Every vessel may be inspected during any hour of the twenty-four ;
 (a.) With the exception that in the times of epidemic the Minister of Agriculture may direct that inspection shall only take place during the hours of daylight.

18. Any vessel shall have the right before breaking bulk to put to sea in preference to being quarantined, as provided by section 9 of the Act intituled "An Act respecting Quarantine," chapter 68, Revised Statutes.

19. All costs incurred in the maintenance of healthy persons who may have been exposed to infection detained for quarantine of observation, are to be at the charge of the vessel ;

(a.) And the master of a vessel may make arrangements with the quarantine officer for the landing of the necessary provisions and attendants or stewards for serving them ;

(b.) Persons actually sick will be treated and taken care of in the quarantine hospitals, at the charge of the government.

(c.) In the event of a vessel being allowed to proceed and leaving its passengers in quarantine, the subsequent transfer of such passengers from quarantine to the port of destination shall be at the charge of the vessel.

Quarantinable Diseases.

20. The graver quarantinable diseases are : Asiatic cholera, small-pox, typhus fever, yellow fever and the plague. The minor : scarlet fever, enteric fever (typhoid), diphtheria, measles and chicken-pox ;

(a.) In addition to the above recital, it is the duty of every quarantine officer to satisfy himself as to the presence or absence of any other contagious or infectious disease ;

(b.) And with respect to leprosy it is the duty of every quarantine officer, and particularly on the Pacific coast, to satisfy himself as to the fact of the presence or absence of such disease among the passengers, and in the event of any case of such disease being found the person affected shall not be allowed to land, but must be taken back by the vessel to the place whence he or she came.

Pilots to furnish Regulations.

21. It shall be the duty of every pilot to furnish the master of every vessel arriving at any port in Canada with a copy of these regulations under the penalty hereinafter prescribed.

Relating to Vaccination.

22. Every passenger shall be required to furnish evidence to the satisfaction of a quarantine officer of having been vaccinated, or having had the small-pox.

23. The production of a certificate by a ship's surgeon, called a "protection card," and his testimony under oath verifying the truth of such certificate, may be taken by a quarantine officer as evidence of such vaccination and protection. Such quarantine officer shall, however, from time to time, make per-

Department of Agriculture.

sonal examination of holders of such certificates to satisfy himself of the manner in which they have been issued.

24. Any person not having shown satisfactory evidence of having been vaccinated, or of having had small-pox, shall be vaccinated by a quarantine officer; or in the event of refusal shall be landed at the quarantine station subject to detention for observation, and the expense of the maintenance of such person during such detention shall be a charge against the vessel;

(a.) A vessel arriving at any quarantine station in Canada will be less liable to detention if the vaccination of all steerage passengers not showing proof of vaccination within seven years is insisted on before embarkation. The ship's surgeon should satisfy himself of such fact in the case of every passenger early during the voyage, or at the time of embarkation if possible, in order to be able to answer the questions put to him by the quarantine officer.

25. In the event of small-pox having occurred on any vessel every person on board not showing satisfactory evidence of having been vaccinated within seven previous years, or of having had the small-pox within that period, shall be vaccinated by or under the supervision of the quarantine officer; or in the event of refusal, shall be landed at the quarantine station, subject to detention for observation, and the expense of maintenance of such person or persons during such detention shall be a charge against the vessel.

Examination.

26. The quarantine officer shall examine the surgeon or any officer of any vessel, under oath, touching the state of health of such vessel and of every person on board, in the form of the questions appended to these regulations.

Isolation.

27. Every vessel provided with an isolated hospital for men, and another for women, on the upper deck, ventilated from above and not by the door only, shall, in the case of minor quarantinable disease, if the quarantine officer is furnished with satisfactory evidence that such hospital accommodation has been promptly and intelligently made use of, be allowed to proceed after the landing of the sick and the disinfection of such hospital as has been used; any vessel, however, arriving with any infectious disease, without having such special isolated and ventilated hospital accommodation, or if having it, without satisfactory evidence that it has been promptly and intelligently made use of, shall be liable to be detained for disinfection at a quarantine station.

Mails at Rimouski.

28. In the case of a vessel carrying Her Majesty's mails and arriving by the St. Lawrence, clearance certificate shall be from a quarantine officer at Rimouski or Grosse Isle, and in the case of every other vessel from Grosse Isle only;

(a.) With the exception that during a time of cholera or other epidemic, the permission to a mail steamer from an infected port or country to land passengers at Rimouski may be suspended by direction of the Minister of Agriculture;

Department of Agriculture.

(b.) And in such conditions the mails only to be landed at Rimouski, the vessel to proceed to Grosse Isle for inspection ;

(c.) In the event of cholera having occurred on board of such vessel during the voyage, the outer bags containing the mail matter to be left on board the steamship for disinfection at Grosse Isle.

Disinfection of Luggage.

29. During a time of cholera epidemic the luggage of immigrants, by every vessel arriving by way of the St. Lawrence, not disinfected at Grosse Isle, whether from an infected or healthy port or country, may, by direction of the Minister of Agriculture, be disinfected at the Louise Embankment, Quebec, with the exception that the luggage of those immigrants, booked by the Grand Trunk Railway may be disinfected at the Grand Trunk wharf at Lévis ;

(a.) The clearance granted by the quarantine officer shall be conditional on the landing of immigrants and their luggage for disinfection at the Louise Embankment or Lévis ;

(b.) The supervising officer of such disinfection to count the immigrants as they land, and if he finds the number tallies with that marked on the clearance of the quarantine officer and has satisfactory evidence that all their luggage has been landed with them, he shall punch the clearance at the place marked for that purpose, which shall then become valid for customs entry.

Passenger Certificates.

30. Every maritime quarantine officer shall punch each immigrant "international passenger certificate" where such are in use, in such manner as to convey to inland health officers the result of the quarantine inspection, as provided by such card or certificate ;

(a.) Every maritime quarantine officer shall punch the schedule list of immigrants by destination, province, or state (if destined for the United States) where such are in use, which shall be furnished by the ship's surgeon on forms supplied by the government, and shall forward such lists forthwith to the secretary of the board of health in the province or state to which such immigrants are destined.

Unorganized Quarantine Stations.

31. At every port at which there is no regular quarantine station the collector of customs at such port shall be the quarantine officer for the purposes of these regulations ; and every such port shall be designated an unorganized quarantine station.

32. Every vessel arriving at an unorganized station from an infected port, or on board of which any death from infectious disease or outbreak of infectious disease has occurred during the voyage, shall remain outside until it receives permission to enter from the quarantine officer.

33. All the regulations applicable to regularly organized quarantine stations shall also apply to every unorganized quarantine station in so far as circumstances will admit, and particularly the provisions relating to inspection,

Department of Agriculture.

anchoring or mooring, disinfecting, customs clearance, putting back to sea before breaking bulk, questions to ship's surgeon or officers, and penalties.

34. In the event of a vessel arriving at an unorganized station with a quarantinable sickness on board the master shall pay a fee of \$4 for each medical inspection ordered by the quarantine officer, and such fee or fees must be paid before customs clearance is granted ;

(a.) If no sickness is found on board a vessel arriving at an unorganized quarantine station and ordered to be inspected by the quarantine officer, the cost of such inspection shall not be a charge against the vessel, but will be defrayed by the government.

Steam Tugs.

35. Any steam tug or other vessel which shall have towed or otherwise communicated with any vessel of the class of vessels subject to quarantine or quarantine inspection, shall thereby be held to the same regulations and requirements as apply to the vessel communicated with.

(a.) If the communication between the vessel and the steam tug is confined to attachment of a rope, afterwards loosed, the quarantine officer may decide to release such tug from quarantine detention.

Rags.

36. Rags coming from a port or country in which infectious disease prevails shall be prohibited, and the name of any port or country so infected shall, from time to time, be published in the *Canada Gazette* ;

(a.) Rags arriving from prohibited ports at a quarantine station shall be liable to be burned or otherwise treated on the order of the Minister of Agriculture based on a report of the quarantine officer.

New Merchandise.

37. New merchandise in general may be accepted without question.

In times of Epidemics.

38. Passengers during a period of epidemic disease should be notified by steamship agents to dispense as far as possible with luggage that may be injured by wetting, in case of having to undergo disinfection—such as fabrics, of which the dyes are likely to run—as the owners will be compelled to assume all risks of injury.

39. Vessels during a period of epidemic disease should dispense as far as possible with woollen hangings, curtains, carpets and upholstering, substituting non-absorbing coverings.

40. Every vessel carrying cargo, and liable to be disinfected, should have provided a plain frame shaft allowing a clear inside space of 12 inches each way, placed in the main hatch, in a sailing vessel ; and one in each hatch of a steamship, divided by bulk-heads. The frame work in this shaft to be set

Department of Agriculture.

before loading and to extend from the hatchway to the bottom of the vessel. This simple arrangement would receive the fumigating pipe and avoid shifting cargo.

Passengers.

41. Passengers for the purpose of these regulations are divided into two classes, cabin and steerage. Steerage passengers are those occupying compartments other than those of first and second cabin.

Methods of Disinfection.

42. The methods of disinfection at the quarantine stations of Canada shall be as follows:—

(a.) Exposure to steam not less than 30 minutes, steam to be of the temperature of not less than 100° Centigrade (212° Fahrenheit) nor greater than 115° Centigrade (239 Fahrenheit);

(b.) Articles that would be destroyed by the above method to be disinfected by thoroughly wetting with a solution of mercuric chloride, of one part to one thousand, or approximately one drachm to one gallon, wine measure, applied by means of a brush, or by drenching, or by immersion;

(c.) Where sulphur dioxide is used it is to be provided by burning not less than 3 pounds of rolled sulphur per 1,000 cubic feet of space, or if it is used in liquid form in the same proportionate strength, and the period of exposure to be not less than 6 hours.

43. The disinfection of iron vessels shall be as follows, as may be required:—

(a.) *Hold.*—After mechanical cleansing, the hold to be thoroughly washed with an acid solution of mercuric chloride, 1 to 800 (mercuric chloride 1 part, hydrochloric acid 2 parts, water 800 parts), applied to all surfaces by means of a hose. If danger is apprehended from the poisonous effects of the mercury deposited on the surfaces, it can be subsequently washed down with clean water;

(b.) *Steerage.*—The same treatment should be given the steerage as to the hold, but when there is a steam-pipe provided for each compartment (for the prevention of fire), steam disinfection of the steerage should be practised. The temperature in all parts of each compartment to be not less than 100° C. (212° Fahr.);

(c.) *The fore-castle or apartment for crew.*—After mechanical cleansing, the application of mercuric chloride in the manner hereinbefore prescribed, or sulphurous fumes or steam disinfection, if facilities are provided for the same;

(d.) *Officers' quarters, cabin, staterooms, etc.*—Each compartment to receive the same treatment, under the same conditions as hereinbefore specified, it being borne in mind that the decorative metal work in cabins, saloons, etc., would be injured by the use of the mercuric chloride solution, and therefore in such cases other forms of disinfection are to be used, as determined by the quarantine officer.

44. The disinfection of wooden vessels shall be as follows, as may be required:—

(a.) Fumigation by sulphur dioxide made by burning not less than 3 pounds of rolled sulphur to each 1,000 cubic feet of space; or by the use of

Department of Agriculture.

liquid sulphur dioxide in the same proportionate strength; and the period of exposure to be not less than 24 hours.

(b.) Washing or flushing with acid solution of mercuric chloride (1 to 800). Cabins, fore-castle and other apartments to be thoroughly washed with bichloride solution, and all clothing, bedding, curtains, etc., to be subjected to steam for 30 minutes at from 100° C. (212° Fahr.) to 115° C. (239° Fahr.).

45. In all classes of vessels the bilges to be first flushed with sea or river water, pumped out, and then treated with acid solution of mercuric chloride in large quantity, and allowed to remain in long contact.

Unorganized Inland Quarantine Stations.

46. Every inland port on the frontier of Canada between the Atlantic and the Pacific Oceans, at which there is a collector or a sub-collector of customs shall, for the purpose of these regulations, be constituted an unorganized inland quarantine station.

47. Every collector or sub-collector of customs at every such inland frontier port shall be the quarantine officer.

48. Any collector or sub-collector of customs in his quality of quarantine officer at any inland unorganized quarantine station in Canada, if he is informed of or has reason to suspect the presence of any of the graver quarantinable diseases recited in section 20 of these regulations shall, in time of cholera or other epidemic disease, order a medical inspection to be made of the car, carriage, vehicle, boat or thing bringing such disease;

(a.) And such quarantine officer is empowered to detain such car, carriage, vehicle, boat or thing, until such medical inspection shall have been made to his satisfaction;

(b.) A medical man making such inspection by order of the quarantine officer shall, while engaged in such service, be the quarantine medical officer.

49. The fee payable to such quarantine medical officer for each such inspection shall not exceed the sum of \$4, and in the event of any quarantinable disease being found, such fee shall be payable by the company or owner of the car, carriage, vehicle, boat or thing bringing such disease.

50. The customs collector or sub-collector in his quality of quarantine officer shall, on the report of the medical quarantine officer, in a time of epidemic disease, in the event of any of the graver quarantinable diseases being found, cause the detention of the car, carriage, vehicle, boat or thing bringing any person ill with such infectious disease until the requirements of these regulations are in his judgment satisfied;

(a.) Any such sick person shall not be allowed to enter Canada until in the opinion of the medical quarantine officer he or she can safely do so;

(b.) Any car, carriage, vehicle, boat or thing bringing such sick person to the frontier shall have the option of returning as an alternative to quarantine detention; or

(c.) The customs collector or sub-collector in his quality of quarantine officer shall, in his discretion, on the report of the quarantine medical officer, cause the removal and isolation of such sick person in any car or boat, set apart for that purpose, or in any suitable building sufficiently separated from other buildings to prevent contact;

Department of Agriculture.

(d.) And such quarantine officer may cause the disinfection of the car, carriage, vehicle, boat or thing bringing such sick person, by means of sulphurous fumes, or any other mode of disinfection prescribed in these regulations adapted to the circumstances of the particular case.

51. In the event of cholera or other epidemic disease prevailing in any part of the United States through which a railway crossing the frontier of Canada runs, the Governor in Council may, on an order published in the *Canada Gazette* or in an extra of the *Canada Gazette*, made on a report of the Minister of Agriculture, and where there may not happen to be at that point of the frontier any adequate quarantine arrangements and apparatus to cope with an inroad of such epidemic disease, direct the complete cessation of passenger traffic at such point; or such restriction thereof, as may in the circumstances be deemed advisable.

Quarantine Officers give all necessary orders—Prohibited from receiving fees or gratuities.

52. Every quarantine officer is empowered to give any necessary order, or do any necessary act, to enforce these regulations, and it is his duty to report any breach of them, or any attempted breach, immediately to the Minister of Agriculture;

(a.) No quarantine officer or other person employed in the quarantine service of Canada shall directly or indirectly receive or take any fee or private gratuity or reward for any service rendered to any company, or owner, master, or crew, passenger, or other person at or detained in any quarantine, maritime or inland. Every person to whom the knowledge of any breach of these regulations may come shall forthwith report the same to the Minister of Agriculture.

Penalties for Customs Officers, Pilots, Masters, Surgeons and Officers of Vessels, &c.

53. Every pilot shall be furnished with printed copies of these regulations, one of which it shall be his duty to hand to the master of every vessel coming from a port outside of Canada, immediately on boarding such vessel, under a penalty of \$50.

54. Every collector of customs or customs officer shall be liable to a penalty of \$400, and imprisonment for six months, for allowing customs entry of any vessel in the absence of production of quarantine clearance, in accordance with the requirements of these regulations.

55. Every master of a vessel shall be liable to a penalty of \$400 and imprisonment for six months, for any contravention of any of the foregoing regulations. The vessel shall be held liable for any pecuniary penalty imposed on the master.

56. Every ship's surgeon or other officer not answering with exact truth any of the questions contained in the form hereunto appended shall be liable to a penalty of \$400, and imprisonment for six months.

57. Every breach of subsection *a* of section 52 of these regulations shall be held to be a malfeasance of office, an offence punishable with dismissal, fine or imprisonment.

Department of Agriculture.

Questions to be answered under oath to Quarantine Officers by Masters, Surgeons or Officers of Vessels.

Date

189 .

1. What is your vessel's name and your name ?
2. From what port and at what date did your vessel sail ?
3. What is your cargo and whence taken on board ?
4. Are there any rags in such cargo ?
5. Has your vessel touched at any place or places on the voyage ?
6. Was such place or places, or any of them, to your knowledge, infected with cholera, small-pox, plague or any pestilential fever or disease ?
7. How many persons were on board when the vessel sailed ?
Cabin passengers ; intermediate ; steerage ;
cattlemen ; crew . Total,
8. State whether any person on board during the voyage has been, or is now, ill with any of the diseases above referred to, and if so, how many ?
9. Has any person died on board during the present voyage, and if so, state all particulars ?
10. Has each of the steerage passengers on board been vaccinated or had the small-pox ?
11. Did the vaccination of steerage passengers take place at time of or before embarking ?
12. How many have you vaccinated on your present voyage ?
13. (*Questions to be asked, in the event of small-pox having occurred during the voyage, of ship's surgeon, if such is on board.*)—Have you personally during the present voyage, examined each one of the passengers and crew for proof of vaccination within seven years or of having had small-pox in that period ?
14. Did you or any of the crew or passengers, within your knowledge, land at any place or places within Canada during the present voyage ?
15. Is there any person on board lunatic, idiotic, deaf and dumb, blind or infirm, and if so, is such person accompanied by relatives or guardians ?
16. Have you an isolated hospital for men, and another for women, ventilated from above and not from the passage ?
17. Were such hospitals, or one of them, immediately made use of on the occurrence of disease ?
18. Are there any other facts which, in your opinion, should be communicated ?

I, *master,* *surgeon,*
(*here state whether ship's master, or occupying*
another position on board,) do solemnly and
sincerely swear to the exactness and truth of
the answers to the above questions signed by
me. So HELP ME GOD.

(Signature)

Master.

(Signature)

*Surgeon.**Master.**Surgeon.*

Sworn before me at this day 189 .

Quarantine officer and justice of the peace, authorized by Order in Council in virtue of chapter 68, Revised Statutes, intituled "An Act respecting Quarantine."

Vide Canada Gazette, vol. XXVII., pp. 2 and 440.

ORDERS IN COUNCIL, &c.

Department of Agriculture.

By Order in Council of the 28th of October, 1893, the regulations with regard to the enforcement of cattle quarantine between the eastern boundary of Manitoba and the Pacific Coast made by the Orders in Council of the 17th September, 1892, and the 22nd March, 1893, were amended as follows:—

1. No cattle shall be permitted to enter any of the quarantines provided for by the said Orders in Council of the 17th September, 1892, and the 22nd March, 1893, after the 30th of September in any year, nor between the 30th September and the 31st March in any year.

2. In the event at any time of the grass within any quarantine station being burned off by prairie fire and made useless for pasturage, the officer in charge of the mounted police at such quarantine station, may remove any cattle which may be at the time in such quarantine station to a place outside the limits of such station where grass can be got fit for grazing, the said cattle at such a time to be herded and kept apart from other cattle.

Vide Canada Gazette, vol. xxvii., p. 790.

By Order in Council of the 13th of December, 1893, the Order in Council of the 28th October last, in relation to cattle quarantines west of the eastern frontier of Manitoba, was amended by excepting the provinces of Manitoba and British Columbia from its definitions.

Vide Canada Gazette, vol. xxvii., p. 1020.

By Order in Council of the 16th of March, 1894, the Order in Council of the 28th of October, 1893, in reference to cattle quarantine west of the province of Manitoba, was amended so as to allow the entry of settlers' cattle or other cattle at points west of the province of Manitoba after the 20th instead of the 31st March, the 20th day of March being substituted for the 31st in section 1 of such Order.

Vide Canada Gazette, vol. xxvii., p. 1730.

Department of Inland Revenue.

Department of Inland Revenue.

By Order in Council of the 29th of March, 1893, under the provisions of chapter 97 of the Revised Statutes of Canada, and 51 Victoria, chapter 53, amending the same, the following regulations for the governance of the ferry across the Niagara River, between Queenston, in the province of Ontario, and Dominion of Canada, and Lewiston, in the state of New York, one of the United States of America, were approved:—

REGULATIONS.

The limits of the said ferry shall be half a mile above and six miles below the wharf or dock owned by and known as the Niagara Navigation Company's dock or wharf on the Niagara River, at the village of Queenston, in the province of Ontario, and a corresponding distance on the other side of the river above and below the wharf or dock known as the New York Central Railroad wharf, in the town of Lewiston, in the state of New York.

2. Suitable landing places, wharfs or docks shall be secured and maintained at some central point in the said village of Queenston, subject to the approval of the controller of inland revenue.

3. The vessel or vessels used shall be substantial, seaworthy steamers, capable of carrying 100 passengers and also of carrying all kinds of freight and baggage, and such vessel or vessels shall be subject to the inspection of the Dominion steamboat inspector.

4. The lessees shall not at any time carry or convey, or permit or suffer to be carried or conveyed over the said ferry any contraband articles whatsoever.

5. The lessees shall observe all customs and revenue laws of the Dominion of Canada and of the United States of America.

6. During the ordinary season of navigation, the ferry shall commence running daily not later than 8 o'clock a.m., and shall continue to cross thereafter as often as may be found necessary for the convenience of the public, and the number of such crossings may be determined from time to time by the controller of inland revenue.

7. The charges, etc., to be made on the said ferry shall be as follows:—

	Cents.
Foot passengers, each journey (adults).....	10
“ “ (children under 12)...	5
“ adults making round trip.....	15
“ children under 12 “	8
For each article not exceeding 100 lbs.....	10

From October 15th to June 1st, in each year, the above tariff of charges shall be doubled.

8. The Governor in Council shall be at liberty to alter and modify the tariff of charges and tolls hereinbefore contained, should it be deemed expedient in the public interest, and after notification to the lessees they or their

Department of Inland Revenue.

employees shall not take or receive any other or larger fares or tolls than those which shall be imposed in such modified tariff during the subsistence thereof.

9. The Governor in Council shall be at liberty, at any time at which it may be shown that the lessees have failed to conform to and observe the restrictions and conditions hereinbefore contained and expressed, to declare the lease forfeited and void, whereupon the same shall become and be void to all intents and purposes, as if the same had never been granted, without indemnification to the lessees.

10. The lease will be granted for a period of five years from 1st of June, 1893.

11. The lessees will be required to give two sureties, satisfactory to the controller of inland revenue, who shall be bound jointly and severally in the sum of \$200 for a full compliance by the said lessees with the terms of the lease.

12. The lessees to have the right between the 15th October and 1st June to carry passengers and freight within the said ferry limits in boats propelled by oars or sails.

Vide Canada Gazette, vol. xxvi., p. 1935.

By Order in Council of the 1st of May, 1893, in virtue of the provisions of the Act chapter 97 of the Revised Statutes, intituled: "An Act respecting Ferries," and the Acts amending the same, the following regulations were made for the governance of a ferry across the Ottawa River, between Quyon in the county of Ottawa and province of Quebec, and Fitzroy in the county of Carleton and province of Ontario:—

REGULATIONS.

1. *Limits.*—The limits of the ferry shall extend on the Quebec side of the river from the side line between lots eight and nine to the side line between lots seventeen and eighteen in the third range of the township of Onslow, and on the Ontario side from Whitestone Point to Quarry Wharf.

2. *Landing Stages.*—Suitable landing stages or wharfs, serviceable at all states of the water in the river, must be provided on both sides, subject to the approval of the Department of Inland Revenue.

3. *Ferry-boat.*—The lessee shall provide and maintain a vessel propelled by horse power, suitable for the conveyance of passengers, horses, cattle and all ordinary vehicles with safety and reasonable despatch, and such vessel shall be subject to the approval of the Department of Inland Revenue.

4. *Number of trips.*—During the season of navigation, the ferry-boat shall commence running daily (Sundays excepted) at six o'clock a.m. and shall continue to cross thereafter as often as may be found necessary for the convenience of the public, the number of such crossings to be determined from time to time by the Department of Inland Revenue. Until otherwise determined the lessee shall provide convenient and sufficient means of signalling and shall cross from side to side whenever signalled to do so.

Department of Inland Revenue.

	Cents.
5. <i>Tariff</i> .—For a two-horse cart or conveyance and driver, with or without merchandise, each way.....	50
For a one-horse cart or conveyance and driver, with or without merchandise, each way.....	40
For one horse, each way.....	25
For each additional horse, the property of the same person..	20
For each head of horned cattle, up to two, each way.....	25
For each additional head of horned cattle, the property of the same person, each way.....	10
For each head of swine or sheep, up to two, each way.....	10
For each additional head of swine or sheep, the property of the same person, each way.....	5
For each passenger, with the privilege of taking baggage not exceeding 50 lbs., each way... ..	10
For each package of merchandise or goods (other than the above), under 100 lbs.....	5
For lots of freight weighing 100 lbs. or over, per 100 lbs....	3

6. The ferry-boat shall be placed on the route fully completed and equipped, and the landing stages shall be fully constructed on or before the 1st day of May, 1893.

7. The lease will be granted for a period of five years from the 1st day of May, 1893.

8. The lessee will be required to give two sureties satisfactory to the Department of Inland Revenue who shall be held jointly and severally in the sum of \$200 for the full compliance by the lessee with the terms of the lease.

9. The right is reserved to the Department of Inland Revenue of rejecting the ferry-boat or landing stages, or either of them, should any of them be deemed unsuitable for the service, or unsafe to the public or inadequate to meet the public wants.

The right is also reserved to the Governor in Council to modify the maximum tariff should it be found expedient in the public interest to do so, and the Governor in Council may declare the lease forfeited and void whenever it shall be satisfactorily shown that the lessee fails to comply with the conditions thereof.

10. A notice of the rates of fares and tolls to be charged for ferriage shall be put up in a conspicuous place near the ferry landing, on both sides of the river, and also on board the ferry-boat employed.

Vide Canada Gazette, vol. xxvi., p. 2075.

By Order in Council of the 1st of May, 1893, in virtue of the provisions of chapter 97 of the Revised Statutes, intituled "An Act respecting Ferries" and amendments thereof, the Order in Council of the 9th day of April, 1890, establishing a tariff of charges for the ferry across the Niagara River between the town of Fort Erie, in the county of Welland, province of Ontario, and Dominion of Canada, and Buffalo, in the state of New York, one of the United States of America, was cancelled and the following tariff of charges substituted for the tariff of charges contained therein :—

Department of Inland Revenue.

TARIFF OF CHARGES.

	Cents.
For foot passengers, each way.....	5
For children under 12 years.....	3
For horse and rider.....	10
For each head of cattle.....	10
For one-horse vehicle and driver for pleasure.....	15
For each additional passenger.....	5
For two-horse vehicle and driver for pleasure.....	25
For each additional passenger.....	5
For double teams loaded 2 tons and under, each way.....	40
For double teams loaded over 2 tons and under 2½ tons, each way.....	50
For double teams loaded over 2½ tons and under 3 tons, each way.....	60
For double teams loaded over 3 tons and under 3½ tons, each way.....	70
Single teams other than pleasure, each way.....	25
For vehicles without horse attached, each way.....	10
For sheep and swine, each, each way.....	3
For freight, in packages under 100 lbs.....	5
For freight, over 100 lbs. per 100 lbs.....	5
For passengers purchasing tickets and crossing as often as every other day.....	2½

It was also ordered that the hours for running the ferry be as follows, viz. :—

During the months of November, December, January, February, March and April, from six (6) a.m. until seven (7) p.m. ; during the months of May and October, from six (6) a.m. until nine (9) p.m. ; and during the months of June, July, August and September, from six (6) a.m. until ten (10) p.m.

Vide Canada Gazette, vol. xxvi., p. 2075.

By Order in Council of the 26th of June, 1893, in virtue of the provisions of the Act 56 Victoria, chap. 36, intituled "An Act further to amend the Petroleum Inspection Act," the following places were designated as places at which petroleum for illuminating purposes may be imported in tank cars, under the provisions of the above cited Act, and subject to such regulations for the protection of the revenue as the Department of Customs may establish, namely :—

Ontario.

Toronto, St. Catharines, Oshawa, London, Hamilton, Whitby, Owen Sound, St. Thomas, Stratford, Brantford, Guelph, Galt, Berlin, Sarnia, Cornwall, Prescott, Smith's Falls, Perth, Ottawa, Pembroke, Kingston, Belleville, Port Hope, Peterboro', Brockville, Napanee, Fort Erie, Sault Ste. Marie, Port Stanley, Port Arthur.

Department of Inland Revenue.

Quebec.

Montreal, Quebec, St. Johns, St. Hyacinthe, Sherbrooke, Sorel, Joliette, Three Rivers, St. Jérôme, Coaticook, Stanstead, Fraserville, Rimouski.

New Brunswick.

St. John, Moncton, Fredericton, Chatham, St. Stephen, Sussex, Edmundston, Woodstock.

Nova Scotia.

Halifax, Truro, Pictou, Yarmouth, Sydney, Lunenburg, Antigonish.

Manitoba and the North-west Territories.

Winnipeg, Brandon, Calgary, Lethbridge, Regina.

British Columbia.

Vancouver, Kamloops, New Westminster.

It was also ordered that petroleum, in packages of 50 gallons or less, could be entered at any duly established customs port ; and at all such ports where no excise officer is present or available the duty of inspection shall be performed by or under the supervision of the collector of customs for such port, which officer may be forthwith appointed for such purpose as required by the second section of the before recited Act.

Vide Canada Gazette, vol. xxvii., p. 6.

By Order in Council of the 5th of July, 1893, the Order in Council of the 26th of June, 1893, respecting the importation of petroleum in tank cars, was amended by adding to the list of places at which petroleum may be imported into the Dominion, the towns of Windsor and Gananoque in the province of Ontario, and the town of Newcastle, in the province of New Brunswick.

Vide Canada Gazette, vol. xxvii., p. 166.

By Order in Council of the 14th of September, 1893, the towns of Petrolia, Woodstock, Welland, Chippewa, Lindsay and Collingwood, in the province of Ontario, were added to the list of places designated by the Order in Council of the 26th June, 1893, as places at which petroleum may be imported in tank cars into Canada.

Vide Canada Gazette, vol. xxvii., p. 496.

By Order in Council of the 10th of April, 1894, under the provisions of chapter 97 of the Revised Statutes of Canada, intituled "An Act respecting Ferries," and 51. Victoria, chapter 53, amending the same, the following regu-

Department of Inland Revenue.

lations were made for the governance of the ferry across the St. Lawrence River between Morrisburg, in the province of Ontario, Dominion of Canada, and Waddington, in the state of New York, one of the United States of America:—

REGULATIONS.

1. *Limits.*—The limits of the ferry on the Canadian side shall be coterminous with the limits of the village of Morrisburg, Ontario, and the limits of the ferry on the United States side shall be coterminous with the limits of the village of Waddington, New York.

2. *Landing places.*—The wharfs and docks shall be secured and at all times maintained by the lessee in a safe condition and available at all states of the river and subject to the approval of the Department of Inland Revenue.

3. *The vessel.*—The boat to be placed on the route is the steamer "Alaska," 70 feet long, 17 feet beam, 5 feet hold, about 5 nominal horse power, and about 30 horse power indicated. Her engine is high pressure.

She shall in all respects be fully equipped, having a respectable and efficient commander, and the controller of inland revenue shall be at liberty to reject any boat which may at any time be placed on said ferry, or the commander thereof, or the said dock or wharf, should he consider them, or any of them respectively, unsuitable to the service or unsafe or inadequate to meet the wants of the public.

4. *Contraband.*—The lessee shall not at any time carry or convey, or permit or suffer to be carried or conveyed over said ferry any contraband articles whatsoever.

5. *Customs laws.*—The lessee shall observe all customs and revenue laws of the Dominion of Canada and the United States of America.

6. *Number of trips.*—The steamer shall start to ply on the ferry at 8.30 o'clock in the forenoon from Morrisburg, and make four round trips per day (except Sunday).

7. *Schedule of charges.*—That the charge for fares and tolls to be made on the said ferry shall not at any time exceed the following, that is to say:—

For foot passengers, each way (winter).....	\$0 20
For foot passengers, each way (summer)	0 15
For children over 5 and under 12	0 10
For each head of cattle.....	0 40
For one-horse vehicle and driver, for pleasure.....	0 75
For each additional passenger.....	0 15
For two-horse vehicle and driver, for pleasure.....	1 25
For each additional passenger	0 15
For vehicle without horse attached, each way.....	0 50
For sheep and swine each, each way.....	0 05
For freight in packages under 100 lbs.....	0 05
For freight over 100 lbs., per 100 lbs.....	0 04

8. Notices of the rates of fares and the rates of tolls on the said ferry shall be put up, and kept up, and exhibited at all times in a conspicuous place on or near the said dock or wharf.

Department of Inland Revenue.

9. That the Governor in Council shall be at liberty to alter and modify the tariff of charges and tolls hereinbefore contained, and should it be deemed expedient in the public interests, and after such notification as aforesaid, the lessee shall not take or receive any other or larger fares or tolls than those which shall be imposed in such modified tariffs during the subsistence thereof.

10. That the Governor in Council shall be at liberty at any time at which it may be shown that the lessee has failed to observe, perform, fulfil and keep any or other of the said provisos, restrictions and conditions hereinbefore contained and expressed, to declare the lease forfeited and void, whereupon the same shall become and be void to all intents and purposes as if the same had never been granted, without indemnification to the lessee.

11. That the said lessee shall not at any time during the existence of the lease, wilfully or knowingly infringe any of the laws, or by-laws, or of the regulations of the United States of America, or the state of New York, in reference to ferriage which may be applicable to the said ferry, or such portion thereof as may be within the jurisdiction of any of them, the United States of America or state of New York, or permit or suffer the same to be infringed by any officer, servant or employee of the said lessee.

12. Provided always that if the United States of America, or the state of New York, shall, in any exercise of any authority in any of them existing at any time during the existence of the said lease, prevent or hinder ferriage at or upon the said ferry or such portion thereof as may be within the jurisdiction of such one of them, or put the lessee to any loss, expense, charge or damage in respect of the same, no claim or demand for compensation or any right or title thereto shall be made upon or against the Dominion of Canada.

13. The ferry shall be placed on the route immediately on the lease being granted.

14. The lease will be granted for a period of one (1) year, the rent being payable in advance. The lessee will be required to give two sureties satisfactory to the Department of Inland Revenue, who shall be bound jointly and severally with the principal in the sum of two thousand dollars (\$2,000) for the full compliance by the said lessee with the terms of the lease.

15. The lease shall not be sublet or assigned without the consent of the Governor in Council, but in the event of the death of the lessee, the lease shall inure to the benefit of the lessee's personal representatives, or as by his will he may direct.

Vide Canada Gazette, vol. xxvii., p. 166.

By Order in Council of the 2nd of June, 1894, under the provisions of chapter 97 of the Revised Statutes of Canada, intituled "An Act respecting Ferries," the following regulations were made for the governance of a ferry across the Niagara River, between Shisler's Point in the township of Humberstone in the county of Welland on the east, and the village of Port Colborne in the county of Welland on the west, on the north shore of Lake Erie, and a point in the city of Buffalo, in the state of New York:—

Department of Inland Revenue.

REGULATIONS.

1. The limits shall be between Shisler's Point, in the township of Humberstone in the county of Welland on the east, and the village of Port Colborne in the county of Welland on the west, on the north shore of Lake Erie, and a point in the city of Buffalo, in the state of New York.

2. Suitable wharfs and docks shall be constructed and at all times maintained at some point within the said limits which must be safe and available at all times and subject to the approval of the controller of inland revenue.

3. The vessel used shall be a substantial, seaworthy steamer of not less than 100 feet keel and 20 feet beam, and of speed not less than 10 miles per hour, having an engine of not less than 60 horse-power high pressure, and shall be subject to the inspection and approval of the Dominion inspector of steamboats. The vessel shall be supplied with life-preservers and be in all respects fully equipped, having a respectable and efficient commander, and the controller of inland revenue shall be at liberty to reject any steamer which may at any time be placed upon the said ferry or the commander thereof or the said wharf or dock, should he consider them or any of them respectively unsuitable to the service or unsafe or inadequate to meet the wants of the public.

4. The lessee of the ferry for the time being shall at all times during the continuance of the lease carry across on the said ferry without fee, toll or reward, Her Majesty's mails, and upon requisition by the Postmaster General of Canada the mails of the United States of America.

5. The lessee shall not at any time carry or convey, or permit or suffer to be carried or conveyed over the said ferry any contraband articles whatsoever.

6. The lessee shall observe all customs and revenue laws of the Dominion of Canada and of the United States of America.

7. During the period commencing on the 15th day of June and ending on the 15th day of September in each and every year, the said ferry shall make at least two round trips each day between the hours of seven o'clock in the forenoon and ten o'clock at night, unless such trips are rendered impracticable by stress of weather.

8. The charges for fares and tolls to be made on the said ferry shall not at any time exceed the following, that is to say:—

	Cents.
For foot passengers, each way, adults	25
For round trip on same day.....	35
For children, on foot, each way.....	15
For round trip on same day, for children.....	20
For every 100 lbs. freight... ..	15

9. Notices of the rates of fares and rates of tolls on the said ferry shall be put up and kept up and exhibited at all times in a conspicuous place on or near the said dock or wharf and also on the steamer employed from time to time on the said ferry.

Department of Inland Revenue.

10. The Governor in Council shall be at liberty to alter and modify the tariff of charges and tolls hereinbefore contained, should it be deemed expedient in the public interest, and after such modifications as aforesaid the lessee shall not take or receive any other or larger fares or tolls than those which shall be imposed in such modified tariff during the subsistence thereof.

11. The Governor in Council shall be at liberty, at any time at which it may be shown that the lessee has failed to observe, perform, fulfil and keep any or either of the said provisos, restrictions or conditions hereinafter contained and expressed, to declare the lease forfeited and void, whereupon the same shall become and be void to all intents and purposes as if the same had never been granted, without indemnification to the lessee.

12. The lessee shall not at any time during the existence of the lease wilfully or knowingly infringe any of the laws or by-laws or regulations of the United States of America or the state of New York or the city of Buffalo, in reference to ferriage which may be applicable to the said ferry or such portion thereof as may be within the jurisdiction of any of them (the United States of America, the state of New York or the city of Buffalo), or permit or suffer the same to be infringed by any officer or employee of the said lessee.

13. Provided always that if the United States of America or the state of New York or the city of Buffalo shall, in the exercise of any authority in any of them existing at any time during the existence of the said lease, prevent or hinder ferriage at or upon the said ferry or such portion as may be within the jurisdiction of such one of them, or put the lessee to any loss, expense or charges, or damage in respect to the same, no claim or demand for compensation or any right or title thereto shall be made upon or against the Dominion of Canada.

14. The said ferry shall commence operations and the ferry-boat shall be placed on the route not later than the 15th day of June, 1894.

15. The lease to be granted for a period of five (5) years from the 1st day of June, 1894.

16. The lessee will be required to give two securities resident in the Dominion of Canada, who must be satisfactory to the controller of inland revenue, and who shall be bound jointly and severally with the principal in the sum of five thousand dollars (\$5,000) for the full compliance by the said lessee with the terms of the lease.

17. The lease shall not be sublet or assigned.

Vide Canada Gazette, vol. xxvii., p. 2307.

Department of the Interior.

Department of the Interior.

By Order in Council of the 5th of April, 1893, the addition of the two small islands, situated in Lake St. Martin, Manitoba, known as Fisher or Fishery Islands, to the Fairford Indian Reserve was confirmed.

Vide Canada Gazette, vol. xxvi., p. 1936.

By Order in Council of the 22nd of April, 1893, in virtue of the provisions of subsection (h) of section 90 of "The Dominion Lands Act," chapter 54 of the Revised Statutes, the Minister of the Interior is authorized to set apart as occasion may require tracts, within the territory hereinafter described, upon which sheep may be permitted to pasture, which territory shall be bounded as follows, namely:—

On the west by the Belly and St. Mary's Rivers; on the north by the South Saskatchewan River; on the east by the western boundary of Assiniboia, and on the south by the international boundary line.

The Order in Council of the 6th October, 1884, which enacts that no sheep shall be permitted to graze within the territory therein described, was amended so as to permit of the authority conferred by this Order being exercised.

Vide Canada Gazette, vol. xxvi., p. 2074.

By Order in Council of the 28th day of April, 1893, in virtue of the provisions of "The Dominion Lands Act," chapter 54 of the Revised Statutes, the lands hereinafter enumerated were vested in the Lieutenant-Governor of Manitoba as public highways, namely:

Part of the east half of section 25, in township 11, in range 11.

The south-west quarter of section 30 and the north half of section 19 in township 11, in range 12, sections 15 and 27 and the south-west quarter of section 11, in township 12, in range 11.

The west half of section 17, in township 14, in range 8; all the above ranges being east of the principal meridian.

Vide Canada Gazette, vol. xxvi., p. 2126.

By Order in Council of the 22nd of April, 1893, under the provisions of the fourth section of chapter 47 of the Revised Statutes, intituled "An Act respecting the Province of Manitoba," the lands enumerated in the annexed schedule, were vested in Her Majesty for the purposes of the province of Manitoba.

Department of the Interior.

SCHEDULE showing lands selected by Messrs. Wagner and Crawford, Swamp Lands Commissioners, during the season of 1891, under the provisions of the Order in Council of 19th June, 1886, all being found vacant in the books of this Department.

Township.	Rge. Mer.	Section.	Legal Subdivision.	Area in Acres.	Township.	Rge. Mer.	Section.	Legal Subdivision.	Area in Acres.
17	20	West 1st.	36 3, 4	80	17	10	West 1st.	14 1 to 16 inclusive	640
17	18	"	10 11, 12, 13, 14	160	17	10	"	16 1 to 16	640
17	18	"	16 3, 4, 5, 6	160	17	10	"	22 1 to 16	640
17	18	"	24 12, 14	80	17	10	"	24 1 to 16	640
17	17	"	18 9, 10, 15, 16	160	17	10	"	34 1 to 16	640
17	17	"	20 5, 6	80	17	10	"	36 1 to 16	640
17	17	"	34 1, 2, 7, 8, 9, 3, 4, 5, 6, 11, 12, 16	480	19	9	"	4 1, 2, 3, 4, 5, 6, 7, 8	320
17	11	"	16 3, 4, 5, 6, 11, 12, 13, 14	320	19	9	"	6 1 to 16 inclusive	640
17	11	"	20 1 to 16 inclusive	640	19	9	"	10 1 to 16	640
18	10	"	2 1 to 16	640	19	9	"	16 3, 4, 5, 6, 11, 12, 13, 14	320
18	10	"	4 1 to 16	640	19	9	"	18 1 to 16 inclusive	640
18	10	"	10 1 to 16	640	19	9	"	20 3, 4, 5, 6, 9, 10, 11, 12, 13, 14, 15, 16	480
18	10	"	12 1 to 16	640	19	9	"	28 1 to 16 inclusive	640
18	10	"	14 1 to 16	640	19	9	"	30 1 to 16	640
18	10	"	16 1 to 16	640	19	9	"	32 1 to 16	640
18	10	"	20 1 to 16	640	19	11	"	2 1 to 16	640
18	10	"	22 1 to 16	640	19	11	"	4 1 to 16	640
18	10	"	24 2, 3, 4, 5, 6, 7, 11, 12, 13	360	19	11	"	6 1 to 16	640
18	10	"	26 9, 10, 15, 16	160	19	11	"	10 1 to 16	640
18	10	"	28 1 to 16 inclusive	640	19	11	"	10	640
18	10	"	30 11, 12, 13, 14, 15, 16	240	19	11	"	12 1 to 16 inclusive	640
18	10	"	32 1, 2, 7, 8, 9, 10, 11, 14, 15, 16	400	19	11	"	14 1 to 16	640
18	10	"	34 5, 6, 9, 11, 12, 13, 16	280	19	11	"	16 1 to 16	640
17	8	"	6 3, 4, 5, 6, 11, 12, 13, 14	320	19	11	"	18 1 to 16	640
17	8	"	18 1 to 16 inclusive	640	19	11	"	20 1 to 16	640
17	8	"	20 1, 2, 3, 4, 5, 6, 7, 8	320	19	11	"	22 1 to 16	640
17	8	"	30 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 15, 16	480	19	11	"	24 1 to 16	640
17	9	"	4 1 to 16 inclusive	640	19	11	"	26 9, 10, 15, 16	160
17	9	"	6 1 to 16	640	19	10	"	28 1 to 16 inclusive	640
17	9	"	12 1 to 16	640	19	10	"	30 1 to 16	640
17	9	"	14 1, 2, 7, 8, 9, 10, 15, 16	320	19	10	"	21, 2, 3, 6, 7, 8, 10, 11, 12, 13, 14, 15	480
17	9	"	16 11, 12, 13, 14	160	19	10	"	4 1 to 16 inclusive	640
17	9	"	18 9 to 16 inclusive	320	19	10	"	6 1 to 16	640
16	9	"	12 3, 4, 5, 6, 11, 12, 13, 14	320	19	10	"	10 1 to 16	640
16	9	"	14 1 to 16 inclusive	640	19	10	"	12 1 to 16	640
16	9	"	18 1 to 16	640	19	10	"	14 1 to 16	640
16	9	"	20 1 to 16	640	19	10	"	16 1 to 16	640
16	9	"	22 1 to 16	640	19	10	"	18 1 to 16	640
16	9	"	24 1, 2, 7, 8	160	19	10	"	20 1 to 16	640
16	9	"	28 1 to 16 inclusive	640	19	10	"	22 1 to 16	640
16	9	"	30 1 to 16	640	19	10	"	24 1 to 16	640
16	9	"	32 1 to 16	640	19	10	"	26 9, 10, 15, 16	160
16	9	"	34 1 to 16	640	19	10	"	28 1 to 16 inclusive	640
16	9	"	36 1 to 16	640	19	10	"	30 1 to 16	640
15	9	"	12 1, 2, 7, 8, 9, 10, 15, 16	320	19	10	"	32 1 to 16	640
15	9	"	24 4, 5, 12, 13	160	19	10	"	34 1 to 16	640
15	10	"	14 9, 10, 15, 16	160	20	12	"	36 1 to 16	640
16	10	"	4 11, 12, 13, 14	160	20	12	"	2 1 to 16	640
16	10	"	10 1 to 16 inclusive	640	20	12	"	10 1 to 16	640
16	10	"	12 1 to 16	640	20	12	"	14 1 to 8	320
16	10	"	14 1 to 16	640	20	12	"	20 1 to 16	640
16	10	"	16 1 to 16	640	20	12	"	28 4, 5, 12, 13	160
16	10	"	34 1 to 16	640	20	12	"	32 1, 2, 8, 9, 16	200
16	10	"	36 1 to 16	640	19	11	"	32 1 to 16 inclusive	640
17	10	"	4 1 to 16	640	19	11	"	34 1 to 16	640
17	10	"	12 1 to 16	640	19	11	"	36 1 to 16	640
17	10	"		640	20	11	"	2 1 to 16	640

Department of the Interior.

SCHEDULE showing lands selected by Messrs. Wagner and Crawford, Swamp Lands Commissioners, etc.—*Concluded.*

Township.	Rge.	Mer.	Section.	Legal Subdivision.	Area in Acres.	Township.	Rge.	Mer.	Section.	Legal Subdivision.	Area in Acres.
20 11	West 1st.			4 1 to 16 inclusive.....	640	10 16	West 1st.			10 7, 8, 9, 10, 14, 15, 16.....	280
20 11	"			6 1 to 16 ".....	640	10 16	"			12 1 to 16 inclusive.....	640
20 11	"			12 1 to 16 ".....	640	10 16	"			14 1 to 16 ".....	640
20 11	"			14 4, 5, 12, 13.....	160	10 16	"			16 1 to 16 ".....	640
20 11	"			16 1 to 16 inclusive.....	640	10 16	"			22 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 15, 16.....	480
20 11	"			20 1, 2, 7, 8, 9, 10, 15, 16.....	320	10 16	"			24 1 to 12 inclusive.....	480
20 11	"			22 1 to 16 inclusive.....	640	10 16	"			28 1 to 16 ".....	640
20 11	"			24 1 to 16 ".....	640	10 16	"			30 1 to 16 ".....	640
20 11	"			28 2, 3, 4, 5, 6, 7, 11, 12, 13, 14.....	400	10 16	"			32 1, 2, 3, 4, 5, 6, 7, 8.....	320
20 11	"			30 3, 16.....	80						
20 11	"			32 1 to 16 inclusive.....	640						
20 11	"			34 1, 2, 3, 4.....	160						
20 11	"			36 1 to 16 inclusive.....	640						69,680

Vide Canada Gazette, vol. xxvi., p. 2126.

By Order in Council of the 5th of June, 1890, under the authority of clause 98 of "The Dominion Lands Act," form F, in the schedule to "The Dominion Lands Act" was amended by adding thereto the declaration required by sub-clause 1 of clause 32 of the said Act in accordance with the draft form annexed:—

FORM F.

No. .

Application for a Homestead Entry by an Agent.

I, _____, do hereby apply on behalf of _____ of the _____ in the county of _____ for homestead entry, under the provisions of sub-clause _____ of clause 38 of "The Dominion Lands Act," for the _____ quarter section of section number _____ of the township in the _____ range west of the _____ meridian.

District.

189 .

AFFIDAVIT in support of claim for homestead entry by a person who has not previously obtained homestead entry.

I, _____, do solemnly swear (or affirm) that I am over eighteen years of age; that to the best of my knowledge and belief the land in respect of which my application is made is of the class open for homestead and pre-emption entry; that there is no person residing on the said land nor are there

Department of the Interior.

any improvements thereon, and that this application is made for my exclusive use and benefit, with the intention of residing upon and cultivating the said land and not directly or indirectly for the use or benefit of any other person or persons whomsoever ; and that I have not heretofore obtained an entry for a homestead on Dominion lands.

Subscribed and sworn to, this
day of 18 .
 before me.

}

Local Agent.

Vide Canada Gazette, vol. xxvi., p. 2317.

By Order in Council of the 12th of June, 1893, under the authority of subclause (h) of clause 90 of "The Dominion Lands Act," the commissioner of Dominion lands was empowered to cancel pre-emption entries for a second homestead after the lapse of the proper time upon receipt of satisfactory proof that the settlement conditions prescribed by the Act 55-56 Victoria, 1892, chapter 15, have not been complied with.

Vide Canada Gazette, vol. xxvii., p. 51.

By Order in Council of the 5th of July, 1893, item No. 2 of the Order in Council of 17th September, 1889, as well as item No. 2 of the Order in Council of the 23rd November, 1888, (establishing the fees to be exacted by registrars in the North-west Territories upon which the Order of the 17th September, 1889, was based), were amended by the addition of the following words thereto :—

"Provided, however, that this fee shall not be charged for a certificate of ownership for any land the title of which was vested in the Hudson's Bay Company prior to the 1st of January, 1887, and which was passed to that company under the provisions in that behalf contained in 'The Dominion Lands Act,' but that in such case each certificate shall be issued and delivered to the company free of charge."

Vide Canada Gazette, vol. xxvii., p. 166.

By Order in Council of the 1st of March, 1893, under authority of "The Dominion Lands Act," chapter 54 of the Revised Statutes of Canada, all that portion of township 30, range 32, lying between the reserve of Chief Gabriel Côté on the east and the Sand River on the west, and all of fractional town-

Department of the Interior.

ship 31, lying west of Ker-se-Koose's Indian Reserve, in range 32, all west of the first meridian, were withdrawn from sale or entry and vested in the Superintendent General of Indian Affairs, to be held as hay lands for the benefit of the Indians of the Fort Pelly District.

Vide Canada Gazette, vol. xxvii., p. 401.

By Order in Council of the 8th of July, 1893, the reserve of the Indians of the Fisher River Reserve in the province of Manitoba was extended westward a distance of two miles, and north and south a distance of 225 chains on either side of the Fisher River, subject to sections 87, 88 and 89 of "The Dominion Lands Act." The right to dispose of any water power or mill site which may be found to exist within the extension of the reserve was vested in the Minister of the Interior.

Vide Canada Gazette, vol. xxvii., p. 401.

By Order in Council of the 22nd of September, 1893, under the provisions of subsection (a) of clause 90 of "The Dominion Lands Act," chapter 54 of the Revised Statutes, the north-east quarter of section 16, township 44, range 2, west of the 3rd meridian, was withdrawn from the operation of the above cited Act, and set apart and reserved for Indian school purposes.

Vide Canada Gazette, vol. xxvii., p. 668.

By Order in Council of the 21st of October, 1893, under the authority of subclause (a) of section 90 of "The Dominion Lands Act," sections 19, 30 and 31, in township 33, range 5, west of the 3rd principal meridian, were reserved from sale and settlement, and added to the Moose Woods Sioux Indian Reserve.

Vide Canada Gazette, xxvii., p. 668.

By Order in Council of the 21st of October, 1893, the lands enumerated in the following schedule, amounting in all to 13,040 acres, were vested in Her Majesty for the purposes of the province of Manitoba under the provisions of the 4th section of chapter 47 of the Revised Statutes of Canada.

SCHEDULE.

ORDERS IN COUNCIL, &c.

EXV

Department of the Interior.

SCHEDULE showing lands selected by Messrs. Wagner and Crawford, Swamp Land Commissioners, during the season of 1892, under the provisions of the Order in Council of 19th June, 1886, all being found vacant in the books of this Department.

Township.	Rge. Mer.	Section.	Legal Subdivisions.	Area in acres.	Township.	Rge. Mer.	Section.	Legal Subdivision.	Area in acres.
18 22	West 1st.	24	11, 12, 13, 14.	160	23 27	West 1st.	34	1 to 16 inclusive.	640
17 23	"	32	9, 10, 15, 16.	160	24 28	"	10	7, 8, 9, 10	160
13 28	"	36	9, 10, 11, 12, 13, 14, 15, 16.	320	24 28	"	12	1, 8, 9, 10, 13, 14, 15, 16.	320
13 28	"	26	9, 10, 15, 16	160	24 28	"	14	1, 2, 7, 8, 9, 10.	240
13 28	"	32	1 to 16 inclusive	640	24 28	"	26	9, 15.	80
14 27	"	32	1, 2, 5, 6, 11, 12, 13.	280	24 28	"	16	1, 8, 9, 16.	160
13 29	"	26	9, 10, 15, 16.	160	24 28	"	24	1, 2, 9, 16	160
15 29	"	36	1, 2.	80	24 28	"	36	1, 2, 7, 8, 9, 10, 15, 16.	320
15 28	"	30	11, 12, 13, 14.	160	24 24	"	34	16	40
17 28	"	6	1, 2, 7, 8.	160	25 28	"	16	3, 6.	80
17 29	"	20	3, 4, 5, 6.	160	25 28	"	22	13, 14, 15.	120
18 29	"	32	2, 3, 13, 14, 15, 16.	240	25 28	"	30	11, 12, 13, 14.	160
19 29	"	18	1, 8.	80	25 29	"	2	11, 12, 13, 14.	160
20 26	"	16	3, 4, 5, 6, 11, 12, 13, 14.	320	25 29	"	20	3, 4, 6.	120
20 26	"	24	9, 10, 11, 12, 13, 14, 15, 16.	320	25 29	"	32	12, 13.	80
18 24	"	34	3, 4, 5, 6.	160	26 28	"	16	3, 4.	80
18 26	"	30	11, 12, 13, 14.	160	26 28	"	18	4, 5.	80
19 27	"	12	1, 2, 7, 8, 9, 10, 15, 16.	320	26 29	"	4	11, 14.	80
21 26	"	30	9, 10, 11, 12, 13, 14, 15, 16.	320	26 29	"	6	2, 6, 7, 10, 11, 14, 15.	280
21 26	"	16	9, 10, 11, 12, 13, 14, 15, 16.	320	26 29	"	12	1, 8, 9, 16.	160
20 25	"	28	1, 2, 7, 8.	160	26 29	"	18	2, 3, 6, 7, 10, 11, 14, 15.	320
22 27	"	22	10, 15, 12, 13.	160	26 29	"	30	2, 3, 4.	120
23 27	"	14	11, 12, 13, 14, 9, 10, 15, 16.	320	26 29	"	32	3, 4, 5, 6, 11, 12.	240
23 27	"	18	3, 4, 5, 6.	160	21 29	"	4	1, 8, 9, 16.	160
23 27	"	22	1 to 16 inclusive	640	21 29	"	10	12, 13.	80
23 27	"	24	3, 4, 5, 6, 11, 12, 13, 14.	320	21 29	"	22	11, 14.	80
23 27	"	28	1 to 16 inclusive	640	21 29	"	34	3, 4, 5, 6.	160
23 27	"	30	1 to 16 inclusive	640					
23 27	"	32	1 to 16 inclusive	640					
									13,040

Vide Canada Gazette, vol. xxvii., p. 789.

By Order in Council of the 22nd of September, 1893, in virtue of the provisions of subsection (a) of clause 90 of "The Dominion Lands Act," chapter 54 of the Revised Statutes, the north half and south-east quarter of section 35; and the north half of section 36, in township 16, sections 1, 2, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 28, 32, 34, 35, 36, and the north half of section 3 in township 17, and section 5 in township 18, all in range 19, west of the principal meridian, were withdrawn from the operation of the said Act and placed under the control of the Department of Indian Affairs for the purposes of a reserve for the Rolling River Band of Indians under Chief "South Quill."

Vide Canada Gazette, vol. xxvii., p. 790.

Department of the Interior.

By Order in Council of the 1st September, 1893, it was ordered that the lands lying south and east of where the Alberta Railway and Coal Company's line crosses the Milk River and extending to the western shore of the Red Creek, being portions of townships 1 and 2, ranges 15 and 16, west of the 4th meridian, should be included in the reservation for cattle quarantine purposes reserved under the Order in Council of the 17th of September, 1892.

It was also ordered that all the land lying between the Forks of the Milk River, and being portions of townships 2, ranges 19, 20 and 21 and township 3, range 19 west of the 4th meridian, should be included in the last above described reservation.

Vide Canada Gazette, vol. xxvii., p. 791.

By Order in Council of the 10th of November, 1893, the affidavit under forms D, F, G, and H, respectively, which is required to be made by a person obtaining a homestead entry in the railway belt in British Columbia, was altered to correspond exactly with the regulations as they are worded at the present time.

Vide Canada Gazette, vol. xxvii., p. 970.

By Order in Council of the 10th of January, 1894, under the provisions of section 90 of "The Dominion Lands Act" (Revised Statutes of Canada, chapter 54) homestead entries for portions of Dominion lands sections traversed by rivers and large streams in Manitoba and the North-west Territories, and more particularly in the country lying along the foot-hills of the Rocky Mountains west of the 4th meridian, are to be confined to one side of the river or stream where it is of such size as to warrant its being surveyed, or where the water frontage is considered particularly valuable.

Vide Canada Gazette, vol. xxvii., p. 1309.

By Order in Council of the 8th of February, 1894, in virtue of the provisions of clause 129 of chapter 54 of the Revised Statutes of Canada, as amended by clause 7 of the Act 52 Victoria, chapter 27, the original surveys set forth in columns 1 and 2 of the attached schedule, which were found to be erroneous and have subsequently been corrected, were cancelled and the new surveys, set forth in column 3, confirmed.

SCHEDULE.

Department of the Interior.

SCHEDULE showing certain Surveys of Dominion Lands which were found to be in error and which have since been corrected.

COLUMN 1.					COLUMN 2.	COLUMN 3.	
Tp.	R.	M.	Surveyed by	Year.	Portion found in error and subsequently corrected.	Correction Surveyed by	Year.
23	18	P.M.	W. Beatty.....	1887	North boundary.....	Thos. Fawcett..	1890
18	31	P.M.	A. C. Webb.....	1880	North boundary.....	Louis Gosselin..	1889
18	32	P.M.	A. C. Webb.....	1880	North boundary.....	Louis Gosselin..	1889
19	32	P.M.	R. C. McPhillips..	1880	South boundary.....	Louis Gosselin..	1889
18	33	P.M.	A. C. Webb.....	1880	North boundary.....	Louis Gosselin..	1889
19	33	P.M.	E. Bray.....	1880	South boundary.....	Louis Gosselin..	1889
20	33	P.M.	E. Bray.....	1880	North boundary.....	C. F. Miles.....	1890
20	33	P.M.	W. Beatty.....	1881	East boundary, section 35.....	C. F. Miles.....	1890
23	1	2	A. L. Russell.....	1876	East boundary.....	C. F. Miles.....	1890
23	1	2	G. B. Bemister....	1880	North boundaries, sections 1, 12 and 13.	C. F. Miles.....	1890
25	1	2	D. C. O'Keefe....	1880	North boundaries, sections 1, 12, 13, 24 and 25.	C. F. Miles.....	1890
26	1	2	D. C. O'Keefe....	1880	North boundaries, sections 1, 12, 13, 24 and 25.	C. F. Miles.....	1890
29	3	2	G. C. Rainboth....	1880	North boundary.....	W. R. Burke....	1890
28	4	2	A. L. Russell.....	1876	North boundary.....	J. McLatchie...	1889
32	4	2	P. H. Dumais.....	1883	North boundary.....	J. McLatchie...	1889
28	5	2	A. L. Russell.....	1876	East and north boundaries.	J. McLatchie...	1889
29	5	2	A. L. Russell.....	1880	East boundary.....	J. McLatchie...	1889
30	5	2	A. L. Russell.....	1880	East boundary.....	J. McLatchie...	1889
32	5	2	P. H. Dumais.....	1883	North boundary.....	J. McLatchie...	1889
29	6	2	G. C. Rainboth....	1881	East boundary.....	J. McLatchie...	1889
32	6	2	P. H. Dumais.....	1883	North boundary.....	J. McLatchie...	1889
32	7	2	P. H. Dumais.....	1883	North boundary.....	J. McLatchie...	1889
32	8	2	P. H. Dumais.....	1883	North boundary.....	J. McLatchie...	1889
29	9	2	A. L. Russell.....	1876	East boundary.....	J. McLatchie...	1889
30	9	2	A. L. Russell.....	1876	East boundary.....	J. McLatchie...	1889
30	9	2	A. L. Russell.....	1880	North boundary.....	J. McLatchie...	1889
30	10	2	A. L. Russell.....	1880	North boundary.....	J. McLatchie...	1889
30	11	2	A. L. Russell.....	1880	North boundary.....	J. McLatchie...	1889
30	12	2	A. L. Russell.....	1880	North boundary.....	J. McLatchie...	1889
31	12	2	H. H. Stephens....	1883	South boundary.....	J. McLatchie...	1889
44	20	2	E. C. Caddy.....	1884	Subdivision and S. and W. boundaries.	A. J. Brabazon..	1890
44	20	2	E. C. Caddy.....	1884	North boundary.....	O. J. Klotz.....	1890
44	21a	2	E. C. Caddy.....	1884	North boundary.....	O. J. Klotz.....	1890
41	1	4	W. A. Ashe.....	1882	East boundary.....	E. W. Hubbell..	1889
42	1	4	W. A. Ashe.....	1882	East boundary.....	E. W. Hubbell..	1889
2	25	4	C. A. Bigger.....	1888	East boundary, sections 6, 7, 18, 19, 30 and 31, and the N. E. corner of N. W. $\frac{1}{4}$ sections 7, 8, 19 and 20.....	C. F. Miles.....	1889
2	28	4	F. W. Armstrong..	1883	East boundary.....	C. F. Miles.....	1889
3	28	4	F. W. Armstrong..	1883	East boundary.....	C. F. Miles.....	1889
4	28	4	F. W. Armstrong..	1883	East boundary.....	C. F. Miles.....	1889
26	6	5	A. J. Brabazon....	1888	S.E. corners sections 19, 20, 21, 22 & 23.	W. S. Drewry...	1890
26	7	5	Thos. Fawcett....	1884	S. E. corner section 24.....	W. S. Drewry...	1890
5	26	6	A. F. Cotton.....	1887	East boundary, sections 7, 8, 17; north boundary, sections 5 and 6; east and west boundaries of north $\frac{1}{4}$ section 6; west boundary S.W. $\frac{1}{4}$ section 7; north boundary N.W. $\frac{1}{4}$ section 9.....	J. Vicars.....	1892
3	28	6	A. F. Cotton.....	1886-7	N. E. corner sections 31, 32, 19; N. E. corner N. W. $\frac{1}{4}$ section 32, and N. E. corner S. E. $\frac{1}{4}$ section 19.....	A. Driscoll.....	1890
3	29	6	A. F. Cotton.....	1886	East boundary, sections 13, 24, 25, and N. E. corner of S. E. $\frac{1}{4}$ section 36.....	A. Driscoll.....	1890
4	29	6	A. F. Cotton.....	1886	East boundary, N. E. $\frac{1}{4}$ section 1; east boundary, section 12; north boundary, N. E. $\frac{1}{4}$ section 12; east boundary, S. W. $\frac{1}{4}$ section 13.....	A. Driscoll.....	1890

Department of the Interior.

By Order in Council of the 16th of June, 1892, under the provisions of section 90 (a) of "The Dominion Lands Act," chapter 54 of the Revised Statutes, a certain piece of land particularly described, containing an area of about thirty-two and seven-tenths square miles, situate in the vicinity of White Whale Lake, in the district of Alberta, was set apart for Indian purposes.

Vide Canada Gazette, vol. xxvii., p. 1937.

By Order in Council of the 9th of May, 1894, it was ordered that the tract of land designated as No. 3 in the Order in Council of the 17th September, 1892, establishing permanent quarantine reservations for cattle between Canada and the United States should be no longer a reserve for cattle quarantine purposes, and the tract more particularly described as follows was substituted as a cattle quarantine reservation in lieu thereof, namely:—

All that triangular tract of country bounded on the west by the main stream of Willow Creek, on the east by the north fork of the same creek, and on the north by a small creek or coulée emptying into the said north fork.

Vide Canada Gazette, vol. xxvii., p. 2104.

Department of Justice.

By Order in Council of the 19th of June, 1894, it was ordered that in all cases where letters patent of incorporation are granted under the provisions of "The Companies Act" the prefix "The" shall form part of the corporate name to be given to such company.

Vide Canada Gazette, vol. xxvii., p. 2373.

Department of Marine and Fisheries.

Department of Marine and Fisheries.

By Order in Council of the 28th of April, 1893, under the provisions of "The Fisheries Act," chapter 95 of the Revised Statutes, it was ordered that pending the action of the International Commission on the question of destructive methods of fishing, the fishery regulations adopted by the Order in Council of the 21st day of March, 1892, relative to the setting of mackerel nets, be suspended on the whole Atlantic coast from Cape St. Lawrence to the boundary line between New Brunswick and the state of Maine.

Vide Canada Gazette, vol. xxvi., p. 2074.

By proclamation dated the 17th of May, 1893, the "Act respecting aid by United States Wreckers in Canadian waters," (55 and 56 Victoria, chapter 4), was declared to be in force on and after 1st of June, 1893.

Vide Canada Gazette, vol. xxvi., p. 2188.

By Order in Council of the 17th of May, 1893, under authority of "The Harbour Masters Act," chapter 86 of the Revised Statutes, the regulations in respect of harbour masters established by the Order in Council of the 12th June, 1889, chapter 79 of the Consolidated Orders in Council, were amended by adding the following subsection to section 32 of the said regulations:—

32a. No person engaged in towing logs, booms or other descriptions of timber in the port of Parry Sound, shall be allowed to use what is known as the South Channel entrance to the said port without having such logs, booms or other timbers properly rafted in cribs, not more than thirty-two feet in width, nor more than 100 feet in length, and no tug shall at any time be allowed to take more than five of such cribs into the Seven miles Narrows or into the Two miles Narrows of the said South Channel.

All persons towing logs, booms, or other timber in the said channel shall take due care to keep the said Seven miles Narrows and the said Two miles Narrows free from obstruction at such hours of the day as the mail or regular passenger steamers are expected.

Vide Canada Gazette, vol. xxvi., p. 2254.

By Order in Council of the 13th of May, 1893, under the provisions of "The Fisheries Act," chapter 95 of the Revised Statutes, permits to take bass under authority of the Order in Council dated 16th April, 1892, were revoked on and after December 31st, 1893. On and after the same day, such portion of section 2 of the general fishery regulations for Ontario of the 18th July, 1889, in so far as relates to the close season for bass, and also that portion of the Order in Council of the 26th March, 1892, relating to the close season

Department of Marine and Fisheries.

for bass in the province of Quebec were also revoked, and it was ordered that after the 1st day of January, 1894, the close season for bass in the provinces of Ontario and Quebec shall be from the 10th day of May till the 30th day of June, both days inclusive, in each and every year.

Vide Canada Gazette, vol. xxvii., p. 365.

By Order in Council of the 2nd of November, 1893, under the provisions of "The Bounty Act, 1891," 54-55 Victoria, chapter 42, the regulations governing the payment of fishing bounties issued under Orders in Council of August 20, 1892, May 10, 1893, and September 25, 1893, were rescinded, and the following substituted therefor:—

1. Fishermen who have been engaged in deep-sea fishing for fish other than shell-fish, salmon and shad, or fish taken in rivers or mouths of rivers, for at least three months, and have caught not less than 2,500 pounds of sea-fish, shall be entitled to a bounty; provided always that no bounty shall be paid to men fishing in boats measuring less than 13 feet keel, and not more than three men (the owner included) will be allowed as claimants in boats under 20 feet.

2. No bounty shall be paid upon fish caught in trap-nets, pound-nets and weirs, nor upon the fish caught in gill-nets fished by persons who are pursuing other occupations than fishing, and who devote merely an hour or two daily to fishing these nets and are not, as fishermen, steadily engaged in fishing.

3. Only one claim will be allowed in each season, even though the claimant may have fished in two vessels, or in a vessel and a boat or in two boats.

4. The owners of boats measuring not less than thirteen feet keel which have been engaged during a period of not less than three months in deep-sea fishing for fish other than shell-fish, salmon or shad, or fish taken in rivers or mouths of rivers, shall be entitled to a bounty on each such boat.

5. Canadian registered vessels of ten tons and upwards (up to 80 tons) which have been exclusively engaged during a period of not less than three months in the catch of sea-fish other than shell-fish, salmon or shad, or fish taken in rivers or mouths of rivers, shall be entitled to a bounty, to be calculated on the registered tonnage; one-half of which bounty shall be payable to the owner or owners, and the other half to the crew, except in cases where one or more of the crew shall have failed to comply with the regulations, then such share or shares shall not be paid.

6. Owners or masters of vessels intending to fish and claim bounty on their vessels must, before proceeding on a fishing voyage, procure a license from the nearest collector of customs or fishery overseer; said license to be attached to the claim when sent in for payment.

7. Dates and localities of fishing must be stated in the claim, as well as the quantity and kinds of sea-fish caught.

8. Ages of men must be given. Boys under 14 years of age are not eligible as claimants.

9. Claims must be sworn to as true and correct in all their particulars.

Department of Marine and Fisheries.

10. Claims must be filed on or before the 30th September in each year.
11. Officers authorized to receive claims will supply the requisite blanks free of charge, and after certifying the same will transmit them to the Department of Marine and Fisheries.
12. No claim in which an error has been made by the claimant or claimants shall be amended, after it has been signed and sworn to as correct.
13. Any person or persons detected making returns that are false or fraudulent in any particular will be debarred from any further participation in the bounty, and be prosecuted according to the utmost rigour of the law.
14. The amount of the bounty to be paid to fishermen and owners of boats and vessels will be fixed from time to time by the Governor in Council.
- Vide Canada Gazette*, vol. xxvii., p. 708.

By Order in Council of the 21st of October, 1893, under the provisions of "The Fisheries Act," chapter 95 of the Revised Statutes, section 2 of the General Fishery Regulations for New Brunswick was rescinded, and the following substituted in lieu thereof:—

Section 2.—Bass.

(a.) No person shall fish for, catch, kill, buy, sell or have in possession any bass between the 1st day of March and the 1st day of October in each year, in the province of New Brunswick, nor at any time shall bass of a less weight than two pounds be fished for, caught, killed, bought, sold or had in possession, and if caught by accident in nets or other fishing apparatus lawfully used for other fish, young bass of less than two pounds' weight shall be liberated alive at the cost and risk of the owner of the fishery, on whom in every case shall devolve the proof of such actual liberation: Provided that nothing contained in this regulation shall prevent any person from catching or killing bass which exceeds two pounds in weight, at all times by means of angling with a hook and line; but the possession, purchase or sale of bass so caught shall impose on the possessor, purchaser or seller the burden of proving the lawful capture thereof.

(b.) In the province of New Brunswick, bass shall not be fished for, caught or killed by means of any kind of net having meshes of a less size than five inches extension measure, nor by means of seines.

(c.) The owner or owners of nets used for the purpose of taking bass shall first obtain license therefor, and pay an annual license fee on each net legally in use of one dollar, which fee shall be paid before any such net is used, to the local fishery overseer, for transmission to the Department of Marine and Fisheries.

(d.) All persons opening holes through the ice for the purpose of taking bass shall cause the same to be marked with four evergreen bushes, each six feet in height.

Vide Canada Gazette, vol. xxvii., p. 709.

Department of Marine and Fisheries.

By Order in Council of the 28th of October, 1893, under the provisions of section 14 of chapter 79, Revised Statutes of Canada, intituled "An Act respecting the Navigation of Canadian waters," and in order to ensure the correspondence of the regulations of Her Majesty in Council with those contained in the Act relating to the navigation of Canadian waters, the modification of article 3 as stated in the schedule below quoted, was added to article 3 of the regulations for preventing collisions as contained in the 2nd section of the Act respecting the navigation of Canadian waters, to form subsection (e) to the article referred to:—

"(e.) To ensure that the red and green side lights shall show an uniform light from right ahead of the ship to two points abaft the beam on the port and starboard sides respectively, and shall not show across the bow of the ship itself, the said light must be fixed and the screens fitted so that the rays from the red and the green lights shall cross the line of the ship's keel projected ahead of the ship at a reasonable distance ahead of the ship.

"With regard to all vessels whose lights are inspected the red and green side lights will not be deemed to be fixed and fitted in accordance with the regulations unless it is so fixed and screened that a line drawn from the outside edge of the wick to the foremost end of the inboard screen of such light shall make an angle of 4 degrees, or as near thereto as may be practicable, with a line drawn parallel with the keel of the ship from the outside edge of the wick."

Vide Canada Gazette, vol. xxvii., p. 792.

By proclamation dated the 28th of October, 1893, all that part of Lake St. Francis lying west of Round Island, and bounded on the north by the Canada Atlantic Railway bridge, on the east by Clark's Island, on the south by the continuation of a line joining Valleyfield church with the transfer dock at the west end of Clark's Island, and on the west by the continuation of a line joining the north tangent of French's Island with the south tangent of Giroux Island, was exempted from the operation of section 7 of chapter 91 of the Revised Statutes of Canada, intituled "An Act respecting the protection of navigable waters."

Vide Canada Gazette, vol. xxvii., p. 830.

By Order in Council of the 27th of November, 1893, clause No. 10 of the fishing bounty regulations established by the Order in Council of the 2nd November, 1893, was amended so as to read as follows:—

"10. Claims must be filed on or before the 30th November in each year," the said clause, owing to a clerical error having been made to read "Claims must be filed on or before the 30th September in each year."

Vide Canada Gazette, vol. xxvii., p. 877.

Department of Marine and Fisheries.

By Order in Council of the 4th of December, 1893, under the provisions of section 21 of "The Fisheries Act," chapter 95 of the Revised Statutes, all the waters of the York or North River, Queen's County, Prince Edward Island, included between the bridge from Poplar Island to the west shore on the said river and a due east and west line drawn from the mouth of Forkey Creek to the opposite shore, were set apart for the natural and artificial propagation of oysters.

Vide Canada Gazette, vol. xxvii., p. 877.

By Order in Council of the 28th of December, 1893, under the provisions of "The Fisheries Act," chapter 95 of the Revised Statutes, section 6 of the general fishery regulations for the province of Nova Scotia established by the Order in Council of the 18th July, 1889, chapter 69 of the Consolidated Orders in Council of Canada; section 6 of the general fishery regulations for the province of New Brunswick established by the Order in Council of the 18th July, 1889, chapter 70 of the said Consolidated Orders; section 13 of the general fishery regulations for the province of Quebec established by the Order in Council of the 18th July, 1889, chapter 72 of the said Consolidated Orders, and section 5 of the general fishery regulations for the province of Prince Edward Island established by the Order in Council of the 18th July, 1889, chapter 73 of the said Consolidated Orders, all relative to the oyster fishery, as well as the regulations established by the Order in Council of the 9th February, 1892, respecting fishing for oysters through the ice, were rescinded, and the following regulations substituted therefor, to operate and be in force in the provinces of Quebec, New Brunswick, Nova Scotia and Prince Edward Island, in the waters of each of said provinces, namely:—

OYSTER FISHERY.

1. No person shall fish for or catch oysters without a lease or a license from the Minister of Marine and Fisheries.

2. The owner, person, or persons interested in a fishing boat employed in the oyster fishery shall cause a memorandum in writing, setting forth the name of the owner, person, or persons interested to be filed with the local fishery officer, who, if no valid objection exists, may, under instructions from the Minister of Marine and Fisheries, issue a fishery license for the same, and any boat or fishing apparatus used without such license, shall be deemed to be illegal and liable to forfeiture, together with the oysters caught therein, and the owner or person using the same shall be subject to the penalties prescribed by the Fisheries Act.

3. All boats fishing for oysters shall have a registration number corresponding with that of the license legibly marked or painted on the bow of the boat, in white coloured letters on a black ground, and the initial letter of the port to which such boat belongs, such letters to be at least eight inches in length.

Department of Marine and Fisheries.

4. Oysters shall not be fished for, caught, killed, bought, sold or had in possession between the 1st day of June and the 15th day of September, in each year, both days inclusive.

5. Fishing for oysters, or any other shell-fish through the ice is prohibited.

6. No person shall fish for, catch, kill, buy, sell, or have in possession any round oysters of a less size than two inches in diameter of shell, nor any long oysters measuring less than three inches of outer shell.

Round oysters of a less size than two inches in diameter and long oysters measuring less than three inches on the outer shell that may be accidentally caught, shall be returned to the water alive, at the cost and risk of the person so fishing, on whom, in every case, shall devolve the proof of actual liberation.

Provided always, that persons holding fishery licenses may obtain from the Minister of Marine and Fisheries, permission to fish for and catch small oysters, for the purpose of planting or stocking oyster beds.

7. Fishing for oysters is prohibited on Sunday, and from sunset to sunrise on any other day of the week.

8. No person shall dig mussel mud within 200 yards from any live oyster bed, and then only at such place or places as may be prescribed in writing by a fishery officer.

9. The use of rakes for the purpose of taking oysters on any beds prepared or planted by the Department of Marine and Fisheries, is prohibited.

Vide Canada Gazette, vol. xxvii., p. 1308.

By Order in Council of the 22nd of December, 1893, under the provisions of "The Fisheries Act," chapter 95 of the Revised Statutes of Canada, all the waters of Shediac Harbour extending from a straight line drawn S. 60° 19' E., between a station established on the south shore of Shediac River, at its mouth, being the point next north of Poirier's Point, and a station established on the most westerly point of Shediac Island (this being the north limit of the said reserve) to the north boundary of the reserve set apart on the 16th December, 1892, the whole containing an area of 492 acres, more or less, were added to the waters set apart by Order in Council of the 16th December, 1892, for the natural and artificial breeding of oysters, in the harbour of Shediac.

Vide Canada Gazette, vol. xxvii., p. 1309.

By Order in Council of the 7th of February, 1894, under the provisions of "The Fisheries Act," chapter 95 of the Revised Statutes of Canada, section 13 of the general fishery regulations for the province of Manitoba and the North-west Territories, was rescinded and the following substituted therefor:—

"13. All licenses shall be issued annually, and shall be in force for the periods hereinafter mentioned, subject, however, to the laws and regulations that may, from time to time, be in force respecting close seasons, viz. :

"'Commercial licenses' from 1st May to 31st August following, both days inclusive.

"'Domestic licenses' from the day of the date of issue to the 31st December of the same year."

Vide Canada Gazette, vol. xxvii., p. 1494.

Department of Marine and Fisheries.

By Order in Council of the 12th of February, 1894, under authority of "The Fisheries Act" (chapter 95, Revised Statutes of Canada), the season for smelt fishing by the use of bag-nets, under special license from the Minister of Marine and Fisheries, was extended from the 15th to the 25th day of February, for the year 1894 only.

Vide Canada Gazette, vol. xxvii., p. 1401.

By Order in Council of the 7th of February, 1894, under the provisions of section 21 of chapter 95 of the Revised Statutes of Canada, the following portion of Tracadie Harbour, in the county of Antigonish, province of Nova Scotia, was set apart for the natural and artificial propagation of oysters:—

"All the waters of Big Tracadie Harbour lying east of a line drawn due north and south (true) across the narrowest part of the entrance of the West Arm, situated at Tracadie, in the county of Antigonish, in the province of Nova Scotia."

Vide Canada Gazette, vol. xxvii., p. 1494.

By Order in Council of the 23rd of February, 1894, under authority of the "Pilotage Act," Revised Statutes of Canada, chapter 80, section 13, a pilotage district was established for the county of Richmond in the province of Nova Scotia, the limits thereof to extend from Point Tupper in the Straits of Canso to Cape Fourchie, and to embrace all navigable waters in and adjoining the county of Richmond, including St. Peter's Canal and the southern portions of Bras d'Or Lake.

The Order in Council of the 11th of May, 1889, establishing a pilotage district for the county of Richmond, N.S., was cancelled.

Vide Canada Gazette, vol. xxvii., p. 1579.

By Order in Council of the 3rd of March, 1894, under the provisions of "The Fisheries Act," chapter 95 of the Revised Statutes of Canada, the fishery regulations for the province of British Columbia, established by Order in Council of the 18th July, 1889, chapter 75 of the Consolidated Orders in Council, and also by Order in Council of the 14th day of March, 1890, were rescinded and the following substituted in lieu therefor:—

FISHERY REGULATIONS FOR THE PROVINCE OF BRITISH COLUMBIA.

1. Fishing by means of nets or any other fishing apparatus whatever for any kind of fish without licenses from the Minister of Marine and Fisheries is prohibited in any of the waters of the province of British Columbia.

(a). Provided always that Indians may, at any time, with the permission of the inspector of fisheries, catch fish for the purpose of providing food for themselves and their families but for no other purpose, but no Indian shall

Department of Marine and Fisheries.

spear, trap or pen fish on their spawning grounds, nor catch them during the close season, or in any place leased or set apart for the natural or artificial propagation of fish, or in any other place otherwise specially reserved.

2. Nets for catching "quinnat" or spring salmon in the tidal waters of British Columbia shall only be used from the first day of March to the 15th day of September, both days inclusive, and the meshes of such nets shall not be less than $7\frac{3}{4}$ inches in extension measurement, and nothing shall be done to practically diminish the size of meshes.

3. The meshes of nets for catching salmon, other than quinnat or spring salmon in the tidal waters, shall not be less than $5\frac{1}{2}$ inches in extension measurement, and shall only be used between the 1st day of July and the 25th day of August, both days inclusive, and between the 25th day of September and the 31st day of October, both days inclusive, in any year, and nothing shall be done to practically diminish the size of the meshes.

4. No salmon shall be taken in any of the waters of British Columbia from the 15th day of September to the 25th day of September, both days inclusive, nor from the 31st day of October to the last day of February following, both days inclusive.

5. No nets other than drift-nets shall be used for catching salmon of any kind, and such drift-nets shall only be used in tidal waters.

6. No nets of any kind shall be used for catching any kind of salmon in the inland lakes or in the fresh or non-tidal waters of rivers or streams. But Indians may, with the permission of the inspector of fisheries, use dip-nets for the purpose of providing food for themselves and their families, but for no other purposes.

7. Drift-nets shall not be used so as to obstruct more than one-third of the width of any river or stream or any branch or channel thereof, and nets shall be kept at least 250 yards apart.

8. No seines shall be used within the distance of five hundred yards from any point in any direction whatever from an imaginary line drawn across the mouth of any river or stream in British Columbia, and the points between which the said line shall be drawn shall be fixed by the inspector of fisheries.

9. No one shall fish for salmon from Saturday morning at six o'clock until the following Sunday afternoon at six o'clock. All other nets or other fishing gear set or used and all fish caught during this period 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.

10. Before any net or fishing boat or other fishing apparatus is used the owner or person interested in such net, fishing boat or fishing apparatus shall cause a memorandum in writing, setting forth the name of the owner or person interested, the length of the net or boat, and the description and size of any fishing apparatus it is the intention to use and the place where it is proposed to use the same, to be filed with the inspector of fisheries, and if no valid objection exists, the inspector of fisheries may, subject to such instructions as he may receive from time to time from the Minister of Marine and Fisheries, issue a fishery license for the same. Any net, fishing boat or fishing apparatus, used before such license has been obtained and any net, fishing boat or fishing apparatus used and not included in the description contained in

Department of Marine and Fisheries.

such license shall be deemed to be illegal and liable to forfeiture, together with the fish caught therein, and the owner or person using the same shall also be subject to the fines and penalties provided by the Fisheries Act.

11. All nets and fishing boats shall be numbered, and every boat shall have its number and the name of its owner painted on it in a conspicuous manner, and every net shall have the name of its owner or owners as well as the numbers legibly marked on buoys of wood or metal painted white, and floating on the water, attached to each end of the net, and such names and numbers shall be permanently kept on such nets and boats during the fishing season and shall be so placed and kept as to be visible without taking up the net or nets, and any net or fishing boat used without such marks shall be liable to forfeiture.

12. Each *bonâ fide* fisherman, being an actual resident of the province of British Columbia, shall be entitled to obtain one license to fish for salmon.

13. Each firm, company or person actually engaged in the business of freezing and exporting fresh salmon shall be entitled to obtain not more than *seven* licenses.

14. Each firm, company or person actually engaged in the business of shipping or exporting fresh salmon on ice not frozen or canned, shall be entitled to obtain not more than *seven* licenses.

15. Each firm, company or person actually engaged in dealing in salmon for home consumption, shall be entitled to obtain not more than *seven* licenses.

16. Each company, firm or person carrying on the business of salting, curing or smoking salmon for the domestic or foreign markets shall be entitled to obtain not more than *seven* licenses.

17. Each firm, company or person actually engaged in canning salmon for the domestic or foreign markets, shall be entitled to obtain not more than *twenty* licenses.

18. The holder of every license shall at the end of each fishing season, make a true return of all fish caught under such license.

19. No license shall be granted to any company, firm or person unless each member of such firm or company or such person is a British subject, and such firm or company or person must be the actual owners or proprietors of the business, nets, boats and fishing gear for which the licenses are granted, and all salmon caught for the purpose of being frozen, canned, salted, cured or smoked shall be so frozen, canned, salted, cured or smoked in the province of British Columbia.

20. No license shall be transferable under any circumstances, unless the written consent of the Minister of Marine and Fisheries has first been obtained.

21. All licenses granted under sections 12, 13, 14, 15, 16 and 17, shall be called a "commercial" license, and no net to be used under any such "commercial" license shall exceed in length *three hundred yards*, and the fee for such "commercial" license shall be ten dollars (\$10.00).

22. Every settler or farmer actually residing on his lands or with his family being a British subject, shall be entitled to obtain one license, by applying therefor to the inspector of fisheries, and under such license may fish in any of the waters of British Columbia, except in any prescribed limits at the mouths of rivers or streams or during the close seasons, or in any place leased or set apart for the natural or artificial propagation of fish or in any other place otherwise specially reserved. Such license shall be called a "domestic"

Department of Marine and Fisheries.

license. No net to be used under any "domestic" license shall exceed *three hundred yards* in length. The meshes shall be of the same size as those under "commercial" licenses, and such nets shall only be used for obtaining fish for the use of the owners' families and not for sale, trade or barter; the fee for a "domestic" license shall be one dollar (\$1.00).

23. No person shall fish for, kill, buy, sell or have in possession in the province of British Columbia any young of the salmon, such as fry, parr, smolt or grilse under three pounds in weight, and if any such young are caught by accident in nets or other fishing apparatus, they shall be liberated alive at the cost and risk of the owner of such net or apparatus.

24. Holders of licenses for using nets to catch salmon-trout and whitefish in the lakes in the province of British Columbia, may use gill-nets, such nets not to exceed *one thousand yards* in length, with meshes not less than five inches extension measure. The fee for a license to catch salmon-trout and whitefish shall be five dollars (\$5.00).

25. No one shall fish for, catch, buy, sell or possess in the province of British Columbia any salmon-trout or whitefish from the first day of October to the thirtieth day of November, both days inclusive.

26. No one shall fish for, catch, kill, buy, sell or possess any brook-trout of any kind, or speckled-trout, between the fifteenth day of October and the fifteenth day of March, both days inclusive. But Indians may at any time catch such trout for the purpose of providing food for themselves and their families, but for no other purpose.

27. No one shall at any time fish for, catch or kill brook-trout of any kind or speckled-trout by means other than angling with hook and line, and this restriction shall apply to Indians.

28. The use of firearms of any kind, explosive materials, spears of any description, or torch or other lights to kill fish is prohibited in the province of British Columbia.

29. All materials, implements, nets, appliances or gear of any kind used, and all fish caught, taken, killed, bought, sold or possessed in violation of any of the above regulations shall be seized and confiscated, and any person or persons, or company violating any of the above regulations shall also incur the other penalties provided by the Fisheries Act.

30. The above regulations shall come into force on the first day of May, 1894, and thereafter all former regulations relating to the fisheries in the province of British Columbia shall be superseded and repealed.

Vide Canada Gazette, vol. xxvii., p. 1579.

By Order in Council of the 9th of March, 1894, under the provisions of "The Fisheries Act" (chapter 95 of the Revised Statutes of Canada), it was ordered that, on the island of Cape Breton, in the province of Nova Scotia, it shall be lawful to fish for, catch and kill salmon, with rod and line, in the manner known as fly surface fishing, between the first day of February and the thirty-first day of August, both days inclusive.

All existing regulations inconsistent with this Order were rescinded.

Vide Canada Gazette, vol. xxvii., p. 1631.

Department of Marine and Fisheries.

By Order in Council of the 12th of March, 1894, under the provisions of "The Fisheries Act," chapter 95 of the Revised Statutes of Canada, section No. 5 of the regulations relating to fishing in Manitoba and the North-west Territories, established by Order in Council of the 4th of January, 1892, was rescinded and the following substituted in lieu thereof:—

"5. To prevent the great destruction of fish in many cases unfit for the market, or for human food, caused by catching them in gill-nets during inclement weather, 'commercial licenses' for gill-net fishing in Lake Winnipeg will not be granted after the season of 1894."

Vide Canada Gazette, vol. xxvii., p. 1631.

By Order in Council of the 21st of March, 1894, under authority of "The Fisheries Act," chapter 95 of the Revised Statutes of Canada, the general fishery regulations for the province of Ontario, established by Order in Council on the 18th day of July, 1889, were amended as follows:—

1. In Lakes Wabigon, Eagle, Dryberry No. 2, Whitefish, Crow, Hawk, Shoal, Rainy and Bear, all in the district of Rainy River, the Minister of Marine and Fisheries may grant, upon application, to every settler or farmer, actually residing on his land, or with his family, who is a British subject and the *bona fide* owner of the nets, boats and fishing gear employed, one license to use gill-nets for fishing in the waters and within the limits, and during the period described in such license. The gill-nets to have meshes measuring not less than five inches extension measure, and not to exceed 900 yards in length. The number of yards to be as stated in the license.

2. The fee on each license of 300 yards shall be \$3; over 300 yards and under 600, \$4; over 600 yards and under 900, \$6.

3. No one shall fish with nets within one mile of any rapid, mouth or source of rivers.

4. The use of seines, pound-nets, trap-nets, fyke-nets, hoop-nets, bag-nets, scoop-nets and spears is forbidden for the purpose of catching fish in the above named waters.

Vide Canada Gazette, vol. xxvii., p. 1730.

By Order in Council of the 6th of April, 1894, under the provisions of "The Fisheries Act," chapter 95 of the Revised Statutes, the following fishery regulation was made:—

LOBSTER FISHERY AT THE MAGDALEN ISLANDS.

No one shall fish for, catch, or kill any lobsters, at any time, in the lagoons of the Magdalen Islands, province of Quebec.

This regulation shall come into force on the first day of January, 1895.

Vide Canada Gazette, vol. xxvii., p. 1778.

Department of Marine and Fisheries.

By Order in Council of the 28th of March, 1894, under the provisions of chapter 95 of the Revised Statutes of Canada, intituled "The Fisheries Act," the use of trawls for the purpose of catching lobsters was prohibited in the waters of the counties of Gaspé and Bonaventure.

Vide Canada Gazette, vol. xxvii., 1778.

By Order in Council of the 10th of April, 1894, under the provisions of chapter 95 of the Revised Statutes of Canada, intituled "The Fisheries Act," the following fishery regulations for the protection of the cod-fishery in the gulf of St. Lawrence were enacted:—

FISHERY REGULATIONS RESPECTING COD-FISHING IN THE GULF OF ST. LAWRENCE.

1. Fishing by means of cod trap-nets without a license from the Minister of Marine and Fisheries is prohibited in the waters of the gulf of St. Lawrence.
2. Residents on the coast shall, in every instance, have prior claims to license for fishing by means of cod trap-nets.
3. Cod traps shall not be set near the mouth of any river frequented by salmon, or in such a manner or at such places, as to obstruct or interfere with the passage of salmon.
4. All cod trap-nets shall be placed at distances of not less than two hundred and fifty yards apart, and no fishing apparatus of any kind shall be set, or used in or about any part of the water between cod trap-nets. Provided always, that any fishery officer may direct, either in writing, or orally on sight, that any greater space than two hundred and fifty yards shall be left between cod trap-nets, and any cod trap-nets or other fishing apparatus which the owner or person using the same neglects or refuses to remove in accordance with such directions, shall be deemed to be illegal and liable to forfeiture together with the fish caught therein, and the owner or person using the same shall also be subject to the fines and penalties provided by the Fisheries Act.
5. Not more than one cod trap-net license shall be allowed for each vessel engaged in the fishery.
6. The leader of each cod trap-net shall, in every case, extend from the shore, and any fishery officer may determine in writing, or orally, the length of leader that shall be used.
7. The pots of cod trap-nets shall have meshes of at least four inches extension measure, and the leaders shall have meshes of at least six inches extension, and nothing shall be done to practically diminish the size of the meshes.
8. The fee on cod trap-nets shall be fifty cents for each fathom in length of leader, and such fee shall be payable in advance.
9. The use of "bultows" and gill-nets for the purpose of catching cod is prohibited within a distance of three miles from the main shore or the shore of any island.

Department of Marine and Fisheries.

10. The use of "jiggers" for the purpose of catching or killing cod is prohibited.

11. All materials, implements, nets, appliances or gear of any kind used, and all fish caught, taken, killed, bought, sold or possessed in violation of any of the above regulations shall be seized and confiscated, and any person or persons violating any of the above regulations shall also incur the other penalties provided by the Fisheries Act.

Vide Canada Gazette, vol. xxvii., p. 1827.

By Order in Council of the 28th of April, 1894, under authority of "The Fisheries Act," chapter 95 of the Revised Statutes of Canada, section 16, fishing with nets of any kind in the waters of Lake des Chats was prohibited for a further period of five years from the 22nd of May, 1894, and it was ordered that during such period no mode of fishing in the said lake should be permitted except angling with hook and line or with night lines.

Vide Canada Gazette, vol. xxvii., p. 1993.

By Order in Council of the 23rd of April, 1894, under the provisions of chapter 86 of the Revised Statutes of Canada, intituled "The Harbour Masters Act," the following sections were added to the regulations respecting harbour masters, established by Order in Council of the 12th June, 1889, chapter 79 of the Consolidated Orders in Council:—

Section 36. Steam vessels using the ports of Victoria and Esquimalt shall be required to go slow, and, if necessary, stop their engines altogether when nearing places where submarine works are being operated. Any neglect of this precaution will render the vessel liable for any damages that may accrue.

Section 37. The portion of Esquimalt Harbour known as Constance Cove, and situated eastward of a line drawn between Duntze Head and Ashe Head is hereby designated the Man-of-War Anchorage, and such portion of the harbour shall, until otherwise ordered, be set apart for the use of Her Majesty's ships, it being understood that access to the coves shall at all times be allowed to vessels desiring to make use of the graving dock situated there, and to vessels requiring to proceed to the different wharfs situated on the shores of Constance Cove.

Vide Canada Gazette, vol. xxvii., p. 1994.

By Order in Council of the 8th of May, 1894, under the provisions of chapter 73 of the Revised Statutes of Canada and the amendments thereto, the existing rules and regulations for the examination of applicants for certificates of competency or service as masters and mates in the coasting trade and on the inland waters of Canada were repealed, and new rules and regulations as therein stated were substituted therefor.

Vide Canada Gazette, vol. xxvii., p. 1996.

Department of Marine and Fisheries.

By Order in Council of the 8th of May, 1894, under the authority of "The Fisheries Act," chapter 95 of the Revised Statutes of Canada, the following consolidated regulations relating to fishing in Manitoba and the North-west Territories were substituted for those previously existing under Orders in Council of January 4, 1892, December 28, 1893, February 7, 1894, and the 8th and 12th March, 1894 :—

REGULATIONS RELATING TO FISHING IN MANITOBA AND THE NORTH-WEST TERRITORIES.

1. There shall be two kinds of licenses for fishing in the province of Manitoba and the North-west Territories, to be designated "commercial licenses" and "domestic licenses"; and no licenses shall be granted to any company, firm or person unless each member of such firm or company, or such person is a British subject, resident in Canada, and such firm, or company, or person must be the actual owner or proprietor of the business, nets, boats, and fishing gear for which the licenses are granted.

2. Every company, firm, trader, or person, fishing for trade and commerce in that part of Lake Winnipeg hereinafter specified, shall have a "commercial license," and the applicant for such license shall, in the application thereof, mention the number of tugs and other boats, to be employed under such license, as well as the length, size and description of nets to be used, and that such license is applied for for the purpose of fishing in Lake Winnipeg only, and outside the excluded limits, as shown on the map descriptive of Lake Winnipeg, which accompanied the Annual Fisheries Report of 1890.

3. No fishing tug shall fish with more than 10,000 yards of gill-nets, and no trading or sailing boat shall fish with more than 3,000 yards of gill-nets, and all gill-nets so used shall be not less than five (5) inches extension measure in the size of the mesh.

4. The fee payable on a "commercial license" for gill-net fishing shall be, for every fishing tug included in such license \$20, and in addition a fee of \$2 for every thousand yards of net included in the license, and for every sailing, trading or other fishing boat included in a "commercial license" a fee of \$10 shall be paid, which shall include a limit of 3,000 yards of net to each boat, but in no case shall a "commercial license" be granted to any one company, firm, trader or person for the use of more than in the whole 20,000 yards of net, and no company, firm, trader or person shall have or be interested in more than one "commercial license."

5. To prevent the great destruction of fish, in many cases unfit for the market, or for human food, caused by catching them in gill-nets during inclement weather, "commercial licenses" for gill-net fishing in Lake Winnipeg will not be granted after the season of 1894.

6. Every farmer, settler, or *bonâ fide* fisherman, Indian or half-breed, who is an actual resident of the locality where he proposes to fish, shall be entitled to a "domestic license." The holder of a "domestic license" (except in the case of a license for seine fishing), shall be entitled to fish with not more than 300 yards of net. A fee of \$2 shall be paid for each "domestic license."

Applicants for "domestic license" shall describe in their applications the locality and the nets or other apparatus which they desire included in the license, and also the kinds of fish they desire to be licensed to catch.

Department of Marine and Fisheries.

Nets for catching whitefish, trout, or tullibee, or nets used on the grounds usually frequented by these fish, shall have a mesh of not less than 5 inches extension measure; provided that when the applicants apply for a license to fish for other fish than the above named in a locality not frequented by whitefish, tullibee, or trout, then the mesh may be not less than 4 inches extension measure.

A "domestic" fishing license may be granted for any of the waters of Manitoba and the North-west Territories; provided, however, that no description of net, or other fishing apparatus, whatsoever, shall be used under a "domestic" or other license, within a radius of half a mile of the mouth or outlet of any river, or stream, flowing into or out of any of the lakes of Manitoba or the North-west Territories.

Gill-nets may be allowed under a "domestic license" to a limit not exceeding one thousand yards, in the cases only of the resident settlers on Lake Winnipeg, and for their winter fishing only on said lake.

7. The holder of a "domestic license" for net fishing for sturgeon, shall be entitled to use not more than 300 yards of gill-net, with a mesh of not less than 12 inches extension measure.

A fee of \$2 shall be paid for each such license.

8. The holder of a "domestic license" for seine fishing shall be entitled to use a seine not exceeding 66 yards in length, with the mesh not less than 4 inches extension measure. Provided always that the use of seines and nets having meshes of no less than 3 inches extension measure may be allowed in the Red River, for the purpose of catching gold-eyes.

A fee of \$25 shall be paid for each such license.

9. No "commercial" or "domestic license" shall be issued until the fees therefore have been paid; such fees being payable strictly in advance.

10. Fishing by means of nets or other apparatus, without leases or licenses, is prohibited in the waters of Manitoba and the North-west Territories.

11. The following shall be the close seasons during which the several fish herein mentioned shall not be fished for, caught, killed, bought, sold or had in possession by any one whomsoever:—

(a.) Whitefish, salmon-trout or lake trout, and tullibee, between the 5th October and the 15th December in each year, both days inclusive;

Provided that the close season for these fish in Lake Winnipeg, to be observed and kept by the resident settlers around said lake under their "domestic license" shall be between the 5th October and the 30th November in each year, both days inclusive.

(b.) Pickerel (doré), gold-eyes, pike, mullets, and maskinongé, between 15th April and 15th May, both days inclusive;

(c.) Speckled-trout of every kind, between 15th September and 1st May, both days inclusive;

(d.) Sturgeon, between 15th May and 15th July in each year, both days inclusive;

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 Saturday afternoon to six o'clock on every following Monday forenoon, and during such close time no one shall catch fish

Department of Marine and Fisheries.

by any means whatsoever; and any fish so taken, caught or killed, together with the nets or other apparatus used shall be forfeited.

13. All licenses shall be issued annually and shall be in force for the periods hereinafter mentioned, subject, however, to the laws and regulations that may from time to time be in force respecting close seasons, viz. :—“ Commercial licenses ” from 1st May to 31st August following, both days inclusive; “ domestic licenses ” from the day of the date of issue to the 31st December of the same year.

14. No one shall use a bag-net, trap-net or “ fish-pound,” for capturing fish in the waters of Manitoba or the North-west Territories, except under the following conditions :—

The holder of a “ commercial license ” issued for that purpose, may engage in pound-net fishing after the season of 1893, within the prescribed limits for fishing under “ commercial licenses,” in Lake Winnipeg only :

Provided that no company, firm, trader, or person, shall use, or be licensed to use more than four pound nets; and provided also that no company, firm, trader or person shall at the same time hold licenses for the use of both gill-nets and pound-nets.

The mesh of pound or trap-nets of every description shall be not less than four and one-half inches extension measure in the “ pots,” “ pounds,” “ hearts,” and “ tunnels,” and not less than seven inches in the “ bar ” or “ leader,”—double-headed pounds are hereby prohibited.

The fee payable on a “ commercial license ” for pound-net fishing shall be \$50 for each pound-net included in the license, together with a fee of 10 cents for every fathom length of the leader to such net.

15. Lime, chemical substances, or drugs, poisonous matter, dead, or decaying fish, saw-dust and mill rubbish, or any other deleterious substances, shall not be thrown into, or be allowed to pass into, or be left or remain in any water frequented by fish in Manitoba and the North-west Territories; and any person violating this regulation shall incur a penalty not exceeding one hundred dollars.

16. These regulations shall apply to Indians and half-breeds, as well as to settlers and all other persons; provided always that the Minister of Marine and Fisheries may from time to time set apart for the exclusive use of the Indians, such waters as he may deem necessary, and may grant to Indians or their bands, free licenses to fish during the close seasons, for themselves or their bands, for the purposes of providing food for themselves, but not for the purpose of sale, barter or traffic.

17. The use of explosive materials of any kind to catch or kill fish is prohibited in the waters of Manitoba and the North-west Territories, and the use of spears, grapnel-hooks, negogs, nishagans and firearms for killing fish is also prohibited :

Provided always, that special licenses may be issued to Indians or Indian bands permitting them to catch and kill fish in the manner specified in such license for the sole purpose of providing themselves or their bands with food.

18. No trader, pedlar, hawker or any other person whomsoever, shall engage in buying, trading, or otherwise obtain or be in possession of fish of any description, caught or killed by Indians, half-breeds, or any other person

Department of Marine and Fisheries.

whomsoever, on any Indian reserve, or elsewhere during the close seasons fixed by law, and in which Indians are permitted by license or otherwise to catch fish for the sole purpose of providing food for themselves or their bands.

19. For the information of persons obtaining licenses under these regulations, every license shall have the regulations printed upon it.

20. The Minister of Marine and Fisheries having determined that it is necessary in the public interest, every dam, slide, or other obstruction, made or to be made, across or in any river or stream in Manitoba or the North-west Territories, shall have the necessary fish-pass as provided by section 13 of the Fisheries Act, and no net or other device shall be used to catch or kill fish, or obstruct their passage up or down any river or stream within 200 yards of any such dam, slide, sluice or fish-pass therein; nor in any other parts of such rivers and streams, without leaving at least one-half of the main channel thereof wholly freed from the operations of any such net or other device, as aforesaid.

21. These regulations shall supersede all former regulations heretofore made under the Fisheries Act, which relate to the fisheries in the waters of Manitoba and the North-west Territories of Canada, and such former regulations are hereby repealed.

22. All materials, implements or appliances used and all fish caught, taken or killed in violation of these regulations shall be seized and confiscated, and any person or persons violating these regulations shall incur the penalties provided by the Fisheries Act.

Vide Canada Gazette, vol. xxvii., p. 2047.

By Proclamation of the 21st of May, 1894, under the provisions of the Revised Statutes of Canada, chapter 86, intituled "An Act respecting Harbour Masters," the said Act was made to apply to the port of Weymouth, in the county of Digby, in the province of Nova Scotia.

Vide Canada Gazette, vol. xxvii., p. 2233.

By Order in Council of the 9th of June, 1894, under authority of the 3rd section of the Act 54-55 Victoria, chapter 36, intituled "An Act respecting the shipping of Live Stock," the second section of the rules and regulations established to regulate the shipment of cattle from Canada across the Atlantic Ocean was repealed and the following substituted therefor:—

Space No. 2.—Fat cattle carried on the upper or spar deck, or any other deck, must be given a space of 2 feet 8 inches, clear in width by 8 feet clear in length, each, and not less than 6 feet 3 inches in height (but pens for sheep shall not be less than 7 feet in height, divided into two compartments 3 feet 6 inches in height each), and in no case shall more than four head of cattle be allowed in each pen except at the end of a row, where five may be allowed together, provided, however, that five cattle, each 1,000 lbs. weight or under, commonly known as "stockers" may be carried in a pen instead of four fat cattle. As regards space for sheep, not more than eight or ten sheep will be counted equal to one fat ox, according to the discretion of the inspector. Cows in calf are to be given the same space as fat oxen.

Vide Canada Gazette, vol. xxvii., p. 2373.

Department of Public Works.

Department of Public Works.

By Order in Council of the 13th of April, 1893, under authority of "The Public Works Act," chapter 36 of the Revised Statutes, and chapter 98 of the Revised Statutes, intituled "An Act respecting Tolls on Government Works for the transmission of Timber," the annexed rules and regulations were made for the management, maintenance, proper use and protection of the government slides, booms and works in the Trent and Newcastle District, to be in lieu of all rules, regulations, tolls and dues heretofore in force :—

REGULATIONS for the management, maintenance, proper use and protection of the slides and booms and works connected therewith, and water stretches in the Trent and Newcastle District, and for the collection of tolls and dues thereon.

NOTE.—The words "rafts or parcels of timber" wherever they occur in these rules and regulations are intended to cover saw-logs and all other kinds of wood goods that may pass through the slides and other works.

Section 1.—The government slides, booms and other works and the water stretches connected therewith in the Trent and Newcastle District, shall be under the control and management of the superintendent of the works for this district, or in case there should be no superintendent, or in the absence of such an officer, under the control and management of the slide-master, deputy slide-master or other officer duly appointed by the Minister of Public Works; and these officers and no others shall have the power of regulating the supply of water required for the passage of timber or of allotting the space for rafting or mooring timber, of determining the quantity of timber that may pass daily through the slides or booms, of awarding the amount that may be due by the owner or owners of timber or persons in charge thereof for damages that may have been done to any of the works, of imposing fines or penalties for any violation of these regulations, of seizing the timber and of detaining or selling the same at public auction, as hereinafter provided, and of recovering the penalties or damages, when the owners of timber or persons in charge thereof refuse or neglect to pay the same; and the orders of the said superintendent of the works, slide-master, deputy slide-master or other officer duly appointed as aforesaid, must in all cases be obeyed by the owners of timber or their employees, who, in case of refusal or neglect to obey such orders, shall be subject to the fines or penalties hereinafter imposed, as the case may be.

Section 2.—No raft or parcel of timber shall be permitted to enter any government slide, for the purpose of passing through, without the owner or person in charge of such raft or parcel of timber first giving notice thereof to, and obtaining permission from, the superintendent, slide-master, deputy slide-master, or other officer, as the case may be, duly appointed as aforesaid, under a penalty of not less than four dollars, and not more than twenty dollars.

Section 3.—The owner or person in charge of any raft or parcel of timber previous to entering any of the government slides, for the purpose of passing

Department of Public Works.

such raft or parcel of timber through the same, shall make a full and complete report of such raft or parcel of timber, containing an account of the number of cribs, pieces, and the description of timber composing the raft or parcel of timber, the name and designation of the owner or owners, together with marks and all other particulars relating thereto; and shall also, before removing the same from any slide, boom or public work connected therewith, subscribe and deliver to the said superintendent, slide-master, deputy slide-master, or other officer, as the case may be, duly appointed as aforesaid, an acknowledgment in duplicate, certifying the number and description of cribs or of timber so passed, and shall pay the slide dues, or secure the same to the satisfaction of the collector of slide dues, under a penalty of not less than twenty dollars and not more than two hundred dollars, and shall further pay double the amount of dues which would otherwise be payable, on any raft or parcel of timber passing such slide without such acknowledgment.

Section 4.—The collector of slide dues, or any person or persons duly authorized by him in that behalf, shall at all hours during the day, have free access, and full power and permission to enter and remain as long as he or they may see fit upon any raft or parcel of timber, for the purpose of examining the same, and every facility shall be afforded him or them for ascertaining the number of cribs or number of pieces and description of timber of which the same is composed, and any person obstructing the collector of slide dues, slide-master or other persons duly authorized as aforesaid, in the execution of his or their duty shall incur a penalty of not less than fifty dollars and not more than two hundred dollars.

Section 5.—It shall be competent for the collector of slide dues, the superintendent of these works, their deputy or deputies, assistant or assistants, or persons duly authorized by him or them, to enter upon, seize and detain, at the risk, costs and charges of the owner or owners thereof, any raft or parcel of timber which shall have been moved away from any of the government slides, booms or works, without the slide dues thereof, the amount awarded for damages or the fines or penalties, if any, being first paid or secured to his satisfaction, and any and every person obstructing the collector of slide dues, or other person or persons duly authorized as aforesaid, in the execution of his or their duty, shall incur a penalty of not less than twenty dollars and not more than two hundred dollars.

Section 6.—Rafts, cribs and every description of timber shall be held liable for the dues, damages and penalties imposed under these regulations; and the slide-master or other duly appointed officer is hereby authorized and required to seize and detain any such raft, crib or parcel of timber until payment of such dues, damages and penalties is made, or until the owner or person in charge shall have given satisfactory security for the payment thereof, within thirty days after the same shall have been declared to be incurred or shall have been demanded, and in default of such payment being made within the said term of thirty days, then the said slide-master or other officer duly authorized may proceed to sell by public auction any such raft, crib, or parcel of timber, but at least two weeks' notice of the day of the intended sale by auction shall in the meantime have been given and have been duly inserted in one or more of the public newspapers published at the nearest place to the

Department of Public Works.

said works, and a copy of said notice shall also have been placarded during the same time (two weeks before the intended sale) in a public and conspicuous place at or near the said works where the raft, crib, or timber is lying; and if the costs attendant on such auction sale as well as all other costs, damages and penalties imposed or awarded cannot be realized from the timber so seized and sold, the same shall be recoverable from the owner of said raft, crib or parcel of timber.

Section 7.—On the arrival of any description of timber at or near any of the government slides, booms or works the owner thereof or person in charge of the same shall immediately send a sufficient number of men to pass said timber through the said slides, booms or works and also at every other point which the said superintendent may indicate, to prevent all such damage to the works or obstruction to navigation or other free use of the river as might arise from the accumulation of logs or other timber against the booms or in the channels or bends in the river, or from logs or other pieces of timber escaping under the booms or going over them, and shall not allow the timber to accumulate at the head of the said slides, booms or works, or to obstruct the passage of other timber to or from the said slides, booms or works; and if a “jam” of any description of timber takes place in any of the said slides, booms or works or near the same, the owner or person in charge shall at once remove the “jam” or obstruction under the direction of the slide master or officer acting in that capacity; and in case the owner or person in charge of said timber should refuse or neglect to remove the same within forty-eight hours the said slide-master or officer or person by him authorized in that behalf, shall have the power of removing the same at the proper costs, risks and expenses of the owners thereof, who shall be subject to a penalty of not less than fifty dollars and not more than one hundred dollars for every day during which their timber shall obstruct the passage of other timber, over and above the amount that may be awarded by the slide-master, or superintendent of the work, as well for the expenses of removing the same as for any damage that may have been done in consequence of such refusal or neglect.

Section 8.—No raft or parcel of timber shall be moored or banded up nearer to the entrance to or the outlet of any of the government slides, booms, or works than the berths pointed out by the slide-master or officer acting in that capacity; and when permission shall be granted to the owner or persons in charge of any raft or parcel of timber to place any pocket boom, raft or timber in or near the said slides, booms or works, the owners or persons in charge of such raft, timber or pocket boom shall not in any case take any more or other space or place than the berth or berths allotted by the said slide-master, or other officer in charge of the works, and shall at any time, when directed so to do by the said slide-master or other officer in charge of the works, move the said raft or timber from place to place, or remove the same entirely, under a penalty of not less than twenty dollars and not more than fifty dollars in case of refusal or neglect on the part of the said owners or persons in charge of timber, rafts or pocket booms to comply with the requirements of this section.

Section 9.—Where separate channels are provided for the passage of logs and other timber these alone are to be used therefor. Where separate channels are

Department of Public Works.

not provided for the passage of logs and timber the owners or persons in charge will be required to make them up in separate parcels of not more than fifteen thousand (15,000) pieces in each bag, except in cases where the entire drive does not exceed twenty thousand (20,000) pieces, in which case one bag will be permitted, and in no case whatsoever shall any two bags be within one-quarter of a mile of each other, while in motion, under a penalty of not less than fifty dollars nor more than two hundred dollars.

Section 10.—No person will be allowed to make fast or snub to any of the booms nor shall they crowd or force their logs down any channel so as to alter or change the position of any boom, under a penalty of not less than twenty dollars nor more than one hundred dollars.

Section 11.—Any person changing or altering the position of any boom by releasing the same from the piers or anchors to which it is secured, unless by authority of the superintendent of these works, shall incur a penalty of not less than one hundred dollars nor more than five hundred dollars.

Section 12.—The owner as well as the person in charge of any parcel of timber, shall be held jointly and severally responsible for any injury or damage done to any of the slides, dams, booms, piers or other public works in the said Newcastle District by any of the parties in the employment of such owner or person in charge, and it shall and may be lawful for the said superintendent, or other person acting for him, to seize and detain such parcel of timber until the injury so done shall be repaired, or until satisfactory security shall have been given for the payment of the amount at which such injury or damage shall be estimated by the superintendent.

Section 13.—Every person who shall wilfully do any injury or damage to any of the slides, or to any of the booms, dams, piers or to other public works in the said Newcastle District, and every person who shall aid or assist in so doing any such injury or damage, shall, for every such offence, incur a penalty of not less than one hundred dollars, and not exceeding two hundred dollars, over and above the amount at which such injury or damage shall be estimated by the superintendent as hereinbefore provided.

Section 14.—Any person who shall oppose, hinder or obstruct, or who shall aid any other person in opposing, hindering or obstructing any superintendent of public works, collector of dues, boom-keeper, or other officer or person duly authorized by any such officer, in the execution of his duty, shall incur a penalty of not less than twenty dollars, and not exceeding two hundred dollars.

Section 15.—The penalties, awards for damage to the government works, infringement of these regulations or expenses incurred by the superintendent or other officer for the removal of timber or saw-logs as hereinbefore prescribed, shall be a first lien on the said timber or saw-logs, and shall be recoverable in the same manner or process as defined in section 6 of these regulations.

Section 16.—If the owner or party in charge of any parcel of timber, saw-logs, etc., refuse or neglect to furnish satisfactory acknowledgments of the quantities of timber, saw-logs, etc., which have passed over any work, or who have given erroneous returns, or who refuse payment of the tolls or dues herein provided, the slide-master or person in charge of any work may at the request of the collector of slide dues, prevent the passage of any logs, timber,

Department of Public Works.

etc., belonging to such parties until the requirements of the regulations be complied with, and any attempt to force a passage through any of the slides or works for such timber, saw-logs, etc., so detained, shall be punishable by a fine of not more than five hundred dollars, and not less than one hundred dollars, and such timber may be seized and detained until such penalty is paid or secured to the satisfaction of the collector of slide dues.

Section 17.—Every saw-mill owner or person in charge of or operating a saw-mill, and every other person dealing in timber, saw-logs, sawn timber or other wood goods, shall furnish to the collector of tolls and dues on or before the 1st day of September in each year a statement upon oath or solemn declaration under the statute in that behalf, and upon a printed form which will be furnished by the collector upon application, showing the undermentioned particulars as to all such goods made or acquired by him during the preceding lumbering season and up to the said date, or from the end of the period covered by the last preceding report under this or the following section, and on or before the 15th day of October in each year a similar statement as to all such goods made or acquired by him subsequent to the 1st day of September, or date of previous return. Such statements or returns shall describe in detail all goods comprised therein, setting out as to such goods respectively the following particulars:—

Whether the same was made by the party furnishing the return or were purchased by him from others, and, if made by himself, the name of the foreman employed by him, and if purchased, the name of the vendor.

The river or stream from which the same come:

Where the same are at the time of the return:

The slides, booms or other works used by them:

As nearly as possible the length thereof (excepting saw-logs and square timber) and such other particulars as may be required by the printed form of return to be furnished by the collector.

Any person making default under this section shall, subject to the limitation provided by section three of the said Act, incur and pay a penalty of ten dollars a day for each of the first thirty days of such default and for each day thereafter a penalty of twenty-five dollars.

Section 18.—The collector of tolls and dues may at any time demand from any person required to make returns under the next preceding section, a return showing the stock then in possession of such person or the goods made or acquired by him since the date of his last return, and every return under this section shall set out with reference to such stock or the goods so made or acquired, all the particulars mentioned in the next preceding section, or such of them as may be specified in the demand, and every return called for under this section shall be made within five days after the same is demanded under the like penalties for default as are prescribed in the seventeenth section of these regulations.

Section 19.—If in the opinion of the collector of tolls and dues any return required under either of the two next preceding sections is incomplete or unsatisfactory in any way he may call upon the party furnishing such return to amend or ratify the same and should such party fail within five days after such demand to comply therewith he shall incur and pay the like penalties as are prescribed in the seventeenth clause of these regulations.

Department of Public Works.

Section 20.—The dues or tolls on all slides or works shall be paid as provided in section 3 of these regulations or when demanded, but in every case before the 31st day of December of the year in which such dues shall have accrued without prejudice to the right of the Crown to enforce payment at any prior date. After that date the collector shall be bound by all means in his power to collect such dues. Interest at the rate of 6 per cent per annum shall be charged on the whole amount of dues accrued unpaid on the 31st day of December.

TARIFF of tolls for the passage of Timber, saw-logs, etc., through the Newcastle District Works.

From Cameron Lake to Sturgeon Lake—

	Per piece.
Square timber.....	3 cts.
Saw-logs	3 4 “
Boom timber.....	11 2 “
Railroad ties, round or flat, 8 feet long.....	3 “
Fence posts, round, 8 feet long.....	16 3 “
Cedars, 16 feet long.....	3 2 “

Below Bobcaygeon to below Buckhorn—

Square timber.....	11 2 “
Saw-logs	3 4 “
Boom timber.....	3 4 “
Railroad ties, round or flat, 8 feet long	3 “
Fence posts, round, 8 feet long.....	3 2 “
Cedars, 16 feet long and under 25 feet long.....	3 16 “

From Buckhorn to below Burleigh—

Same rates as from below Bobcaygeon to below Buckhorn.

From below Burleigh to below Lakefield—

Same rates as from Cameron Lake to Sturgeon Lake.

Below Lakefield to Heely's Falls—

Same rates as from below Bobcaygeon to below Buckhorn.

GENERAL PROVISIONS.

Telegraph poles or cedars—

	Saw-logs.
25 feet and under 35 feet long to be charged for as.....	2
35 feet to 40 feet long to be charged for as.....	2 1/2
40 feet to 50 feet long to be charged for as.....	3
50 feet and upwards to be charged for as.....	4
Pulp-wood, one cord to be charged for as	4
Spool-wood, one cord to be charged for as.....	4
Firewood, one cord to be charged for as.....	3
Shingle bolts, one cord to be charged for as.....	4

Vide Canada Gazette, vol. XXVI., p. 2076.

Department of Public Works.

By Order in Council of the 13th of April, 1893, under authority of "The Public Works Act," chapter 36 of the Revised Statutes, and chapter 98 of the Revised Statutes, intituled "An Act respecting Tolls on Government Works for the transmission of Timber," the following rules and regulations were made for the management, maintenance, proper use and protection of the government timber slides and other works constructed to facilitate the transmission of timber, lumber and saw-logs on the St. Maurice River and its tributaries, to be in lieu of all rules, regulations, tolls and dues heretofore in force in respect of such works :—

REGULATIONS.

NOTE.—The words "rafts or parcels of timber" wherever occurring in these regulations shall be held to mean saw-logs, railroad ties and all other kinds of wood goods.

Section 1.—The government slides, booms and other works connected therewith in St. Maurice district shall be under the control and management of the superintendent of the works for that district, or in case there should be no superintendent, or in the absence of such an officer, under the control and management of some other officer duly appointed by the Minister of Public Works; and these officers, and no others, shall have the power of regulating the supply of water required for the passage of timber, of allotting the space for rafting or mooring timber, of determining the quantity of timber that may pass daily through the slide or booms, of awarding the amount that may be due by the owner or owners of timber or persons in charge thereof for damages that may have been done to any of the works, of imposing fines or penalties for any violation of the slide regulations, of seizing the timber, and of detaining or selling the same at public auction, as hereinafter provided, and of recovering the said dues, penalties or damages, when the owners of timber or persons in charge thereof refuse or neglect to pay the same; and the orders of the said superintendent of the works, or other officer duly appointed as aforesaid, must in all cases be obeyed by the owners of timber or their employees, who, in case of refusal or neglect to obey such orders, shall be subject to the fines or penalties hereinafter imposed, as the case may be.

Section 2.—The owner of every parcel of squared timber, saw-logs or other timber proposed to be passed down the River St. Maurice through any of the works constructed thereon shall give notice in writing to the superintendent of public works on the said river, eight full days at least before the period appointed for driving the same, giving the approximate number of pieces and timber marks and specifying the section or sections of the river such timber is to be driven from, whether or not it is to be driven to the mouth of the river, and if not, where it is intended to be stopped, under a penalty, in default of giving such notice, of not less than four dollars and not exceeding twenty dollars.

Section 3.—On the arrival of any description of timber at or near any of the slides, booms or works, the owner thereof or person in charge of the same shall immediately send a sufficient number of men to pass said timber through the said slides, booms or works, and shall not allow the timber to accumulate at the head of the said slides, booms or works, or to obstruct the passage of

Department of Public Works.

other timber to or from the said slides, booms or works; and if a "jam" of any description of timber takes place in any of the said slides, booms or works, or near the same, the owner or person in charge shall at once remove the "jam" or obstruction, under the direction of the superintendent or officer acting in that capacity; and in case the owner or person in charge of said timber should refuse or neglect to remove the same within forty-eight hours, the said superintendent or officer, or person by him authorized in that behalf shall have the power of removing the same at the proper costs, risk and expense of the owners thereof, who shall be subject to a penalty of not less than fifty dollars and not more than one hundred dollars for every day during which their timber shall obstruct the passage of other timber, over and above the amount that may be awarded by the superintendent of the works, as well for the expenses of removing the same as for any damage that may have been done in consequence of such refusal or neglect.

Section 4.—No raft or parcel of timber shall be moored or banded up nearer to the entrance to or the outlet of any of the slides, booms or works than the berths pointed out by the boom-master or officer acting in that capacity; and when permission shall be granted to the owners or persons in charge of any raft or parcel of timber to place any pocket boom, raft or timber in or near the said slides, booms or works, the owners or persons in charge of such raft, timber or pocket boom shall not in any case take any more or other place than the berth or berths allotted by the boom master, or other officer in charge of the works, and shall at any time, when directed so to do, move the said rafts, timber or pocket booms from place to place, or remove the same entirely, as soon as required so to do by the said boom master or other officer in charge of the works, under a penalty of not less than twenty dollars and not more than fifty dollars in case of refusal or neglect on the part of the said owners or persons in charge of timber, rafts or pocket booms to comply with the requirements of this section.

Section 5.—The owner or owners, or persons in charge of any raft or parcel of timber shall, before removing the same from any slide, boom or public work connected therewith, subscribe and deliver to the said superintendent, or other officer as the case may be, duly appointed as aforesaid, an acknowledgment in duplicate, certifying the number and description of cribs or of pieces of timber so passed, and shall pay the slide and boom dues, or secure the same to the satisfaction of the collector of slide and boom dues, under a penalty of not less than twenty dollars and not more than two hundred dollars, and shall further pay double the amount of dues which would otherwise be payable, on any raft or parcel of timber passing such work without such acknowledgment.

Section 6.—The collector of slide and boom dues, or any person or persons duly authorized by him in that behalf, shall, at all hours during the day, have free access, and full power and permission to enter and remain as long as he or they may see fit upon any raft or parcel of timber, for the purposes of examining the same, and every facility shall be afforded him or them for ascertaining the number of cribs or the number of pieces and description of timber of which the same is composed, and any person obstructing the collector of slide and boom dues, boom-master, or other persons duly authorized as

Department of Public Works.

aforesaid, in the execution of his or their duty, shall incur a penalty of not less than fifty dollars and not more than two hundred dollars.

Section 7.—The owner, as well as the person in charge of any raft or parcel of timber, shall be held responsible for any injury or damage done to the slides, booms, piers, or other works connected therewith, by any of the parties in their employment: and it shall and may be lawful for the superintendent, boom-master, or officer acting in that behalf, to seize and detain such raft or parcel of timber until the injury so done shall be repaired, or until security to his satisfaction shall have been given for such amount as shall be awarded on account of such damage; and any and every person interfering with the management or supply of water, or with any of the duties of the said boom-masters or officers acting in that capacity, without having been duly authorized by them so to do, and any and every person doing injury or damage, as aforesaid, to any of the government slides, or to the booms, slides, gates or piers connected therewith, or aiding or assisting in doing such injury or damage, shall, for the first offence, incur a penalty of not less than twenty dollars and not more than one hundred dollars, over and above payment of the amount which may be awarded for such damages; and for the second and every subsequent offence, shall incur a penalty of not less than one hundred dollars and not more than two hundred dollars, over and above payment of such damages, the amount of which damage shall, in each case, be ascertained and determined by the superintendent or officer in charge of the slide, boom or work.

Section 8.—It shall be competent for the collector of slide and boom dues, his deputy or deputies, assistant or assistants, or persons duly authorized by him to enter upon, seize and detain, at the risk, cost and charges of the owner or owners thereof, any raft or parcel of timber which shall have been moved away from any of the slides, booms or works, without the dues thereof, the amount awarded for damages, or the fines or penalties, if any, being first paid, or secured to his satisfaction, and any and every person obstructing the collector of slide and boom dues, or other person or persons duly authorized, as aforesaid, in the execution of his or their duty, shall incur a penalty of not less than twenty dollars and not more than two hundred dollars.

Section 9.—Rafts, cribs, and every description of timber shall be held liable for the dues, damages and penalties imposed under these regulations; and the superintendent or other duly appointed officer is hereby authorized and required to seize and detain any such raft, crib or parcel of timber until payment of such dues, damages and penalties is made, or until the owner or person in charge shall have given satisfactory security for the payment thereof, within thirty days after the same shall have been declared to be incurred or shall have been demanded; and, in default of such payment being made within the said term of thirty days, then the said superintendent, or officer, may proceed to sell by public auction any such raft, crib or parcel of timber; but at least two weeks' notice of the day of the intended sale by auction shall in the meantime have been given and have been duly inserted in one or more of the public newspapers published at the city of Three Rivers, and a copy of such notice shall also have been placarded during the same time (two

Department of Public Works.

weeks before the intended sale) in a public and conspicuous place at or near the said works where the raft, crib, or timber is lying, and at the city of Three Rivers; and if the costs attendant on such auction sale, as well as all other costs, damages and penalties imposed or awarded, cannot be realized from the timber so seized and sold, the same shall be recoverable from the owner of the said raft, crib or parcel of timber.

Section 10.—The owner or person in charge of every such lot of squared timber, saw-logs or other timber, shall, when the same reaches its destination on the St. Maurice, or before, if required by the superintendent, subscribe and deliver to the said superintendent, or to such person as he may authorize in that behalf, an acknowledgment in duplicate, certifying the number and description of sticks or logs passed or driven through any of the said works, and specifying the name and designation of the owner thereof, together with the marks distinguishing such timber, and such other particulars as may be required for the identification thereof; and any person who having passed or driven any parcel of timber through any of the said works, shall refuse or neglect so to give such acknowledgment, or who, in giving the same shall make a false statement, either as to the number or description of the timber so passed or driven, or as to the place of its departure or destination, shall incur a penalty of not less than twenty dollars and not exceeding two hundred dollars; and shall further pay, on every parcel of timber so passed or driven without such acknowledgment, or in relation to which any such false statement is made, double the amount of dues which would otherwise have been payable thereon.

Section 11.—The dues leviable on all parcels of square timber, saw-logs or other timber passing down the said river according to the schedule of rates hereunto annexed, shall be payable immediately on the arrival of such timber or saw-logs at the booms at the mouth of the River St. Maurice, or at such intermediate place as they may be destined for, and no person shall remove any such parcel of timber until such dues have been paid or secured to the satisfaction of the collector, under a penalty of not less than forty dollars and not exceeding two hundred dollars.

Section 12.—The owner, as well as the person in charge of any parcel of timber, shall be held jointly and severally responsible for any injury or damage done to any of the slides, dams, booms, piers or other public work on the said River St. Maurice, by any of the parties in the employment of such owner or person in charge, and it shall and may be lawful for the said superintendent, or other person acting for him, to seize and detain such parcel of timber until the injury so done shall be repaired, or until satisfactory security shall have been given for the payment of the amount at which injury or damage shall be estimated by the superintendent.

Section 13.—Every person who shall wilfully do any injury or damage to any of the slides, or to any of the booms, dams, piers or other public works on the said River St. Maurice, and every person who shall aid or assist in so doing any such injury or damage, shall, for every such offence, incur a penalty of not less than one hundred dollars and not exceeding two hundred dollars, over and above the amount at which such injury or damage shall be estimated by the superintendent, as hereinbefore provided.

Section 14.—The owner of any parcel of square timber, saw-logs or other timber conveyed down the River St. Maurice, shall, during the passage

Department of Public Works.

thereof, keep a sufficient number of men stationed at every slide and boom and also at every other point which the said superintendent may indicate to prevent all such damage to the works or obstruction in the river as might arise from the accumulation of logs or other timber against the booms, or in the channels or bends of the river, or from logs or other pieces of timber escaping under the booms or going over them.

Section 15.—The number of men required at each station shall be regulated by the said superintendent, who is hereby empowered to employ at the cost and charges of the owners of the timber, saw-logs, etc., the number of men necessary to pass the same in safety over or through such station, when the owner of such timber, saw-logs, etc., has failed to supply such men at the time required by the superintendent, and any owner or person in charge of such logs who shall neglect or refuse to comply with this regulation shall incur a penalty of not less than twenty dollars and not exceeding two hundred dollars, over and above the payment of the amount at which any injury or damage so done to the works may be estimated by the superintendent.

Section 16.—No person in charge of timber held in the retaining boom at Shawenegan Bay or other station shall allow the same to be put or passed out of the boom, except under the direction of the said superintendent, or of such person as he may authorize in that behalf, who shall regulate the descent of timber and the time of passing it out; and any person in charge of such timber who shall refuse or neglect to stop the running out of logs at the boom at Shawenegan Bay or other station when directed to do so by any such officer, shall incur a penalty of not less than twenty dollars and not exceeding two hundred dollars, in addition to the amount at which any injury or damage done to the works, by reason of such neglect or refusal, shall have been estimated by the superintendent.

Section 17.—The owner or person in charge of any squared timber, saw-logs, or other timber passing down the St. Maurice, shall, from the time when the same shall approach its destination on the said river, until all such timber shall have been passed through the booms, keep a sufficient number of men stationed at such booms to prevent any obstruction or damage to the works which might arise from any undue accumulation of such timber against the booms or in the gates thereof; and every owner or person in charge of such timber shall furnish at least the number of men required by the superintendent or person duly authorized by him in that behalf, and shall pass out such timber at the places, at the time and in the manner directed by such superintendent or person duly authorized by him as aforesaid; and any owner or person in charge of said timber, who shall neglect or refuse to comply with this regulation, shall incur a penalty of not less than twenty dollars, and not exceeding two hundred dollars, over and above the amount at which any damage done to the works, by reason of such neglect or refusal, shall be estimated by the said superintendent. And in the event of such refusal or neglect to comply with this regulation, it shall be lawful for the superintendent to open such booms to free them from over-pressure, or delaying the drives of others, and the owner of any timber or saw-logs shall not have recourse against the Government for any damages caused by their logs, etc., being so allowed to pass their original point of destination.

Department of Public Works.

Section 18.—Any person who shall tie or fasten, or cause to be tied or fastened, any raft or crib to any of the said booms on said River St. Maurice, or who shall make or cause to be made any crib frames, or who shall cut or chop, or cause to be cut or chopped, any timber or wood on any of the said booms, shall incur a penalty of not less than twenty dollars, and not exceeding two hundred dollars.

Section 19.—Any person who shall oppose, hinder or obstruct, or who shall aid or assist any other person in opposing, hindering or obstructing any superintendent of public works, collector of dues, boom-keeper, or other officer or person duly authorized by any such officer in the execution of his duty, shall incur a penalty of not less than twenty dollars and not exceeding two hundred dollars.

Section 20.—Should the owner or person in charge of any parcel of timber, or saw-logs, fail, or neglect to provide the number of men indicated by the superintendent, or other duly authorized officer, under these regulations, the said superintendent may employ the required number of men at the expense of the owner of the timber, saw-logs, etc., and the expense so incurred shall be a first lien on the said timber, saw-logs, etc., which may be seized and detained by the said superintendent or other authorized officer until all such charges or expenses so incurred shall be paid, or they may be collected in the same manner as is provided by law for the collection of ordinary slide and boom dues.

Section 21.—Every saw-mill owner or person in charge of or operating a saw-mill, and every other person dealing in timber, saw-logs, sawn timber or other wood goods, shall furnish to the collector of tolls and dues on or before the first day of September in each year, a statement upon oath or solemn declaration under the statute in that behalf and upon a printed form which will be furnished by the collector on application, showing the undermentioned particulars as to all such goods made or acquired by him excepting square timber sent in rafts to Quebec, during the preceding lumbering season and up to the said date or from the end of the period covered by the last preceding report under this or the following sections, and on or before the first day of November in each year, a similar statement as to all such goods made or acquired by him subsequent to the first day of September or date of previous return. Such statements or returns shall describe in detail all goods comprised therein, setting out as to such goods respectively the following particulars:—

(a.) Whether the same was made by the party furnishing the return or were purchased by him from others, and if made by himself, the name of foreman employed by him, and if purchased, the name of the vendor;

Where the same are at the time of the return;

The slides, booms or other works used by them;

The length of flat or round timber, telegraph poles and round cedars and such other particulars as may be required by the printed form of return to be furnished by the collector;

(b.) And shall furnish specifications in detail of all saw-logs, showing the number of pieces of each length and diameter, and in all cases where it is claimed that spruce logs under ten inches in diameter are solely taken out to be converted into pulp-wood and paid for by the cord, a separate specification

Department of Public Works.

showing the lengths and diameters, shall be provided, accompanied by the affidavits of the culler who measured the logs and of the bookkeeper or manager of the person or firm owning them, on forms to be furnished by the collector of slide and boom dues ; and the latter shall have access to the books and original specifications of measurement of all saw-logs, etc., of any firm if he thinks it desirable or necessary to verify any returns furnished under these regulations.

Any person making default under this section shall, subject to the limitation provided by section three of the said Act, incur and pay a penalty of ten dollars a day for each of the first thirty days of such default and for each day thereafter a penalty of twenty-five dollars.

Section 22.—The collector of tolls and dues may at any time demand from any person required to make returns under the next preceding section, a return showing the stock then in possession of such person or the goods made or acquired by him since the date of his last return, and every return under this section shall set out, with reference to such stock or the goods so made or acquired, all the particulars mentioned in the next preceding section, or such of them as may be specified in the demand, and every return called for under this section shall be made within five days after the same is demanded under the like penalties for default as are prescribed in the twenty-first section of these regulations.

Section 23.—If in the opinion of the collector of tolls and dues any return required under either of the two next preceding sections is incomplete or unsatisfactory in any way, he may call upon the party furnishing such return to amend or ratify the same, and should such party fail within five days after such demand to comply therewith he shall incur and pay the like penalties as are prescribed in the twenty-first clause of these regulations.

Section 24.—The dues for tolls on all slides and works shall be paid as provided in sections 5 and 11 of these regulations, or when demanded, but in every case before the 31st day of December of the year in which such dues shall have accrued, without prejudice to the right of the Crown to enforce payment at any prior date.

After that date the collector shall be bound by all means in his power to collect such dues.

Interest at the rate of 6 per cent per annum shall be charged on the whole amount of dues accrued unpaid on the 31st day of December.

The following tolls shall be and are hereby imposed, and shall be payable on saw-logs or other timber passing through the public works, or parts of the same, on the River St. Maurice:—

	Saw-logs, per piece.
Through the Grandes Piles booms.....	1 cent.
Through the Grand'Mère	1 do
Through the Shawenegan.....	1 do
Below Shawenegan slides and above Cap Corneille....	$\frac{1}{4}$ do
Cap Corneille.....	$\frac{1}{2}$ do
From above the Piles and through the Grand'Mère booms only.....	1 do

Department of Public Works.

	Saw-logs per piece.
From above the Grandes Piles to Three Rivers.....	2½ cents.
From above the Grand'Mère to Three Rivers.....	2 do
From above the Shawenegan to Three Rivers.....	1¾ do
From below the Shawenegan to Three Rivers.....	1½ do
From Cap Corneille to Three Rivers.....	1 cent.

The saw-log is established as the standard of measurement for wood passing through the St. Maurice slides and booms; and the undermentioned items, not provided for in the present tariff of tolls, shall henceforth be calculated and charged for in the following relative proportions:—

	Saw-logs.
1 piece square timber equal to.....	5
Round or flatted, 18 feet and under.....	1
Round or flatted, 19 feet and under 25 feet long, equal to....	1½
Round or flatted, 25 feet, and under 35 feet long, equal to..	2
Round or flatted, 35 feet, and under 45 feet long, equal to..	3
Round or flatted, 45 feet, and under 55 feet long, equal to..	4
Round or flatted 55 feet, and upwards long, equal to.....	5
Telegraph poles, 25 feet, and under 35 feet long, equal to...	2
Telegraph poles, 35 feet, and under 40 feet long, equal to...	3
Telegraph poles, 40 feet, and under 50 feet long, equal to...	3½
Telegraph poles, 50 feet and upwards long, equal to.....	4
Cedars, 16 feet, and under 25 feet long, equal to.....	1
4 railroad ties, 8 feet long, to be charged as equal to.....	1
8 fence posts, 8 feet long and 6 inches diameter at small end, equal to.....	1
1 cord pulp-wood, equal to.....	4
1 cord spool-wood, equal to.....	4
1 cord of firewood.....	3
1 cord shingle bolts.....	4

Spruce saw-logs, 13 feet long, 9 inches and under in diameter, cut into pulp-wood, to be rated at 10 pieces to the cord.

Other wood goods shall be charged for at the discretion of the collector, at such proportionate rates as would be chargeable under these regulations against the class of goods to which they are most nearly allied.

In dealing with sawn lumber, one hundred and fifty superficial feet board measure shall be equivalent to one saw-log.

Vide Canada Gazette, vol. xxvi, p. 2127.

By Order in Council of the 12th of April, 1893, under authority of "The Public Works Act," chapter 36 of the Revised Statutes, the following rules and regulations were made for the management and working of the River Yamaska Lock, and to authorize the collection of the tolls and dues upon the said lock, which are set forth in the tariff of tolls accompanying the said rules and regulations :

Department of Public Works.

RIVER YAMASKA LOCK REGULATIONS for the management, maintenance, proper use and protection of the River Yamaska Lock, under the control of the Department of Public Works, Dominion of Canada.

Section 1.—The master or person in charge of any vessel, steamboat, scow or raft navigating this lock, shall immediately upon or before entering it, obtain a clearance for such vessel, boat or raft, as aforesaid, at the lock-master's office; in default thereof the lock-master shall not permit such vessel, boat or raft to pass through the lock, and the owner or master in charge thereof shall be subject to a fine not exceeding twenty dollars; and the lock-master or other officer duly appointed shall have the right at any time to board any vessel, boat or scow when necessary in order to check, verify any pass or manifest of such vessel, boat or scow, and any master or person in charge of any such vessel, boat or scow, who shall obstruct and prevent any officer in such discharge of his duty shall be subject to a penalty not exceeding forty dollars.

Section 2.—Every vessel or boat navigating the lock shall be correctly and distinctly marked and gauged in feet and inches at the bow, amidship and stern, showing the exact draught of the water drawn by each portion of the vessel or boat, neither of which will be allowed to enter the lock drawing more than seven feet of water, and the master or person in charge of the same who shall proceed into the lock in violation of this regulation shall be subject to a fine not exceeding one hundred dollars, and to detention until the said fine is paid and the vessel properly lightened. They shall be supplied with a horn, bell or steam-whistle, which it shall be the duty of the person in charge to sound or cause to be sounded at least one-quarter of a mile or fifteen minutes before entering the lock, under a penalty of not less than two dollars and not exceeding twenty dollars.

Section 3.—Every vessel or boat navigating the lock, or the navigable channel of the River Yamaska, between the village of St. Aimé and Lake St. Peter, whether under way or at anchor, or passing through the lock, or lying moored in the lock, shall during the night show a conspicuous light at the bow or stern; a light shall also be exhibited at each end of every raft passing through or lying in the navigable channel of the river or lock at night, as aforesaid, and the person in charge of any such vessel, boat or raft, who shall neglect to cause such lights to be shown, or the owner of any such vessel, boat or raft, shall incur a penalty of not less than four dollars and not exceeding forty dollars.

Section 4.—No steam vessel shall be permitted to pass the lock, which shall not have fixed at the top of each of her chimneys or smoke-pipes a wire screen, through which the smoke from the fires of the said steam vessel is to pass, with meshes or interstices not more than a quarter of an inch in width, the screen to be so placed as to be perfectly visible when closed, and the lock-master who shall permit the passage of any steam vessel or craft propelled by steam without such wire screen closed on each of the chimneys or smoke-pipes shall be subject to a fine of twenty dollars for each offence; and every master or person in charge of any such steam vessel or other craft propelled by steam, who shall proceed with a vessel under his charge into the said lock or who shall moor his vessel at any of the wharfs at the lock, without having such wire screen closed over each of the chimneys of the vessel or craft, shall be

Department of Public Works.

subject to a like fine of twenty dollars for each offence, and for all damages ensuing therefrom as estimated by the chief engineer of the Department of Public Works.

Section 5.—It shall be the duty of all masters or persons in charge of any steamboat or other vessel, or any raft, on approaching the lock, to ascertain for themselves, by careful observation, whether the lock is prepared and ready to receive them, or allow them to pass through, and to be careful to stop the speed of any such steamboat or other vessel or raft in sufficient time to avoid a collision with the lock or its gates or its approaches, and should such collision take place, the owner, owners or masters of such steamboat, other vessel or craft shall be subject to such fine as the chief engineer of the Department of Public Works may impose, not exceeding eighty dollars, and shall also be held liable for any damage to the lock that may ensue from such collision; such damage to be estimated by the chief engineer of the Department of Public Works or his authorized representative, and at once paid over to the lock-master, or person appointed to receive it.

Section 6.—The owner, master or person in charge of any vessel, boat or raft as aforesaid, shall, when required to do so by the lock-master, or other officer authorized on that behalf, promptly and with all diligence move such vessel, boat or raft as aforesaid, to any place the lock-master or other officer shall direct, as it may appear to him to be necessary for the purpose of repairing a breach, or for preserving the free and uninterrupted navigation of the lock and for the maintenance of order and regularity at the lock, wharfs and landing places, under a penalty not exceeding forty dollars.

Section 7.—No person shall open or shut any of the gates or sluices of the lock, or draw down the level by any means whatever, nor shall he in any manner interfere with the lock, wharfs or other works of the lock, unless by consent and under the direction of the lock-master or officer in charge of the same, and any person who shall commit a breach of this regulation, or interfere with or obstruct the lock-master or other person employed under him, in the execution or performance of his duties, shall incur a penalty not exceeding forty dollars for each and every offence.

Section 8.—No master or person in charge of any vessel, boat or raft navigating the lock or its approaches shall cast anchor in the same, nor fasten, nor moor any such vessel, boat or raft, whilst in the lock or approaches, nor discharge any part of their cargo, or take in any lading or wood without the express permission of the lock-master or person in charge, under a penalty of not less than four dollars, nor exceeding forty dollars for each and every offence.

Section 9.—No person shall build or repair vessels, boats or barges in the lock or on government property, unless with the permission of, and at such places as the chief engineer of the Department of Public Works, or his authorized representative may point out, under a penalty of not less than four dollars nor more than eighty dollars, and the master of any vessel or person whatsoever who shall boil or heat tar, pitch, turpentine, resin, or grease, for graving or paying a vessel, or for any other purposes, on the government property except with the permission of and at such places as the chief engineer or his authorized representative may point out, shall incur a like penalty of not less than four dollars.

Department of Public Works.

Section 10.—Any person or persons who shall throw into the lock or in the navigable channel of its approaches, any carcass or dead animal, or putrid substance of any kind, or stones, ballast, timbers, brush or other rubbish, or in any manner obstruct the lock and its approaches, shall incur a penalty of not less than two dollars and not exceeding two hundred dollars.

Section 11.—No pike-poles or other instruments shod with iron shall be used in or about the lock or wharf in connection thereto, under a penalty of four dollars against the person offending.

Section 12.—No person or persons shall pile wood, or place timber, logs, stones or other materials upon the towing path of the lock, or upon the wharfs, piers and other government grounds, without the permission in writing of the lock-master or person in charge, and no person shall roll or draw from or into the lock, or over the side of any embankment, any log, timber or other material; and every violation of this regulation shall subject every person so offending to a penalty not exceeding forty dollars.

Section 13.—Timber, cordwood, staves, saw-logs, railway ties and spars shall not be allowed to pass into or through the lock in raft, without the permission of the lock-master; and every person offending against the regulation shall be subject to a fine of twenty dollars. In case rafts be admitted into the lock with the permission of the lock-master, they shall be governed by the following regulations:—

Section 14.—No raft or tow of timber passing through the lock shall exceed 30 feet in width and 120 feet in length.

(a.) No such raft or tow of timber shall approach any other raft or tow of timber nearer than 200 feet, unless for the purpose of passing, or to be moored nearer than 300 feet, to any other raft or tow of timber which shall be first moored.

(b.) No traverse in any crib of timber shall extend within one inch of the outer edge of the outside piece of such crib of timber.

(c.) Every separate raft or tow of timber shall be provided with a clearance, and shall lie over on the off side when passing any vessel in the lock.

(d.) No raft shall be allowed to lie unmoored in the lock or its approaches, or be moored or allowed to lie in any manner across the channel to obstruct the navigation; and every raft or tow of timber shall be conducted through the lock without any unnecessary delay, at such time only, and under such further regulations as shall be appointed by the lock-master.

(e.) Every raft or tow of timber, when passing through the lock, shall have at least two men in charge thereof.

(f.) In all cases of vessels, boats or scows loaded with lumber, it shall be so stowed as not to project beyond the gunwale of the vessel, boat or scow.

(g.) Every violation of any of the provisions of this section shall subject the owner, person or persons in charge of such tow or raft, or last mentioned vessel, boat or scow, to a penalty of not less than ten dollars, and not exceeding forty dollars.

Section 15.—Should any vessel, boat, scow, raft, piece of timber or other matter be left abandoned in the lock or on the government property, floating or sunken, or in any measure incommoding or likely, in the opinion of the lock-master, to incommode the navigation, or to interfere with the improve-

Department of Public Works.

ments or works of the lock, or should any articles be found upon the government property not under the charge of any person, the owner thereof shall be subject to a fine of not less than four dollars; which fine shall be held against the property so found, and the lock-master may seize and remove any such unclaimed or abandoned property and may afterwards sell the same at public auction on giving two weeks written or printed notice, at the village of St. Michel d'Yamaska, and shall pay the proceeds of the sale into the hands of the person appointed to receive it, or the lock-master may cause such property to be removed, levying the cost attendant thereon, as well as the fine so imposed, upon the owner or person claiming such property. Provided, also, that upon suspicion that the captain or master intends to abandon such wreck, etc., the lock-master is hereby authorized to seize the same as hereinbefore provided in case of sunken or abandoned property, and provided, also, that before removing any vessel, boat, scow or raft wrecked or sunken, or any part thereof, or the contents thereof in the lock, or any property left on the government property, the person or persons claiming such vessel, boat, scow or raft, or any portion thereof, or such property, shall give security for the payment of all costs and expenses that may be incurred by and from the removal of such wreck or abandoned property or any part thereof; such security to be approved of by the lock-master, unless such person or persons shall have obtained leave from that officer to remove the same.

Section 16.—If the owner or owners of any property so seized shall appear and claim the same before the time of sale, and pay the fine, the cost of seizure and expense of removal, no sale shall take place.

Section 17.—As regards priority of passage through the lock, there shall be only two recognized classes of vessels, viz.:—

(a.) *First Class.*—Composed of vessels whose machinery is described in the certificate of the steamboat inspector as suitable to be employed “in the carriage of passengers,” in distinction to steamers whose machinery, etc., is described in such certificate as suitable to be employed “in the carriage of freight and passengers,” also market steamers.

(b.) *Second Class.*—Composed of all other vessels, of what kind soever they may be.

(c.) Of these two classes of vessels, those of the first class shall have priority of passage over those of the second class, provided that mail steamers navigating the lock, shall always have priority of passage over all other vessels whatsoever; and any violation of this clause shall subject the offending party to a penalty of not less than four dollars nor exceeding twenty dollars.

(d.) When several boats or vessels are lying by, or are waiting to enter the lock, they shall lie in single tier and at a distance of not less than 100 feet from the lock or entrance; and each boat or vessel, for the purpose of passing through, shall advance in the order in which it may be lying in such tier, except in the case of vessels of the first class, to which priority of passage is granted as above.

(e.) Should, however, any first class vessel, for which, at a certain fixed hour, the lock is kept clear, not then enter the lock, vessels of the second class, which may be in waiting, shall immediately have the use of the lock, and continue so to use it until the delayed first class vessel arrives.

Department of Public Works.

(f.) Any violation of the foregoing provisions of this section shall subject the offending party to a penalty of not less than four dollars, and not exceeding forty dollars.

Section 18.—All vessels and boats approaching the lock while any other vessel, going in the contrary direction, is in or about to enter the same, shall be stopped and made fast to the posts or rings placed for that purpose, not nearer than 100 feet from the lock, and remain there until the vessel going through the lock shall have passed, under a penalty for such offence of not less than four dollars, and not exceeding twenty dollars.

Section 19.—In all cases of vessels or boats meeting in the approaches of the lock, the vessels descending the River Yamaska shall keep the east side of the channel, and the ascending vessels the west or shore side of the lock, under a penalty of not less than two dollars and not exceeding twenty dollars for every offence against this section.

Section 20.—The corners of all boats or scows built with square heads shall be rounded off to a radius of not less than three feet. All such boats or scows shall also have their owner's names or numbers prominently painted on the sides or stern, and they shall also be provided with two iron stakes with rings, to which to make fast when not moored to snubbing posts; and in the case of boats and scows taking in vegetables or merchandise, it shall be only at such places on the government property as the lock-master shall permit, and they must have such guards or trip boards on the sides, to prevent such materials falling into the lock or its approaches, as the lock-master may require, under a penalty not exceeding one hundred dollars.

Section 21.—Every vessel, boat or barge navigating the lock shall have its rudder so constructed as not to catch or cut the tow-rope of any other vessel, boat or barge; under a penalty not exceeding twenty dollars to be incurred by the owner, master or person in charge.

Section 22.—Every vessel, boat and raft shall be conducted into, through and out of the lock in a careful manner, so as to do no injury to such lock; and for every neglect of this regulation the owner or master shall pay a fine not exceeding twenty dollars, in addition to the cost of repairing any injury that may be done to the lock, or its gates or other works of the lock.

Section 23.—Every vessel, boat or craft navigating the lock shall be provided with at least two good and sufficient hawsers or check ropes, one at the bow and one at the quarter, which, on passing or entering the lock, shall be made fast to the snubbing posts or rings on the lock and piers or wharfs, and each rope shall be attended by one of the boat's crew, to check the speed of the vessel while entering the lock, and to prevent its striking against the gates or other parts of the lock, and to keep it from moving about in the lock, while the lock is being filled or emptied; and the master or owner of any vessel or boat who shall neglect to comply with this section shall be liable to a fine not exceeding forty dollars, and the vessel or boat shall not be permitted to pass if in the opinion of the lock-master or other officer duly appointed the lines are considered insufficient.

Section 24.—Whenever any vessel or other craft shall be passing through the lock, the master or person in charge shall furnish two, at least, of his boat's crew to assist in working the lock, to pass his own vessel through it;

Department of Public Works.

and the refusal or neglect of such master or person in charge to furnish such assistance shall subject the said master or person in charge to a fine of not less than two dollars, nor more than forty dollars.

Section 25.—All vessels, boats or rafts as aforesaid, shall be held liable for any injury or damage they may do to the lock, or machinery used in making repairs or in executing works upon the locks or approaches, or to any building adjoining the lock, whether the same arises from the fault, neglect or mismanagement of the master or person in charge of such vessel, boat or raft or from his inattention to the lock regulations, or from accident; and every penalty which may be duly imposed, under these regulations, by the chief engineer of the Department of Public Works or the lock-master and declared in these regulations as against the owner, master, navigator or person in charge of any vessel, boat or raft, as aforesaid, whether the same be for non-payment of tolls, or for the fine duly imposed, or for any sum demanded by the chief engineer, or person in charge of the lock, as compensation for any injury done, shall be chargeable upon such vessel, boat or raft as aforesaid; and the lock-master is authorized and required to seize and detain any such raft, vessel or boat as aforesaid, with her cargo and appurtenances, at the risk of the owner or owners until payment of such tolls, penalty or compensation as aforesaid, and in default of such payment thereof, the person in charge of the lock may proceed to sell by auction any such vessel, boat or raft after having first given two weeks' notice of the day of such intended sale, such notice to be inserted in one or more of the public newspapers, published in the town of Sorel, at least two clear weeks prior to the day of the sale.

Section 26.—Any vessel or boat that shall incur any fine, or do any injury to the lock approaches, may be stopped and detained upon the River Yamaska, until the fine or compensation for injury done shall be paid, or until security be given for the payment thereof, in the manner above mentioned.

Section 27.—No lock-man, foreman or other person employed on the lock, shall without written permission from the Department of Public Works, or chief engineer, furnish any teams, boats, materials or other things for the use of the public or of the lock, or employ or contract for the same when owned by any member of his family on the lock, or employ any team, boat, material or other thing belonging to the public, for any private use or purpose. And no officer on the lock or persons holding any appointment under the Department of Public Works shall either directly or indirectly be interested in any contract for labour, materials or other things connected with the lock, and shall not, either directly or indirectly, derive any benefit from the annual expenditures on the lock and its approaches, beyond his established compensation, nor shall he be in any way interested in boarding any lock-tender, foreman or labourer on the lock, nor shall he sell any property or article of any kind whatsoever.

Section 28.—No lock-tender or other officer of the lock shall keep, or in any way be interested in any hotel, tavern or grocery, nor shall he sell or be interested in the sale of any articles or property whatsoever, to any person navigating or using the lock, nor shall he be directly or indirectly concerned in the sale of fuel.

Department of Public Works.

Section 29.—No raft or timber shall be allowed to be moored in the lock or along its approaches, unless it be placed under the immediate charge of one or more men (according to the quantity of timber it may contain) under a penalty of not less than ten dollars, and not exceeding forty dollars, and the officer in charge is hereby authorized to place in charge of such raft or tow of timber, one or more men, as may seem to him necessary, and may seize and detain such raft or tow of timber until the expense incurred thereby, as well as the fine, be paid.

Section 30.—All vessels owned or chartered by persons having contracts for the enlargement, repairs or improvements of the lock and the River Yamaska, and employed by them in removing earth or carrying materials necessary for the prosecution of such works, shall be entitled to pass the lock free of tolls upon such vessels and cargo.

MAKING REPORTS.

Section 31.—Every owner, master or person in charge of any vessel, boat, scow or raft about to enter the lock, shall, before entering, make to the lock-master or other proper officer, a full and complete report setting forth in detail :—

(a.) The quantity and description of the cargo contained in such vessel, boat or scow.

(b.) The registered tonnage of the vessel, boat or scow ; or

(c.) In the case of rafts, the number of pieces of timber, logs or ties, and with reference to rafts of square timber, the number of cubic feet contained therein ; and

(d.) Generally such information as may be necessary for computing the tolls to which the vessel, boat, scow with the cargo contained therein, or the raft, as the case may be, is liable to pay.

(e.) Every such report shall be signed by the person making it, and its correctness shall be declared to before the lock-master or other officer in charge.

Section 32.—The lock-master or other officer in charge is hereby authorized to require of any owner, master or other person in charge of any vessel, boat, scow or raft entering the lock, communication of all manifests, clearances, bills of lading, specifications, certificates, measurements, and all other papers relating to the vessels, and their cargoes, or to rafts, and to enter upon and examine any such vessel, boat, scow or raft, and take account of the cargoes or quantities they contain.

Section 33.—Any owner, master or other person having charge of any vessel, boat, scow or raft entering the lock, who

(a.) neglects or refuses to make such reports as herein provided, or

(b.) who refuses to produce papers or to give any information such as herein required, or—

(c.) who impedes or prevents the lock-master or other officer in charge in the performance of his duties, or—

(d.) who gives any false information in relation to any matter herein referred to,—

shall for each and every such offence, incur a penalty of not less than five dollars, nor more than twenty dollars, and shall, in addition thereto, pay

Department of Public Works.

double tolls on all articles wholly or in part omitted from any report made by him in pursuance of these regulations.

INTERPRETATION.

Section 34.—The word “vessel” when made use of in the foregoing regulations, is to be understood as comprehending vessels, boats and barges whether propelled by steam or otherwise, scows, pontoons, or other floating conveyances of freight, or for the purpose of transport. The word “raft” when made use of in the foregoing regulations, is to be taken as including rafts or cribs of timber of every description whether manufactured or unmanufactured, lumber, logs, floating timber, rafting materials, railway ties, ties and wood, or of material used for conveyance of freight, or for purposes of transport.

The word “owner” shall comprehend or mean a part owner or owners. The word “goods” shall be understood as comprehending coal and other mineral products, lumber, firewood, cordwood, ties, staves, laths, brick, stone, sand and earth, and any goods, wares or merchandise of any description or nature whatsoever. The word “engineer” shall mean the chief engineer of the Department of Public Works or his authorized representative. When more persons than one are hereinbefore made subject to a penalty, the Minister of Public Works shall have the option of proceeding for such penalty against any one or more of such persons as he may see fit.

TARIFF OF TOLLS.

Class 1.

Vessels :—	Cents.
Canadian steam, per ton.....	1
Scow, etc	1
Sail, per ton.....	1
Pleasure boats, either row or sail.....	15

Class 2.

Passengers :—	
Passengers, each.....	2

Class 3.

Various :—	
Bricks.....	3
Brimstone	3
Cement and water lime.	3
Clay, lime and sand.....	3
Fish	3
Gypsum	(Free)
Iron, R.R.....	2
do pig	2
do all other.....	2
Steel	2
Salt	2
Stone for cutting.....	1

Department of Public Works.

Vegetable:—	
Apples	3
Barley	2
Corn	2
Cotton (raw).....	1
Flax and hemp.....	1
Flour	1
Hay (pressed).....	2
Meals, all kinds.....	1
Oil cake.....	2
Oats	1
Pease.....	1
Potatoes..	1
Produce of agriculture:—	
Rye	1
Seeds, all kinds.....	1
Tobacco (raw).....	3
Wheat.....	1
All other vegetables.. ..	1
Animal:—	
Bones	2
Cattle.....	2
Hogs.....	2
Hides and skins.....	
Horns and hoofs.....	2
Horses, each.....	4
Lard and lard oil.....	2
Meats, other than pork.....	3
Pork.....	2
Sheep.....	3
Tallow.....	2
Wool.....	2
All other animals.....	3

Class 4.

Articles of merchandise manufactured, etc. :—	
Ashes, pot and pearl.....	3
Agricultural implements	3
Crockery and earthenware.....	3
Dye woods and dye stuffs	3
Furniture.....	2
Glass, all kinds	3
Marble	2
Manilla.....	2
Molasses.....	2
Nails.....	2
Oils	2
Paint.....	2

*Department of Public Works.*Articles of merchandise manufactured, etc.—*Concluded.*

Pitch and tar.....	2
Rags.....	2
Rosin	2
Soda ash.....	2
Sugar	2
Stone, wrought.....	2
Tin.....	2
Turpentine.....	2
White lead.....	2
Whiting.....	2
Whisky and all other spirits.....	3
Merchandise not enumerated	3

Class 5.

Produce of the forest :—

Bark.....	2
Empty barrels.....	$\frac{1}{4}$
Boat knees, each.....	$\frac{1}{4}$
Floats, M. lineal feet	8
Firewood, per cord, in vessels.....	3
Firewood, in rafts.....	4
All sawed lumbers, in vessel, M. feet B.M.....	3
All sawed lumber in rafts.....	4
Hoops.....	2
Railway ties in vessels, each.....	$\frac{1}{10}$
do rafts, each.....	$\frac{1}{8}$
Masts, spars and telegraph poles, 40 c. ft., in vessels..	$\frac{1}{4}$
do do 40 c. ft., in rafts.....	$\frac{1}{2}$
Square timber, per M. ft., in vessels.....	2
do do in rafts.....	3
Wooden ware and wood partly manufactured, 40 c. ft	2
Shingles, per M.....	2
Split posts and fence rails, per M. in vessels.....	2
do do in rafts.....	3
Standard saw-logs, each.....	$\frac{1}{10}$
Staves and headings (barrel).....	$\frac{1}{2}$
do pipe.....	2
do W.I.....	5
do salt barrels.....	3
Traverses, per 100 ps.....	3
Hop poles, per 1,000 ps.....	8

Special Class.

Coal.....	2
Kryolite or chemical ore, phosphate.....	5
Iron ore.....	3
Stone, unwrought, not suitable for cutting.....	$\frac{1}{4}$
Mica.....	10

Department of Public Works.

SECTION 36.—STANDARD FOR ESTIMATING WEIGHTS FOR CANAL TOLLS.

	Tons.
2,000 lbs. avoirdupoids.....	1
Per M. is per thousand feet.	
Per Mille is per thousand pieces.	
Green fruit, 9 barrels are.....	1
Ashes, 3 barrels are.....	1
Bark, 4 cords.....	1
Beef, 7 barrels.....	1
Biscuit and crackers, 9 barrels.....	1
Bricks, common, 1,000.....	2
Butter, 22 kegs or 7 barrels.....	1
Cattle 3.....	1
Cement and water lime, 7 barrels.....	1
Fire bricks, 1,000.....	3
Fish, 7 barrels.....	1
Flour, 9 barrels.....	1
Gypsum and manganese, 6 barrels.....	1
Horses, 2.....	1
Lard and tallow, 7 barrels or 22 kegs.....	1
Liquors and spirits, 218 gals.....	1
Liquors, all others, 218 gals.....	1
Nuts, 9 barrels.....	1
Oysters, 6 barrels.....	1
Pork, 7 barrels.....	1
Salt, 7 barrels.....	1
Seeds, 9 barrels.....	1
Sheep, 20.....	1
Stone, 12 cubic feet.....	1
Stone, 1 cord.....	7½
Whisky, 4 barrels or 215 gallons.....	1
Empty barrels, 10.....	1
Barrel hoops, 10 mille.....	1
Board and other sawed lumber, 600 ft. board measure	1
Boat knees, 4.....	1
Firewood, 1 cord.....	3
Hop poles, 60 or 40 cubic feet.....	1
Shingles, 12 M. or 12 bundles.....	1
Split posts and fence rails, 1 mille.....	1
Staves and headings, pipe, 1 mille.....	3
do do W. India, 1 mille.....	4
do do barrel, 1 mille.....	2½
do do salt barrel, 1 mille.....	½
Saw-logs, standard, 1.....	1
Square timber, 50 cubic feet.....	1
Telegraph poles, 10 or 40 cubic feet.....	1
Mast and spars, 40 cubic feet.....	1
Railroad ties, 16 or 50 cubic feet.....	1

Department of Public Works.

	Tons.
All other wooden ware, or partly manufactured wood, 40 cubic feet as per tariff.....	1
Traverses, 40 cubic feet or 5 pieces.....	1
Floats, 50 lineal feet.....	1

NOTE.—By the Weights and Measures Act, chapter 104 of the Revised Statutes of Canada, section 14, all the above named articles are to be estimated by the cental of 100 lbs.

Section 37.—Any fraction of a ton of freight is to be charged one ton, and portions of sections are to be charged as a whole section.

SECTION 38.

RIVER YAMASKA LOCK, CANADA.

Ship's Report with or without cargo.

From.....
 To.....
 Description of vessel.....
 Name of vessel.....
 Name of master.....
 Name of owner.....
 Where registered.....
 Tons burthen.....

I,.....master of the above named vessel, do hereby declare that the particulars above written, together with the particulars endorsed, or written within and here tendered and subscribed by me, contain a full, just and true account of the above named vessel, and of the goods and passengers on board of the said vessel, for the present voyage.

Signed and delivered at the office of the }
 River Yamaska Lock, this }
 day of , 18 . } *Master.*

Lock-master.

SHIP'S REPORT NO.

Ship's Report with or without cargo.

Report of the of paying tolls from
 to Tolls \$.

Stamp of lock. *Lock-master.*

Vide Canada Gazette, vol. xxvi., p. 2131.

Department of Railways and Canals.

Department of Railways and Canals.

By proclamation of the 19th of May, 1893, two Acts of the Legislature of New Brunswick viz., 48th Victoria, chapter 51, and the 50th Victoria, chapter 16, both relating to the Tobique Valley Railway Company, were confirmed and ratified and made as valid and effectual as if the same had been duly enacted by the Parliament of Canada.

Vide Canada Gazette, vol. xxvi., p. 2122.

By Order in Council of the 5th July, 1893, under the provisions of clause 226 of "The Railway Act," 51 Victoria, chapter 29, an amended classification of freight No. 9 was approved to be substituted for classification No. 8, which was prescribed by the Order in Council of the 29th September, 1891, and the amendments thereto; the said classification No. 9 to be applicable to railway freight traffic to and from all points within the Dominion of Canada.

Vide Canada Gazette, vol. xxvii., p. 198.

Department of the Secretary of State.

Letters patent have been issued, as dated below, incorporating the following companies, and notices thereof published in vol. xxvi. of the *Canada Gazette*, at the pages stated, viz. :—

	PAGE.
Carey Wire Sewing Process Co. ; capital \$250,000 ; 10th June, 1893...	2379
Citizens Despatch Co. ; capital \$50,000 ; 12th April, 1893.....	2031
Cortland Electrical Manufacturing Co. ; capital \$40,000 ; 12th March, 1893.....	1897
Dominion Leather Covered Pulley Co. ; capital \$12,000 ; 1st May, 1893.	2081
Georgian Bay Lumber Co. ; capital \$200,000 ; 13th May, 1893.....	2142
Gurney Foundry Co. ; capital increased to \$350,000, 22nd April, 1893.	2031
Gurney-Massey Co. ; capital \$50,000 ; 13th April, 1893.....	1897
Kingsville and Pelee Navigation Co. ; capital \$9,000 ; 15th April, 1893.	2031
Leslie E. Keely's Institutes Co. ; capital \$500,000 ; 22nd April, 1894....	1982
Merchants Protective Collecting Association ; capital \$5,000 ; 1st May, 1893.....	2081
Ontario Natural Gas Co. ; capital increased to \$500,000, 22nd April, 1893.....	2031

Department of the Secretary of State.

	PAGE.
Ottawa Transportation Co. ; capital increased to \$500,000 ; 22nd April, 1893.....	2031
Parker-Eakins Co. ; capital \$100,000 ; 12th April, 1893.....	1983
Peterborough Milling Co. ; capital \$95,000 ; 12th April, 1893.....	1982
Safety Barb Wire Co. ; capital \$75,000 ; 10th June, 1893.....	2379
Strathyre Mining Co. ; capital \$125,000 ; 10th May, 1893.....	2142
Sincennes-McNaughton Line ; capital increased to \$250,000 ; 22nd April, 1893.....	2031
Toronto and British Columbia Lumber Co. ; capital \$1,000,000 ; 5th April, 1893.....	1897
Toronto Rubber Co. ; name changed to Toronto Rubber Shoe Manufacturing Co. ; 9th May, 1893.....	2143

Letters patent have been issued, as dated below, incorporating the following companies, and notices thereof published in vol. xxvii. of the *Canada Gazette*, at the pages stated, viz. :—

	PAGE.
Alaska Feather and Down Co. ; capital \$20,000 ; 16th April, 1894.....	1887
American Hardwood Co. ; capital \$100,000 ; 19th February, 1894.....	1589
Ames Holden Co. ; capital \$600,000 ; 27th April, 1894.....	1943
Canada Crockery Importing Co. ; capital \$40,000 ; 26th September, 1893	629
Canada Iron Furnace Co. ; capital increased to \$300,000 ; 15th August, 1893.....	298
Canada Paint Co. ; capital increased to \$750,000 ; 29th December, 1893..	1270
Canadian Freehold Security Co. ; capital \$199,000 ; 28th December, 1893.....	1080
Canadian Granite Co. ; supplementary ; 28th February, 1894.....	1589
Canadian Royal Art Union ; capital \$10,000 ; 14th February, 1894...	1495
Citizens Gas Control Co. ; capital \$62,500 ; 19th June, 1894.....	2382
Citizens Light and Power Co. ; capital increased to \$200,000 ; 13th October, 1893.....	629
Coal Saving and Smoke Consuming Co. ; capital \$50,000 ; 13th October, 1893.....	670
Consolidated Plate-Glass Co. ; capital \$250,000 ; 20th June, 1893.....	8
Consumers Gas Co., of Montreal ; capital \$500,000 ; 8th September, 1893.....	405
Cyclorama Co. ; capital \$20,000 ; 3rd October, 1893.....	629
Dane & Rankin Trap Co. ; capital \$2,000 ; 5th June, 1894.....	2316
Dominion Bag Co. ; capital \$125,000 ; 11th January, 1894.....	1225
Edwards Trading Co. ; capital \$50,000 ; 13th November, 1893.....	927
Euphemia Shipping Co. ; capital \$18,000 ; 31st July, 1893.....	233
Fish River Copper and Silver Mining Co. ; capital \$500,000 ; 21st October, 1893.....	752
Gibbs-Franchot-McLaren Co. ; capital \$50,000 ; 5th June, 1894.....	2316
Gillies Brothers Co. ; capital \$200,000 ; 28th December, 1893.....	1131
Glover Towing Co. ; capital \$10,000 ; 22nd December, 1893.....	1270
Goldie Milling Co. ; capital \$180,000 ; 27th June, 1894.....	2430

Department of the Secretary of State.

	PAGE.
Goold Bicycle Co. ; capital increased to \$100,000 ; 8th January, 1894..	1270
Heat Deflector Co. ; capital \$100,000 ; 14th February, 1894.....	1588
Imperial Writing Machine Co. ; capital \$400,000 ; 12th June, 1894...	2382
J. L. Cassidy Co. ; capital \$300,000 ; 28th February, 1894.....	1589
J. P. Wisner & Sons ; capital \$500,000 ; 7th December, 1893.....	1080
Lake Ontario and Bay of Quinté Steamboat Co. ; capital \$25,000 ; 13th December, 1893.....	1079
McRae Trading Co. ; capital \$100,000 ; 8th February, 1894.....	1404
Mercer Manufacturing Co. ; capital \$120,000 ; 23rd January, 1894.....	1269
Mercer Manufacturing Co. ; supplementary ; 8th March, 1894.....	1589
Montreal and Chicago Merchants Shipping Co. ; supplementary, 5th May, 1894.....	2316
Montreal and Cornwall Navigation Co. ; capital \$49,000 ; 21st April, 1894.....	1887
Niagara Navigation Co. ; capital increased to \$1,000,000 ; 15th August, 1893.....	298
Northern Elevator Co. ; capital \$250,000 ; 26th September, 1893.....	502
North-western Publishing Co. ; capital \$25,000 ; 8th January, 1894...	1269
Ontario and Western Lumber Co. ; capital \$1,000,000 ; 26th Septem- ber, 1893.....	501
Paterson Manufacturing Co. ; capital \$50,000 ; 17th January, 1894....	1322
Pontiac Telephone Co. ; capital \$1,000 ; 27th April, 1894.....	1943
Provincial Natural Gas and Fuel Co. ; supplementary, 21st May, 1894	2183
Riverside Manufacturing Co. ; capital \$50,000 ; 10th January, 1894...	1270
Russell Co. ; capital, \$300,000 ; 31st July, 1893.....	232
Simpson Co. ; capital \$90,000 ; 22nd August, 1893.....	334
Slingsby Manufacturing Co. ; capital \$175,000 ; 15th August, 1893....	299
Société de Publication Conservatrice de Montréal ; capital \$50,000 ; 10th January, 1894.....	1225
Stanstead Granite Co. ; capital \$100,000 ; 22nd July, 1893.....	200
St. Lawrence Chemical Co. ; capital \$10,000 ; 28th March, 1894.....	1887
St. Lawrence and Chicago Steam Navigation Co. ; capital increased to \$200,000 ; 28th March, 1894.....	1736
St. Lawrence Cotton Co. ; capital \$250,000 ; 13th December, 1893.....	977
Tiber Steamship Co. ; capital \$51,200 ; 21st May, 1894.....	2255
Tobique Valley Gypsum Mining and Manufacturing Co. ; capital \$50,- 000 ; 18th August, 1893.....	265
Trojan Coupler Co ; capital \$300,000 ; 8th July, 1893.....	101
"True Witness" Printing and Publishing Co ; capital \$10,000 ; 28th May, 1894.....	2183
Weather and Waterproof Paint Co. ; capital increased to \$25,000 ; 15th June, 1893.....	9
Wm. Clendinneng and Son Co. ; capital \$500,000 ; 15th August, 1893	298
Wm. J. Matheson Co. ; capital \$25,000 ; 29th December, 1893.....	1269
Wright Cement Co. ; capital \$250,000 ; 15th August, 1893.....	299

TABLE OF CONTENTS

ACTS OF IMPERIAL PARLIAMENT, IMPERIAL TREATIES AND ORDERS IN COUNCIL,
CANADIAN PROCLAMATIONS, ORDERS IN COUNCIL, &C., HAVING
FORCE OF LAW.

IMPERIAL ACTS.

56-57 VICTORIA, CHAPTER 23.

	PAGE.
An Act to provide for prohibiting the catching of seals at certain periods in Behring's Sea and other parts of the Pacific Ocean adjacent to Behring's Sea.....	iii

57 VICTORIA, CHAPTER 2.

An Act to provide for carrying into effect the Award of the Tribunal of Arbitration constituted under a Treaty between Her Majesty the Queen and the United States of America.....	xv
--	----

IMPERIAL TREATIES AND ORDERS IN COUNCIL.

Behring Sea Award Order in Council, 1894.....	lxxxiv
Court of Queen's Bench for Manitoba, appeals to.....	xxxiii
Extradition Treaty with the Argentine Republic.....	xlii
Extradition Treaty with the Republic of Liberia.....	lvii
Extradition Treaty with the King of Portugal.....	1
Extradition Treaty with the King of Roumania.....	lxiv
Merchant Shipping, Pilot vessels—lights.....	xxxvii
Merchant Shipping, Sea-going steamships—lights.....	xxxv
Merchant Shipping, Tonnage measurement of Italian vessels.....	xli
Precedence of certain Functionaries in Canada.....	xlii
Rules for Life-saving Appliances (Merchant Shipping Act).....	lxxi
Seal Fishery (Behring's Sea) Order in Council, 1893.....	xxxix
Seal Fishery (North Pacific) Order in Council, 1893.....	xl
Seal Fishery (North Pacific) Order in Council, 1894.....	xlix

CANADIAN ORDERS IN COUNCIL AND PROCLAMATIONS.

	PAGE.
Governor General (Earl of Aberdeen) Proclamation of appointment.	lxxxix
Agriculture, Orders in Council, &c., on subjects connected with the Department of.	xc
Inland Revenue, Orders in Council, &c., on subjects connected with the Department of.....	ci
Interior, Orders in Council, &c., on subjects connected with the Department of the.....	cx
Justice, Order in Council on subject connected with the Department of.....	cxviii
Marine and Fisheries, Orders in Council, &c., on subjects connected with the Department of.....	cxix
Public Works, Orders in Council, &c., on subjects connected with the Department of.....	cxxxvi
Railways and Canals, Orders in Council, &c., on subjects connected with the Department of.....	clxii
Secretary of State, letters patent incorporating companies issued by the Department of the	clxii

INDEX

TO

IMPERIAL TREATIES AND ORDERS IN COUNCIL, CANADIAN ORDERS IN COUNCIL AND PROCLAMATIONS AND OTHER DOCUMENTS.

	PAGE.
ACTS of New Brunswick Legislature relating to Tobique Valley Railway confirmed and made valid.....	clxii
Agriculture, Orders relating to Department of.....	xc
Argentine Republic, extradition treaty with.....	xlii
BASS fishing in New Brunswick, regulations respecting, amended..	cxxi
Bass, regulations respecting close season in Ontario and Quebec.....	cxix
Behring Sea Award Act, 1894.....	xv
Behring Sea Award Order in Council, 1894.....	lxxxiv
Big Tracadie harbour set apart for propagation of oysters.....	cxxv
Board of Trade (Imperial) rules for life-saving appliances.....	lxxi
British Columbia—Cattle quarantine in province of.....	c
Fishery regulations for province of.....	cxxv
Homestead entry, forms of affidavit amended	cxvi
Ports at which petroleum may be imported in tank cars....	cv
Buffalo and Fort Erie ferry—tariff of charges amended.....	ciii
Buffalo to Shisler's Point and Port Colborne ferry regulations.....	cvii
CATTLE quarantine, lands lying between the Forks of the Milk River to be included in reservation for.....	cxvi
Reservation between east boundary of Manitoba and Pacific, regulations amended.....	c
Settlers' cattle, regulations respecting, amended.....	c
Willow Creek reservation, area of.....	cxviii
Certificates of competency or service as masters and mates, regula- tions relating to, amended	cxxxii
Cod-fishery regulations in the Gulf of St. Lawrence.....	cxxx
Commercial licenses for gill-net fishing in Lake Winnipeg not to be granted.....	cxxxii
Companies incorporated by issue of letters patent.....	clxii
Court of Queen's Bench for Manitoba, Order in Council respecting....	xxxiii
“DOMINION Lands Act,” Forms amended.....	cxii, cxvi
Dominion lands—correction surveys of.....	cxvi
ESQUIMALT, regulations for vessels using port of.....	cxxxii
Extradition treaty with the Argentine Republic.....	xlii
With the Republic of Liberia.....	lvii
With the King of Portugal.....	l
With the King of Roumania.....	lxiv

	PAGE.
FAIRFORD Indian reserve, islands in Lake St. Martin added to....	cx
Ferry between Fort Erie and Buffalo—tariff of fees amended.....	ciii
Morrisburg and Waddington.....	cv
Queenston and Lewiston.....	ci
Quyón and Fitzroy.	cii
Shisler's Point and Port Colborne to Buffalo.....	cvii
Fisher River Indian Reserve extended.....	cxiv
Fishery regulations for Manitoba and N.W.T. amended...cxxiv, cxxix, cxxxii	cxxxii
For British Columbia amended.....	cxxxv
For New Brunswick amended.....	cxxi
Fishing bounties, regulations respecting, amended	cxx
Clause No. 10 amended.....	cxxxii
.....	cii
Fitzroy and Quyón ferry regulations.....	cxxxviii
Fly surface fishing for salmon in Cape Breton permitted.....	cxxxviii
Fort Pelly district, lands withdrawn from sale and vested in the Superintendent General of Indian Affairs.....	cxiii
Freight traffic classification No. 9 applicable to railways in the Dominion.....	clxii
GOVERNOR General, Proclamation of appointment.....	lxxxix
Gulf of St. Lawrence cod-fishery, regulations relating to.....	cxxx
HARBOUR Masters Act to apply to port of Weymouth.....	cxxxv
Harbour Masters, regulations respecting, amended.....	cxix, cxxxii
Hay lands to be sold for benefit of Indians of Fort Pelly.....	cxii
Highways, lands vested in Lieut.-Governor of Manitoba as public....	cx
Homestead entries in sections traversed by rivers and large streams, regulations respecting.....	cxvi
Homestead entry by an agent, form of.....	cxii
Homestead lands in railway belt in British Columbia.....	cxvi
Hudson's Bay Company's lands exempt from fee for certificate of ownership	cxiii
INDIAN Affairs, lands placed under control of department of, for Rolling River Band.....	cxv
Indian Reserve, Fairford, islands in Lake St. Martin added to.....	cx
Moose Woods Sioux reserve extended.....	cxiv
Indian school purposes, lands set apart for.....	cxiv
Indians, White Whale Lake, lands in vicinity set apart for	cxviii
Inland Revenue, Orders relating to Department of.....	ci
Interior, Orders relating to the Department of.....	cx
Italian ships, measurement of tonnage of.....	xli
JUSTICE, Department of, Order relating to joint stock companies..	cxviii
LAKE Winnipeg, regulation relative to commercial licenses for gill- net fishing.....	cxxxix
Lands vested in Lieut.-Governor of Manitoba as public highways....	cx
Letters patent of incorporation issued by Secretary of State.....	clxii
Liberia, extradition treaty with the Republic of.....	lvii
Life-saving appliances, Imperial Board of Trade rules respecting....	lxxi
Lights on sea-going steamships (Merchant Shipping Act).....	xxxv

INDEX.

	PAGE.
Lights on pilot vessels (Merchant Shipping Act).....	xxxvii
Lights on vessels in Canadian waters.....	cxxxii
Live stock, regulations respecting the shipping of amended.....	cxxxv
Lobster fishery at the Magdalen Islands, regulation respecting.....	cxxxix
Lobsters, use of trawls in catching prohibited in Gaspé and Bonaventure.....	cxxx
Lewiston and Queenston ferry regulations.....	ci
MACKEREL nets on Atlantic coast, regulation relative to setting suspended.....	cxix
Magdalen Islands lobster fishery, regulation respecting.....	cxxxix
Manitoba—cattle quarantine in province of.....	c
Court of Queen's Bench, appeals from.....	xxxiii
Fisher River reserve extended.....	cxiv
Fishery regulations amended.....	cxxiv, cxxxix, cxxxii
Lake St. Martin, islands in, added to Fairford reserve.....	cx
Lands vested in the Lieut.-Governor as public highways.....	cx
Ports at which petroleum may be imported in tank cars.....	cv
Settlers' cattle admitted under certain conditions.....	c
Survey of lands traversed by rivers or large streams, regulations as to.....	cxvi
Swamp lands vested in Her Majesty for the purpose of.....	cx, cxiv
Marine and Fisheries, Orders relating to Department of.....	cxix
Masters and mates, rules for examination of candidates for certificates of.....	cxxxii
Merchant Shipping Act—pilot vessels, lights on.....	xxxvii
Rules for life-saving appliances.....	lxxi
Sea-going steamships, lights on.....	xxxv
Tonnage measurement of vessels of Italy.....	xli
Moose Woods Sioux Indian reserve, lands added to.....	cxiv
Morrisburg and Waddington ferry regulations.....	cv
NAVIGATION of Canadian waters, section added to regulations respecting.....	cxxxii
Net-fishing in Lake des Chats prohibited.....	cxxxii
New Brunswick—Acts of legislature relating to Tobique Valley railway confirmed and made valid.....	clxii
Bass, regulations respecting fishing for, amended.....	cxxi
Oyster fishery regulations.....	cxxxiii
Ports at which petroleum may be imported in tank cars.....	cv
Nova Scotia—Oyster fishery regulations.....	cxxxiii
Ports at which petroleum may be imported in tank cars.....	cv
Richmond county pilotage district established.....	cxxxv
North-west Territories—Regulations relating to registrars' fees amended.....	cxxxiii
Fishery regulations amended.....	cxxiv, cxxxix, cxxxii
Lands set apart for sheep grazing.....	cx
Lands traversed by rivers and large streams, regulations respecting survey of.....	cxvi
Ports at which petroleum may be imported in tank cars.....	cv

	PAGE.
ONTARIO, Bass, regulations respecting close season for.....	cxix
Fishery regulations amended.....	cxxxix
Ports at which petroleum may be imported in tank cars....	civ, cv
Oyster fishery, regulation respecting.....	cxxxiii
Oysters, Shediac Harbour, waters in set apart for propagation of	cxxxiv
Tracadie Harbour, reservation for propagation of.....	cxxxv
PARRY Sound, regulation respecting towing logs, &c., into harbour of	cxix
Petroleum, importation of in tank cars in certain places in Dominion.	civ
Certain places added.....	cv
Pilotage district for County of Richmond, N.S., established.....	cxxxv
Pilot vessels—Lights on (Merchant Shipping Act), rules relating to.	xxxvii
Port Colborne and Shisler's Point to Buffalo ferry regulations.....	cvii
Portugal, extradition treaty with the King of	l
Precedence of certain functionaries.....	xlii
Prefix "The," to form part of corporate name of company.....	cxviii
Pre-emption entries for second homestead may be cancelled under certain conditions.....	cxiii
Protection of navigable waters, portion of Lake St. Francis exempted from operation of Act respecting the.....	cxxxii
Prince Edward Island—Oyster fishery regulations.....	cxxxiii
Public Works, Orders relating to Department of.....	cxxxvi
QUARANTINE regulations revised and amended	xc
Detention.....	xci
Disinfection of luggage	xciv
General provisions.....	xc
Methods of disinfection.....	xcvi
Penalties	xcviii
Questions to be answered by masters, surgeons, &c., of vessels.	xcix
Stations.....	xc
Unorganized quarantine stations.....	xciv
Unorganized inland quarantine stations.....	xcvii
Vaccination.....	xcii
Quebec—Magdalen Island, lobster fishery regulations.....	cxxxix
Oyster fishery regulations.....	cxxxiii
Ports at which petroleum may be imported in tank cars....	cv
Trawls for catching lobsters in Gaspé and Bonaventure prohibited	cxxx
Queen's County (P. E. I.)—Waters set apart for propagation of oysters in	cxxxiii
Queenston and Lewiston ferry regulations	ci
Quyon and Fitzroy ferry regulations.....	cii
RAILWAYS and Canals, Orders relating to Department of	clxii
Railway freight traffic classification No. 9 substituted for No. 8.....	clxii
Rainy River settlers may fish under certain conditions.....	cxxxix
Richmond, N.S., pilotage district established.....	cxxxv
River Yamaska lock, rules for management of.....	cl
Rolling River Band—area set apart for Indians of the.....	cxv
Roumania, extradition treaty with the King of.....	lxiv

INDEX.

clxxi

	PAGE.
SALMON, regulation respecting fishing in Cape Breton.....	cxxviii
Second homestead pre-emption entries may be cancelled.....	cxliii
Secretary of State, letters patent incorporating companies issued by Department of the.....	clxii
Seal Fishery (Behring's Sea) Order in Council, 1893.....	xxxix
(North Pacific) Act, 1893.....	iii
(North Pacific) Order in Council, 1893.....	xl
(North Pacific) Order in Council, 1894.....	xlix
Settlers' cattle in Manitoba, regulations respecting amended.....	c
Shediac Harbour set apart for propagation of oysters.....	cxxiv
Sheep permitted to pasture in certain territory set apart by Minister.....	cx
Shisler's Point and Port Colborne to Buffalo ferry regulations.....	cvii
Shipping of live stock, regulations relating to amended.....	cxxxv
Slides, booms and works in the Trent and Newcastle District, regu- lations respecting.....	cxxxvi
On the St. Maurice, regulations respecting amended.....	cxlii
Smelt fishing with bag-nets, time extended....	cxxxv
St. Maurice slides, tolls to be charged for passage of timber.....	cxlviii
Survey of Dominion lands cancelled and new survey substituted.....	cxvi
Swamp lands vested in Her Majesty for the province of Manitoba....	cx, cxiv
TARIFF of charges on Fort Erie and Buffalo ferry amended.....	eiii
Tariff of tolls on River Yamaska lock.....	clvii
Tobique Valley Railway, Acts of N.B. confirmed and made valid....	clxii
Tonnage measurement of Italian vessels.....	xli
Trent and Newcastle district slides, booms and works, regulations respecting.....	cxxxvi
UNITED States wreckers in Canadian waters, Act respecting aid by, declared in force.....	cxix
VICTORIA and Esquimalt, regulations for vessels using ports of...	cxxx
WADDINGTON and Morrisburg ferry regulations.....	cv
Weymouth, Harbour Masters Act to apply to port of.....	cxxxv
White Whale Lake, lands in vicinity of, set apart for Indians.....	cxviii
Willow Creek quarantine reservation, area of.....	cxviii
YAMASKA lock, regulations for management of.....	cxlix

ACTS
OF THE
PARLIAMENT
OF THE
DOMINION OF CANADA

PASSED IN THE SESSION HELD IN THE

FIFTY-SEVENTH AND FIFTY-EIGHTH YEARS OF THE REIGN OF HER MAJESTY

QUEEN VICTORIA

BEING THE

FOURTH SESSION OF THE SEVENTH PARLIAMENT

*Begun and holden at Ottawa, on the Fifteenth day of March, and closed by
Prorogation on the Twenty-third day of July, 1894*



HIS EXCELLENCY

THE RIGHT HONOURABLE SIR JOHN CAMPBELL HAMILTON-GORDON, EARL OF ABERDEEN
GOVERNOR GENERAL

VOL. I
PUBLIC GENERAL ACTS

OTTAWA
PRINTED BY SAMUEL EDWARD DAWSON
LAW PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY
ANNO DOMINI 1894



57-58 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 years ending respectively the 30th June, 1894, and the 30th June, 1895, and for other purposes relating to the public service.

[Assented to 23rd July, 1894.]

MOST GRACIOUS SOVEREIGN,

WHEREAS it appears by Messages from His Excellency the Right Honourable Sir John Campbell Hamilton-Gordon, Earl of Aberdeen, 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 eight hundred and ninety-four, and the thirtieth day of June, one thousand eight hundred and ninety-five, and for other purposes connected with the public service; May it therefore please Your Majesty that it may be enacted, and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that :—

Preamble.

1. This Act may be cited as *The Appropriation Act, 1894.* Short title.

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 million two hundred and seventeen thousand nine hundred and fifty-six dollars and fifteen 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-three to the thirtieth day of June, in the year of our Lord one thousand eight hundred and ninety-four, not otherwise provided for, and set forth in schedule A to this Act, and also for the other purposes in the said schedule mentioned. Sum granted for financial year 1893-94. \$1,217,956.15.

3. 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 twenty-three million three hundred and sixty-one thousand seven hundred and twelve dollars and sixty-five cents towards defraying the several charges and expenses of the public service of Canada, from the first day of July Sum granted for financial year 1894-95. \$23,361,712.65.

July, in the year of our Lord one thousand eight hundred and ninety-four, to the thirtieth day of June, in the year of our Lord one thousand eight hundred and ninety-five, not otherwise provided for, and set forth in schedule B to this Act, and also for the other purposes in the said schedule mentioned.

Special provision as to N. W.T. **4.** 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.

Account to be rendered in detail. **5.** 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.

Declaratory as to certain loans authorized but not raised. **6.** And whereas there remained on the thirty-first day of December last, unborrowed and negotiable, of the loans authorized by Parliament for the several works hereinafter mentioned, and for general purposes, the sums opposite to each, respectively, that is to say:—

For Intercolonial Railway.....	\$2,433,333	33
For opening communication and administration of the Government in the North-west Territories.	1,460,000	00
For improvement of the River St. Lawrence....	3,042,405	00
do do Quebec harbour... ..	3,975,000	00
For the Lévis graving dock	910,000	00
For the harbour of Three Rivers	82,000	00
For the Pacific Railway and Canadian canals....	3,893,333	32
For general purposes, balance 30th June, 1893	\$13,918,308	10
For savings bank withdrawals to 31st December, 1893.....	4,909,151	25
For four per cent funded debt redeemed to 31st December, 1893.....	955,878	67
For Dominion stock redeemed to 31st December, 1893.....	22,129	69
	<hr/>	
	\$19,805,467	71

Deduct :—

Savings bank deposits to 31st December, 1893.	\$5,148,326	41
Stock issued in London to 31st December, 1893.	1,068,860	56
	<hr/>	
	6,217,186	97

13,588,280 74

\$29,384,352 39

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 be applicable to the several purposes aforesaid, under the Acts and provisions thereunto relating respectively.

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

Application of such sums.

SCHEDULE A.

SUMS granted to Her Majesty by this Act, for the Financial Year ending 30th June, 1894, and the purposes for which they are granted.

SERVICE.	Amount.	Total.
CHARGES OF MANAGEMENT.		
	\$ cts.	\$ cts.
To pay further amount to Thomas Skinner for services in connection with the transfer of the financial agency in London	1,000 00	
To pay the Crown Agents for the Colonies one-half of one per cent commission and one-fourth of one per cent brokerage on amount of British Columbia loan redeemed	3,500 00	4,500 00
CIVIL GOVERNMENT.		
Department of the Queen's Privy Council for Canada.—To pay, notwithstanding anything in the Civil Service Act, the following clerks their salaries from 1st January to 30th June, 1894, viz.:—		
W. C. DesBrisay	\$ 415 00	
F. Chadwick	452 50	
J. R. Fraser	362 00	
To provide for the payment from 1st January to 30th June, 1894, to H. P. Buck the amount allowed for passing in two optional subjects	50 00	
To recoup the vote for Unforeseen Expenses for amount appropriated to the contingencies of this department	2,200 00	3,479 50
Department of Justice.—To pay J. W. Hughes for his services from the 1st to 31st January, 1894, notwithstanding anything to the contrary in the Civil Service Act	\$ 77 50	
To pay R. F. Harris for two optional subjects from 1st July, 1893, to 1st July, 1894	100 00	
Further amount required for contingencies	2,000 00	2,177 50
Department of the Secretary of State.—To pay G. de La Porte for services as an extra clerk in Records Branch	\$ 62 00	
To cover expenses incurred in prosecuting persons guilty of personating at Civil Service examinations at Montreal	150 00	212 00
Department of Inland Revenue.—To pay Achille Fréchet for translation	\$ 4 70	
Further amount required for contingencies	1,000 00	1,004 70
Post Office Department.—Amount short-estimated in 1892-93, and paid out of Estimates for 1893-94—		
For clerical and other assistance, June, '93	\$ 663 31	
For printing (May and June, 1893)	2,839 25	
For stationery do	843 87	
For telegrams, etc., June, 1893	98 81	
	\$ 4,445 24	
Amount short-estimated in Estimates of 1893-94—		
For clerical and other assistance	2,000 00	6,445 24
Carried forward	13,318 94	4,500 00

SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	13,318 94	4,500 00
CIVIL GOVERNMENT—Concluded.		
Department of Railways and Canals—To pay J. E. W. Currier's salary as private secretary to the Minister of Railways and Canals from April 1, to May 1, 1893.....	56 45	
Department of Public Works—Further amount required for contingencies.....	500 00	
Department of Agriculture—		
To pay the following extra clerks their salaries from the 1st to the 31st January, 1894, notwithstanding anything in the Civil Service Act :-		
John Thomison.....	\$ 50 00	
R. E. Armstrong.....	38 75	
T. H. Morgan.....	50 00	
T. B. Bassett.....	46 50	
To provide for an adverse balance carried forward from 1892-3.....	1,200 00	
	1,385 25	15,260 64
ADMINISTRATION OF JUSTICE.		
<i>Exchequer Court of Canada.</i>		
To provide for the increase of the Registrar's salary by an increment of \$50 per annum from 1st January, 1894.....		25 00
PENITENTIARIES.		
Kingston Penitentiary—To provide for the salary of Rev. J. V. Neville, chaplain, at \$1,200 per annum, from 1st December, 1893, to 30th June, 1894, notwithstanding anything to the contrary in the Penitentiary Act.....	\$ 116 67	
To provide for binder twine machinery.....	29,000 00	
	29,116 67	
Manitoba Penitentiary—To provide for increase to D. Farquhar, mason and quarry instructor, to \$1,000, from 1st July, 1893, to 30th June, 1894, notwithstanding anything to the contrary in the Penitentiary Act....	400 00	
British Columbia Penitentiary—To pay Rev. H. H. Gowan, Protestant chaplain, appointed 21st May, 1894, at the rate of \$600 per annum, notwithstanding anything in the Penitentiary Act to the contrary....	11 10	
		29,527 77
LEGISLATION.		
SENATE.		
To pay 4 pages for 15 days extra at \$1.50 each a day.....	90 00	
HOUSE OF COMMONS.		
To cover amount expended for French translation from 1st July, 1893.....	\$ 1,600 00	
To pay two extra clerks for session of 1894 at \$300.....	600 00	
To pay for 5 leather trunks for new members elected since last session.....	125 00	
To provide, at the rate of \$50 per annum, for the statutory increases, from 1st January, 1894, to the salaries of Messrs. Chamberlain and Cameron.....	50 00	
To pay a gratuity to the widow of the late T. J. Richardson, one of the official reporters of the House of Commons....	1,000 00	
Additional amounts required on account of session continuing over 100 days—		
Sessional clerks.....	800 00	
Sessional French translators.....	200 00	
Carried forward.....	4,375 00	49,313 41

SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward	\$ 4,375 00	49,313 41
<i>LEGISLATION—Concluded.</i>		
<i>HOUSE OF COMMONS—Concluded.</i>		
Expenses of Committees—		
Shorthand writers and witnesses.....	1,500 00	
Debates amanuenses.....	200 00	
<i>Serjeant-at-Arms' Estimates.</i>		
Messengers.....	900 00	
Pages.....	216 00	
Charwomen.....	75 00	
Gasman.....	10 00	
Servants.....	20 00	
	7,296 00	
<i>LIBRARY OF PARLIAMENT.</i>		
To provide for a bonus of 15 days extra pay at \$2.50 a day in compensation for the shortness of the session of 1893, to the following sessional messengers, viz., Joseph Lafontaine and T. W. Hodgins, \$37.50 each.....	\$ 75 00	
To provide for the payment of the salaries during one hundred days of the extra or sessional messengers during the session of 1894 at \$2.50 each a day.....	500 00	
	575 00	
<i>GENERAL.</i>		
To purchase 325 copies of Todd's "Government in the Colonies," at \$7.30 each, and freight and other expenses.....	\$ 2,383 33	
Less—Amount already provided.....	2,000 00	
	\$ 383 33	
To pay for printing and translation of the report of the Royal Commission on the liquor traffic.....	18,000 00	
	18,383 33	
		26,344 33
<i>ARTS, AGRICULTURE AND STATISTICS.</i>		
Further amount required to cover expenditure connected with the Columbian Exposition.....	25,000 00	
To cover expenditure in connection with the Antwerp Exhibition.....	1,500 00	
Patent Record—Additional amount required to pay Queen's Printer for printing and engraving.....	2,800 00	
Statistics—To pay balance due Queen's Printer for "Year-Book and Statistical Abstract".....	\$ 2,300 00	
For compiling returns ordered by Parliament, not provided for in the special vote for that purpose.....	2,750 00	
	5,050 00	
Experimental Farms—Additional amount required for maintenance, arising from adverse balances, \$3,000 in 1890-91, \$1,580 in 1891-92 and \$2,220 in 1892-93.....	6,800 00	
		41,150 00
<i>IMMIGRATION.</i>		
To pay to Henry Merrick and Thomas Connolly, late immigration agents, a retiring allowance of \$1,200 each.....	2,400 00	
To authorize payment to Wm. Anderson, interpreter at Quebec, under Order in Council of 11th January, 1893, in excess of the amount voted for his salary in 1892-93.....	33 11	
		2,433 11
Carried forward.....		119,240 85

SCHEDULE A—*Continued.*

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....		119,240 85
QUARANTINE.		
Cattle Quarantine—To repay North-west Mounted Police proportion of special expenditure incurred in quarantining of settlers' cattle in North-west Territories under Order in Council of 22nd March, 1893.....	5,090 00	
Additional amount required for salaries and maintenance of organized and unorganized cattle stations and meeting manifestations of disease....	6,378 00	11,468 00
MILITIA.		
Clothing and necessaries.....	12,000 00	
Gratuities to officers of the active militia placed on retired list.....	4,400 00	16,400 00
RAILWAYS AND CANALS.		
<i>(Chargeable to Capital.)</i>		
RAILWAYS.		
<i>Canadian Pacific Railway.</i>		
Construction.....	4,000 00	
<i>Intercolonial Railway.</i>		
Construction.....	73,000 00	
<i>Annapolis and Digby Railway.</i>		
Construction.....	1,000 00	
<i>Montreal and European Short Line Railway.</i>		
To pay Borden, Ritchie & Co.'s account, Montreal and European Short Line Railway vs. Regina.....	18 00	
CANALS.		
<i>Lachine Canal.</i>		
Construction.....	12,500 00	
<i>Soulanges Canal.</i>		
Construction.....	2,200 00	92,718 00
RAILWAYS AND CANALS.		
<i>(Chargeable to Income.)</i>		
CANALS.		
<i>Grenville Canal.</i>		
To pay final estimate of F. Toms for re-building wing-walls at guard lock.....	\$ 3,365 00	
To pay for 158 cubic yards of stone for dry walls.....	277 00	
	3,642 00	
Carried forward.....	3,642 00	239,826 85

SCHEDULE A—Continued.

Service.	Amount.		Total.	
	\$	cts.	\$	cts.
Brought forward	3,642	00	239,826	85
RAILWAYS AND CANALS—Concluded.				
<i>(Chargeable to Income)—Concluded.</i>				
CANALS—Concluded.				
<i>Trent Valley Canal.</i>				
To pay judgment of the Exchequer Court, W. H. Hall vs. Regina	\$	975	00	
To pay costs in suit W. H. Hall vs. Regina		400	00	
To pay balance of final estimate of Beatty & Sons for dredge		3,000	00	
To pay contribution towards construction of swing bridge at Fenelon Falls		13,000	00	
			17,375	00
<i>Lachine Canal.</i>				
To pay salaries and expenses in connection with commission of inquiry into Lachine Canal Expenditure	\$	10,000	00	
Repairs to break, St. Gabriel's lock		1,804	00	
			11,804	00
<i>Carillon Dam.</i>				
To cover cost of repairing one abutment pier			6,000	00
<i>Rideau Canal.</i>				
To sheet piling of Deep Cut, Ottawa	\$	10,000	00	
To pay municipality of Redford to raise road at West Rideau Lake		350	00	
To pay widows of late lockmasters Dean and McGilvery for buildings		451	00	
To pay balance on Hog's Back bulkhead contract		1,431	00	
			12,232	00
<i>Welland Canal.</i>				
To repair about 500 feet of canal bank, which slid in 24th August, 1891	\$	4,000	00	
To pay award of official valuator on claim of John Carlston		200	00	
To pay G. W. Reid, for time laid up from injury		72	00	
			4,272	00
			55,325	00
PUBLIC WORKS.				
<i>(Chargeable to Capital.)</i>				
<i>Ontario.</i>				
Kingston Graving Dock, balance due on construction of iron caisson				782 97
PUBLIC WORKS.				
<i>(Chargeable to Income.)</i>				
PUBLIC BUILDINGS.				
<i>Nova Scotia.</i>				
Halifax Quarantine Station on Lawlor's Island		8,217	33	
Carried forward		8,217	33	295,934 82

SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward	8,217 33	295,934 82
<i>PUBLIC WORKS—Continued.</i>		
<i>(Chargeable to Income)—Continued.</i>		
<i>PUBLIC BUILDINGS—Concluded.</i>		
<i>New Brunswick.</i>		
St. John Custom-house.....	38,000 00	
<i>British Columbia.</i>		
Williams Head Quarantine Station—Buildings, water supply, etc.	32,460 90	
<i>Public Buildings Generally.</i>		
Public Buildings generally.....	3,000 00	
<i>Repairs, Furniture, Heating, &c.</i>		
Parliament Buildings—Renewal of boilers	\$ 5,000 00	
Heating public buildings, Ottawa, including salaries of engineers, firemen, elevator attendants and caretakers...	9,000 00	
Telephone service—Public Buildings, Ottawa.....	400 00	
Lighting Public Buildings—Additional amount required	6,000 00	
	20,400 00	
<i>EXPERIMENTAL FARMS.</i>		
Improvements, renewals, repairs, etc., in connection with buildings, fences, etc.	1,200 00	
<i>HARBOURS AND RIVERS.</i>		
<i>Nova Scotia.</i>		
Halifax Quarantine Station—Wharf on Lawlor's Island.....	\$ 5,470 98	
Port Maitland—Repairs to breakwater—To make good to A. McKinnon, contractor, the extra expense he had to bear, considering that the timber required for the works let had to be procured in summer instead of winter, as calculated on by him	273 75	
	5,744 73	
<i>Prince Edward Island.</i>		
Nine Mile Creek	84 00	
<i>New Brunswick.</i>		
Campbellton Ballast Wharf, etc.....	\$ 1,732 50	
Tracadie Wharf.....	1,200 00	
	2,932 50	
<i>Maritime Provinces Generally.</i>		
General repairs and improvements to harbour and river works.....	1,000 00	
<i>Quebec.</i>		
General repairs and improvements to harbour and river and bridge works	1,000 00	
Carried forward.....	114,039 46	295,934 82

SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ $\frac{1}{2}$ cts.
Brought forward.....	114,039 46	295,934 82
PUBLIC WORKS—Concluded.		
<i>(Chargeable to Income)</i> —Concluded.		
HARBOURS AND RIVERS—Concluded.		
<i>Ontario.</i>		
Owen Sound Harbour.....	\$ 1,389 41	
General repairs and improvements to harbour and river and bridge works.....	1,000 00	
	2,389 41	
<i>British Columbia.</i>		
Williams Head Quarantine Station—Wharf.....	10,394 29	
DREDGING.		
Dredging, Nova Scotia, Prince Edward Island and New Brunswick.....	\$ 1,000 00	
Quebec and Ontario.....	4,000 00	
	5,000 00	
ROADS AND BRIDGES.		
Ottawa City—Bridges over the River Ottawa, the Slides, the Rideau Canal and approaches thereto—Amount of Canadian Granite Com- pany's account for pavement.....	3,127 00	
MISCELLANEOUS.		
Surveys and inspections.....	\$ 1,000 00	
For temporary clerical and other assistance, inclusive of all services of all persons required who were first employed after 1st July, 1882, notwithstanding anything to the contrary in the Civil Service Act.....	3,100 00	
National Art Gallery.....	300 00	
	4,400 00	
		139,350 16
MAIL SUBSIDIES AND STEAMBOAT SUBVENTIONS.		
Amount required to pay the Allan Steamship Company for ocean mail service between Great Britain and Canada.....	126,533 33	
To pay for steam service between Pictou, N.S., Murray Harbour, George- town and Montague Bridge, P.E.I., from 10th May to close of navigation in 1892, and from opening of navigation to 30th June, 1893.....	1,200 00	
To pay for steam service between St. John, N.B., Digby and Annapolis, N.S., for the months of January and February, 1893.....	1,916 67	
To pay for steam service between Baddeck and Grand Narrows, N.S., 19th February to 6th April, 1892.....	1,410 00	
		131,060 00
OCEAN AND RIVER SERVICE.		
Additional amount required for winter mail service.....	1,500 00	
Additional amount required for rewards for saving life.....	500 00	
To pay balance of salaries due the cattle inspectors, 1893-94.....	1,333 33	
		3,333 33
LIGHTHOUSE AND COAST SERVICE.		
To pay retiring allowance to John Hoar, late keeper of Hope Island light, after completing 25 years' service.....		450 00
Carried forward.....		570,128 31

SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
Brought forward	\$ cts.	\$ cts.
		570,128 31
FISHERIES.		
To provide further amount in connection with Behring Sea matters	7,500 00	
To meet expenses of Behring Sea Arbitration and preparation therefor. Payment on account of services rendered may be made to members of the Civil Service, notwithstanding anything to the contrary in the Civil Service Act	50,000 00	
Further amount required for fishery protection service	15,000 00	
To provide for changing "Druid" from a paddle to a screw steamer, and renewing machinery	9,250 00	
To provide for legal and incidental expenses	2,150 00	
To pay balance due W. B. Deacon while employed on Lobster Commission in 1887	21 00	
To pay the following persons \$15 each, for services in compiling and forwarding daily reports in connection with Fisheries Intelligence Bureau, during the season of 1893, viz.:—J. P. Brennan, R. Bencit, C. P. Le Lacheur, E. G. Randall, T. C. Cook, A. J. Clark, S. Aucoin, J. M. Viets, Isaiah Thurber, R. McLean, Chas. Owen, E. A. Calder, J. C. Bourinot, J. H. Dunlop, Geo. Stalker, P. O'Toole, L. McKeen, J. M. McNutt, M. A. Dunn, George Rowlings, A. G. Hamilton, P. T. Fougere, E. D. Tremaine, J. W. Taylor, E. E. Letson, D. Murray, J. A. D'Entremont, R. H. Bolman, W. C. Henley, D. McAulay, D. Urquhart	465 00	
To provide for the payment to collectors of customs for services in connection with the issuing of fishing licenses to United States fishing vessels, during the season of 1893	462 15	
To provide further amount required for Fisheries Miscellaneous, Ontario	1,000 00	
To provide further amount for Canadian Fishery Exhibit to pay for specimens purchased for the Chicago Exhibition by the Department of Agriculture and now delivered to the Department of Marine and Fisheries	300 00	
		86,148 15
SCIENTIFIC INSTITUTIONS AND HYDROGRAPHIC SURVEYS		
To pay the Dominion Government's share of the expense of re-survey of the south coast of Anticosti Island	10,031 41	
To pay arrears of salary due Staff Commander J. G. Boulton, R.N., under Queen's Naval Regulations, while in charge of Georgian Bay Survey	2,062 97	
To pay two months' gratuity to the widow of the late W. A. Ashe, in his lifetime in charge of the Observatory at Quebec	158 32	
		12,252 70
INDIANS.		
NOVA SCOTIA.		
To provide an additional amount for medical attendance	1,000 00	
NEW BRUNSWICK.		
To enable the department to purchase a reserve for the Indians of Oromocto, and to remove the Indians of Kingsclear and St. Mary's to Oromocto	\$ 600 00	
To pay the amount which should have been paid the estate of the late Charles Sargeant, in his lifetime superintendent of the N. E. Superintendency, N.B., being his salary for April and May, 1893.	66 66	
		666 66
ONTARIO AND QUEBEC.		
To provide eave-troughing for and to paint new house erected for the clerk at Manitowaning	60 00	
Carried forward	1,726 66	668,529 16

SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward	1,726 66	668,529 16
INDIANS—Concluded.		
MANITOBA AND THE NORTH-WEST TERRITORIES.		
To pay P. Aylen, M.D., for professional services to H. H. Nash who was shot while on duty.....\$	59 00	
Additional amount required for surveys.....	700 00	
	759 00	
BRITISH COLUMBIA.		
To provide the proportion chargeable to the Dominion Government of the expenditure incurred for chartering the steamer "Quadra" and constables engaged in quelling disturbances among the Indians of the North-west coast.....\$	761 34	
To purchase the water right, flume and ditch of the Chinese Mining Co.....	250 00	
To provide an additional amount for travelling expenses....	500 00	
To provide for medical attendance.....	8,000 00	
Further amount required for the relief of distress	5,000 00	
	14,511 34	
		16,997 60
NORTH-WEST MOUNTED POLICE.		
Amount required to complete the service of the year.....		10,000 00
GOVERNMENT OF THE NORTH-WEST TERRITORIES.		
Further amount required to meet expenses connected with Lieutenant-Governor's office.....	1,950 00	
Further amount required for the maintenance of insane patients.....	5,000 00	
		6,950 00
MISCELLANEOUS.		
To provide a further amount for expenditure in connection with the Royal Commission on the liquor traffic.....	20,000 00	
Classification of old records of the province of Canada in the Privy Council office	500 00	
Amount required to refund bonus paid on a timber berth, and also to refund the actual outlay for surveys of certain timber berths, all in the late disputed territory.....	3,250 00	
Amount required to recoup the North-west Mounted Police for assistance given to destitute half-breeds in the North-west.....	500 00	
To pay W. Gliddon for services, according to request, as expert in ascertaining the cost of production of certain printing work as set forth in the schedule attached to the Report of the Referees in the case of McLean, Roger & Co. vs. the Queen, notwithstanding anything in the Civil Service Act to the contrary.....	100 00	
To provide for advance of seed grain to settlers in the North-west Territories.....	51,903 67	
To provide an amount for the relief of distressed Canadians in foreign countries	500 00	
Towards meeting expenses of Intercolonial Convention.....	5,000 00	
		81,753 67
COLLECTION OF REVENUE.		
CUSTOMS.		
To pay Miles Cowan, in addition to his salary as a clerk in Her Majesty's service for services as acting-collector at Windsor, Ont., from December, 1889, to December, 1892.....	600 00	
Carried forward.....	600 00	784,229 83

SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	600 00	784,229 83
COLLECTION OF REVENUE—Continued.		
EXCISE.		
To pay British American Bank Note Co. award of Exchequer Court for stamps on hand when change in system was adopted:—		
Award.....	\$ 3,503 90	
Cost of suit.....	485 90	
	\$ 3,989 80	
Further amount required.....	5,000 00	
Excise commission to customs officers—Further amount required.....	600 00	
To pay A. E. Mills of Smith's Falls, for work performed for this department, from May, 1892, to June 30, 1893, inspection of Canadian oil.....	75 00	
	9,664 80	
GAS INSPECTION.		
To provide for gas inspectors at Vancouver, New Westminster and Nanaimo, 3 at \$100 per annum, from 1st December, 1893, 7 months....	175 00	
WEIGHTS AND MEASURES.		
To pay T. H. McKenzie, ex-inspector at Hamilton, an amount equal to the difference between his superannuation allowance and salary as inspector, his services having been required during the month succeeding his retirement—		
Monthly salary as inspector.....	\$ 114 33	
do superannuation allowance.....	32 67	
	\$ 81 66	
Contingencies.....	2,000 00	
	2,081 66	
RAILWAYS AND CANALS.		
<i>Lachine Canal.</i>		
Staff.....	\$ 7,600 00	
To pay a gratuity of 2 months' salary to Antoine Nantelle, assistant bridge keeper, bridge No. 3, on Lachine Canal, whose resignation has been accepted.....	76 00	
To pay a gratuity of 2 months' salary to Napoléon Guérin, lockman, at Lock No. 4, Côte St. Paul, Lachine Canal, who was injured on the 2nd June, 1893, while on duty....	76 00	
<i>Welland Canal.</i>		
To provide refund of half tolls paid by Captain D. Manson, on 7,536 tons of coal, being at the rate of 10 cents per ton	753 60	
<i>Williamsburg Canal.</i>		
Staff.....	1,500 00	
<i>Beauharnois Canal.</i>		
Staff, \$1,350; repairs, \$1,500.....	2,850 00	
<i>St. Peter's Canal.</i>		
To pay Dan. Fugère for time laid up from injury.....	26 07	
Carried forward.....	12,881 67	784,229 83

SCHEDULE A—Concluded.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	12,881 67	12,521 46
COLLECTION OF REVENUE—Concluded.		
RAILWAYS AND CANALS—Concluded.		
<i>St. Ann's Lock.</i>		
Staff	40 00	12,921 67
POST OFFICE.		
To provide for the completion of payments for mail service by railways and steamboats, being the difference between the amount voted by Parliament and the amount actually required.....	\$ 44,800 00	
Amount required to complete the payments for mail service.....	30,000 00	
Amount required to complete the payments at the authorized rate for provisional allowance in Manitoba and British Columbia	600 00	75,400 00
DOMINION LANDS.		
Amount required to pay the salary of J. C. Moore, from the 19th November, 1893, to 20th March, 1894, at \$2.50 per diem.....	305 00	101,148 13
UNPROVIDED ITEMS.		
Amount required to cover unprovided items, as per Auditor General's report, page A—24		332,578 19
Total		1,217,956 15

SCHEDULE B.

SUMS granted to Her Majesty by this Act, for the Financial Year ending 30th June, 1895, and the purposes for which they are granted.

SERVICE.	Amount.	Total.
CHARGES OF MANAGEMENT.		
	\$ cts.	\$ cts.
Inspector.....	1,700 00	
Office of the Asst. Receiver General, Toronto.....	7,100 00	
do do Montreal.....	5,600 00	
do do Halifax.....	8,300 00	
do do St. John.....	6,600 00	
do do Winnipeg.....	6,600 00	
do do Victoria.....	4,000 00	
do do Charlottetown.....	4,000 00	
Country Savings Banks, New Brunswick, Nova Scotia and Prince Edward Island—		
Salaries.....	11,100 00	
Contingencies.....	1,750 00	
Commission for payment of interest on Public Debt, purchase of Sinking Funds and transfer of stock.....	30,350 00	
Brokerage on purchases for Sinking Funds.....	5,200 00	
English Bill Stamps, Postage, Telegrams, etc.....	4,000 00	
Expenses in connection with the issue and redemption of Notes.....	5,000 00	
Printing Notes.....	50,000 00	
Printing, advertising, inspection, expressage and miscellaneous charges, including commutation of stamp duty.....	12,500 00	
		163,800 00
CIVIL GOVERNMENT.		
The Governor General's Secretary's Office.....	\$ 10,862 50	
The office of the Queen's Privy Council for Canada.....	29,875 00	
The Department of Justice, including \$600 allowance for the private secretary of the Solicitor General, notwithstanding anything in the Civil Service Act to the contrary.....	24,055 00	
The Department of Justice, Penitentiaries Branch.....	6,525 00	
The Department of Militia and Defence, including \$700 to C. E. Panet, notwithstanding anything in the Civil Service Act to the contrary.....	43,850 00	
The Department of the Secretary of State.....	42,100 00	
The Department of Printing and Stationery, including \$800 to F. J. Farrell, notwithstanding anything in the Civil Service Act to the contrary.....	27,429 50	
The Department of the Interior.....	102,344 00	
The office of the Controller of the North-west Mounted Police.....	9,912 50	
The Department of Indian Affairs.....	51,367 50	
The office of the Auditor General.....	27,122 50	
The Department of Finance and Treasury Board.....	49,742 50	
The Department of Customs, including \$600 allowance for the private secretary of the Controller of Customs, notwithstanding anything in the Civil Service Act to the contrary.....	36,662 50	
The Department of Inland Revenue, including \$600 allowance for the private secretary of the Controller of Inland Revenue, notwithstanding anything in the Civil Service Act to the contrary.....	39,962 50	
The Post Office Department.....	212,850 00	
Carried forward.....	714,661 00	163,800 00

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	\$714,661 00	163,800 00
<i>CIVIL GOVERNMENT—Continued.</i>		
The Department of Agriculture, including \$912.50 each to J. Skead and E. R. Dewhurst, notwithstanding anything in the Civil Service Act to the contrary.....	53,512 50	
The Department of Marine and Fisheries, including \$500 to L. J. Burpee, notwithstanding anything in the Civil Service Act to the contrary.....	52,992 50	
The Department of Public Works.....	51,055 00	
do Railways and Canals.....	50,412 50	
do Geological Survey.....	51,925 00	
do Trade and Commerce.....	7,450 00	
The office of the High Commissioner of Canada—		
Salaries.....	8,650 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, and \$1,200 for contingencies (rates, taxes, insurance, ground rent, etc.) of the official residence, including the income tax on the High Commissioner's salary.....	10,750 00	
Post Office Department—Amount required to pay those officers of the Savings Bank Branch engaged in the balancing of and computing interest on depositors' accounts, to 30th June, 1894.....	2,650 00	
Amount required for salaries of Board of Examiners and other expenses under the Civil Service Act.....	4,000 00	
Department of Indian Affairs—To provide for the optional subject, typewriting, for Miss A. C. Taylor, from 1st January to 30th June, 1895.....	25 00	
To transfer J. J. Campbell from the outside to the inside service, notwithstanding anything in the Civil Service Act.....	1,400 00	
Department of the Interior—Further amount required for the salary of B. L. York for the financial year ending 30th June, 1895.....	225 00	
To provide for an increase in the salary of G. H. Newcomb, from \$1,100 to \$1,200, from 1st July, 1893, as authorized by Order in Council.....	100 00	
Department of Justice—To pay A. Power, in addition to his present salary, notwithstanding anything in the Civil Service Act.....	200 00	
To pay G. L. B. Fraser for special service, to be paid notwithstanding anything in the Civil Service Act.....	200 00	
Department of Marine and Fisheries—To provide for the salary of W. B. Dawson as assistant engineer of the department.....	2,000 00	
Department of Militia and Defence—To provide for the statutory increase to the salaries of Messrs. Holt and Knight, \$25 each for the half year ending 30th June, 1895.....	50 00	
To provide for the difference between the salaries of Messrs. Bliss and Campbell.....	200 00	
To provide for optional subjects to Mr. Roy.....	100 00	
To provide for an optional subject in the salary of a third class clerk.....	50 00	
Carried forward.....	1,012,608 50	163,800 00

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward	\$1,012,608 50	163,800 00
CIVIL GOVERNMENT—Continued.		
Department of Secretary of State—To provide for an additional second class clerk in lieu of a third class	1,100 00	
To provide for the expense of prosecuting persons charged with irregularities in connection with Civil Service examinations	600 00	
Privy Council Office—To provide for the payment of the salaries at the following rates respectively, notwithstanding anything to the contrary in the Civil Service Act, of—		
Wm. C. DeBrisay	\$ 800 00	
Francis Chadwick	800 00	
John R. Fraser	600 00	
Lawrence Burns	300 00	
	2,500 00	
To provide for an increase to the salary of H. P. Buck, a third class clerk, for two optional subjects	100 00	
Post Office Department—To provide for one additional third class clerk, C. P. V. Berouard	950 00	
To increase the salary of Thomas Ainsborough from \$750 to \$900, being arrears accruing to him under the Civil Service Act	150 00	
Department of Printing and Stationery—Clerical and other assistance, additional amount required	800 00	
Department of Agriculture—To provide for one first class clerkship in lieu of one second class	1,400 00	
To provide for the salary of G. H. Lemaitre	547 50	
To provide a salary for a third class clerk	400 00	
To make the salary of J. B. Jackson, registrar of copyrights, trade and timber marks and industrial designs, \$2,100	175 00	
Department of Customs—To provide for statutory increases	137 50	
	1,021,468 50	
CONTINGENCIES.		
The Governor General's Secretary's Office—		
Clerical and other assistance	\$ 1,400 00	
Printing	250 00	
Stationery	700 00	
Sundries	11,150 00	
	13,500 00	
The Queen's Privy Council for Canada—		
Clerical and other assistance	\$ 2,000 00	
Printing	2,000 00	
Stationery	1,000 00	
Sundries	5,000 00	
	10,000 00	
The Department of Justice—		
do do Penitentiaries Branch—		
Clerical and other assistance	\$ 2,900 00	
Printing	1,500 00	
Stationery	2,000 00	
Sundries	2,600 00	
	9,000 00	
Carried forward	1,053,968 50	163,800 00

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward	1,053,968 50	163,800 00
CIVIL GOVERNMENT—Continued.		
CONTINGENCIES—Continued.		
The Department of Militia and Defence—		
Clerical and other assistance	\$ 1,825 00	
Printing	1,200 00	
Stationery	1,400 00	
Sundries	3,575 00	
	8,000 00	
The Department of Secretary of State—		
Clerical and other assistance	\$ 1,600 00	
Printing	600 00	
Stationery	1,200 00	
Sundries	3,600 00	
	7,000 00	
The Department of Printing and Stationery—		
Clerical and other assistance	\$ 1,200 00	
Printing	600 00	
Stationery	600 00	
Sundries	1,800 00	
	4,200 00	
The Department of the Interior—		
Clerical and other assistance	\$ 1,800 00	
Printing	6,000 00	
Stationery	4,500 00	
Sundries	7,500 00	
	19,800 00	
The Department of Indian Affairs—		
Clerical and other assistance	\$ 1,800 00	
Printing	1,550 00	
Stationery	1,500 00	
Sundries	3,150 00	
	8,000 00	
The Office of the Auditor General—		
Clerical and other assistance	\$ 1,800 00	
Printing	650 00	
Stationery	690 00	
Sundries	450 00	
	3,500 00	
The Department of Finance and Treasury Board—		
Clerical and other assistance	\$ 1,000 00	
Printing	1,600 00	
Stationery	700 00	
Sundries	4,200 00	
	7,500 00	
The Department of Customs—		
Clerical and other assistance	\$ 1,700 00	
Printing	800 00	
Stationery	1,500 00	
Sundries	3,000 00	
	7,000 00	
The Department of Inland Revenue—		
Clerical and other assistance	\$ 1,500 00	
Printing	750 00	
Stationery	1,000 00	
Sundries	3,750 00	
	7,000 00	
The Department of Public Works—		
Printing	\$ 1,500 00	
Stationery	1,400 00	
Sundries	4,100 00	
	7,000 00	
Carried forward	1,132,968 50	163,800 00

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	1,132,968 50	163,800 00
<i>CIVIL GOVERNMENT—Concluded.</i>		
<i>CONTINGENCIES—Concluded.</i>		
<i>The Post Office Department—</i>		
Clerical and other assistance.....	\$ 18,800 00	
Printing	12,600 00	
Stationery	4,100 00	
Sundries	3,550 00	
	39,050 00	
<i>The Department of Agriculture—</i>		
Clerical and other assistance.....	\$ 11,000 00	
Printing	2,300 00	
Stationery	1,200 00	
Sundries	453 90	
	14,953 00	
<i>The Department of Marine and Fisheries—</i>		
Clerical and other assistance.....	\$ 2,000 00	
Printing	5,000 00	
Stationery	1,500 00	
Sundries	2,000 00	
	10,500 00	
<i>The Department of Railways and Canals—</i>		
Printing	\$ 2,000 00	
Stationery	4,000 00	
Sundries	2,000 00	
	8,000 00	
<i>The Department of Trade and Commerce—</i>		
Sundries	5,000 00	
Care and cleaning departmental buildings, including amount of \$100 required to pay for firing the noon gun, which amount may be paid to a member of the civil service, notwithstanding anything to the contrary in the Civil Service Act.....	28,500 00	
Printing Bureau, cleaning, etc.....	1,750 00	
	1,240,721 50	
<i>ADMINISTRATION OF JUSTICE.</i>		
Miscellaneous expenditure, including North-west Territories.....	37,000 00	
Salary of two Judges, District Court of Montreal, at \$3,000	6,000 00	
Travelling expenses of Judges in North-west Territories.....	3,000 00	
Circuit allowances, British Columbia.....	7,000 00	
Travelling allowances, Court of Queen's Bench and County Court Judges, Manitoba.....	2,500 00	
Circuit allowances to Judges <i>ad hoc</i>	500 00	
To pay two Official Arbitrators, \$1,000 each.....	2,000 00	
Travelling expenses of Official Arbitrators	500 00	
Expenditure under Cap. 181, R. S. C.....	700 00	
For revising and consolidating the correspondence, reports and Orders in Council upon the subject of Provincial and reserved Acts, to be paid irrespective of anything in the Civil Service Act.....	800 00	
To pay the estate of the late A. F. Scott, Judge of the County Court of the County of Peel, for salary and pension from 12th March to 10th April, 1894.....	168 24	
To assist in publishing decisions of the Admiralty Court of New Brunswick.....	1,000 00	
Carried forward.....	16,168 24	1,404,521 50

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	61,168 24	1,404,521 50
<i>ADMINISTRATION OF JUSTICE—Concluded.</i>		
To provide for the salary of an additional County Court Judge, Province of Ontario.....	\$ 2,000 00	
Travelling allowance.....	200 00	
	2,200 00	
To provide for the salary of an additional County Court Judge, Province of Manitoba.....	\$ 2,000 00	
Travelling allowance.....	200 00	
	2,200 00	
Further amount required for Judges' Circuit allowances, British Columbia.....	500 00	
<i>Supreme Court of Canada.</i>		
The Reporter.....	2,400 00	
The Assistant Reporter, 1st Class Clerk.....	1,500 00	
Clerk in the office of the Registrar, 3rd Class Clerk.....	1,000 00	
Second Clerk in the office of the Registrar, 3rd Class Clerk.....	650 00	
Librarian.....	1,000 00	
Caretaker.....	700 00	
Three Messengers, at \$500 each.....	1,500 00	
Contingencies and disbursements, Judges' travelling expenses; also salaries of officers (Sheriff, Registrar as Editor and Publisher of Reports, Usher, etc.), and \$300 for books for Judges.....	3,500 00	
Printing, binding and distributing the Supreme Court Reports.....	2,750 00	
For the purchase of law books and works of reference for the Supreme Court Library.....	4,000 00	
To provide for the salary of a stenographer for the Chief Justice and Judges of the Court.....	750 00	
<i>The Exchequer Court of Canada.</i>		
2nd Class Clerk.....	1,350 00	
3rd Class Clerk.....	950 00	
3rd Class Clerk.....	450 00	
Messenger.....	367 50	
Contingencies, Judge's and Registrar's travelling expenses, salary of Sheriffs, printing, stationery, etc., and \$50 for Judge's books.....	4,000 00	
Printing, binding and distributing Exchequer Court Reports.....	1,000 00	
Additional to Registrar as Editor and Publisher of Reports.....	300 00	
To pay increase of salary to L. A. Audette, from 1st July, 1894, to 30th June, 1895.....	175 00	
Salary of Registrar in Admiralty, Quebec.....	666 66	
do Marshal do.....	333 34	
To provide accommodation when necessary for Exchequer Court in Admiralty.....	300 00	
Travelling allowance for Local Judges and other officers.....	500 00	
		96,210 74
POLICE.		
Dominion Police.....	22,000 00	
To pay the widow of James Stewart, deceased, late constable of the Dominion Police Force, a gratuity equal to two months of his salary..	100 65	
		22,100 65
Carried forward.....		1,522,832 89

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....		1,522,832 89
PENITENTIARIES.		
Kingston.....	\$ 200,065 73	
To provide for an increase to Accountant's (R. R. Creighton) salary, from 1st July, 1894, notwithstanding anything to the contrary in the Penitentiary Act....	100 00	
To purchase manilla fibre.....	33,000 00	
Salary of 1st asst. superintendent of binder twine factory	900 00	
Salary of 2nd do do	720 00	
Salary of P. O'Connor, overseer and guard.....	700 00	
Steam boiler and fittings.....	1,200 00	
Fire-brick, clay, etc.....	200 00	
Sewage tank (outside labour).....	200 00	
Additional for coal.....	3,750 00	
Repairs to cooking kettles.....	700 00	
New suction pipe, fittings, etc.....	625 00	
Iron lathe.....	300 00	
St. Vincent de Paul.....		242,460 73
Manitoba.....	\$ 48,957 65	98,875 86
To increase salary of Roman Catholic chaplain from \$600 to \$800, notwithstanding anything to the contrary in the Penitentiary Act.....	200 00	
To pay John Mustard from 1st July, 1894, the difference between \$800 and \$1,000, notwithstanding anything to the contrary in the Penitentiary Act.....	200 00	
To pay B. F. Power, from 1st July, 1894, the difference between \$800 and \$900, notwithstanding anything to the contrary in the Penitentiary Act.....	100 00	
Dorchester.....	\$ 46,537 00	49,457 65
To provide for increase of salary to Surg-on R. Mitchell, M.D., from 1st July, 1894, notwithstanding anything to the contrary in the Penitentiary Act.....	200 00	
To pay John McDougall the maximum salary of guard from 1st July, 1894, notwithstanding anything to the contrary in the Penitentiary Act.....	40 00	
British Columbia.....		46,777 00
Regina jail.....		52,368 35
		13,789 65
		503,729 24
LEGISLATION.		
SENATE.		
Salaries and contingent expenses of the Senate.....		61,688 00
To pay to the heirs of the undermentioned deceased Senators the balance of their Sessional Indemnities:—		
Hon. Senator Flint.....	\$ 411 00	
Hon. Senator Glasier.....	132 00	
		543 00
HOUSE OF COMMONS.		
Salary of Deputy Speaker.....		2,000 00
Salaries.....		71,612 50
Expenses of Committees, Sessional and Extra Clerks, etc.....		13,600 00
Contingencies.....		23,100 00
Publishing Debates.....		40,000 00
Estimate of Serjeant-at-Arms.....		34 182 50
Carried forward.....	246,726 00	2,026,562 13

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	246,726 00	2,026,562 13
LEGISLATION—Concluded.		
HOUSE OF COMMONS—Concluded.		
Amount required for revision of Voters' Lists.....	200,000 00	
Contingent expenses in connection with the Voters' List.....	2,500 00	
To pay to the heirs of the late Mr. Hearn his sessional allowance, \$1,000, and mileage, \$53.80.....	1,053 80	
To pay for six leather trunks for new members at \$25 each.....	150 00	
LIBRARY OF PARLIAMENT.		
Salaries of the officers.....	17,162 50	
Books for the General Library, including binding, &c.....	12,000 00	
do Library of American History.....	1,000 00	
Contingencies.....	2,800 00	
GENERAL.		
Printing, binding and distributing the Laws.....	6,000 00	
Printing, printing paper and binding.....	100,000 00	
		589,392 30
ARTS, AGRICULTURE AND STATISTICS.		
Archives.....	6,000 00	
Patent Record, printing and engraving.....	9,250 00	
Collection and compilation of Criminal Statistics (Cap. 60, R.S.C.).....	1,800 00	
Statistics, printing Year Book and Statistical Record of Canada.....	3,200 00	
Experimental Farms, maintenance.....	75,000 00	
do do Dairying Branch.....	25,000 00	
To enable Dairy Commissioner to promote dairying interests by advances for making cheese and butter within the provinces, the proceeds of sales or products from such advances to be placed to the credit of the Consolidated Revenue Fund.....	36,000 00	
Aid to Agricultural Societies, North-west Territories.....	7,000 00	
The Haras National, for the use of six stallions for the Experimental Farms.....	6,000 00	
Balance required to pay Queen's Printer for completing printing, also for proof reading of Volumes III., IV. and V. of the census of 1891, in- cluding services rendered in 1893-94.....	5,700 00	
General statistics.....	2,500 00	
To purchase a strip of land to make the south boundary of the Brandon Experimental Farm coterminous with the Assiniboine River.....	1,000 00	
Printing and distributing of reports and bulletins of experimental farms, and distribution of seed grain for testing by farmers, also trees and tree seeds.....	2,000 00	
Additional for promoting dairy industry in Nova Scotia, Manitoba and the North-west Territories, viz. :—		
Additional travelling instructors in Nova Scotia for the whole year..... \$ 300 00	300 00	
Two travelling dairies in Manitoba and the North- west, four men at \$500 each.....	2,000 00	
Travelling expenses, \$350 each.....	1,400 00	
Three dairy stations in Manitoba and the North-west Territories at \$500 each.....	1,500 00	
	5,200 00	
Contributions towards an exhibition in the North-west Territories.....	25,000 00	
		210,650 00
Carried forward.....		2,826,604 43

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....		2,826,604 43
QUARANTINE.		
Salaries and contingencies of Organized Districts.....	40,500 00	
Public Health, in other districts.....	10,000 00	
Tracadie Lazaretto.....	4,600 00	
Winnipeg and St. Boniface Hospitals.....	4,000 00	
Cattle Quarantine.....	22,000 00	
To meet expenses of precautionary measures to prevent entry of small-pox in unorganized districts.....	21,000 00	
To assist in paying expense of visiting Grosse Isle by the American Health Association.....	800 00	
Cattle Quarantines—To provide a new fence for the Lévis Quarantine.....	843 00	
		103,743 00
IMMIGRATION.		
Salaries of agents and employees in Canada.....	22,000 00	
Contingencies, Canadian agencies.....	10,500 00	
Salaries of agents and employees in Great Britain and Ireland.....	9,350 00	
Contingencies of agencies in Great Britain and Ireland.....	7,150 00	
Women's Protective Immigration Society, Montreal.....	1,000 00	
Immigration expenses.....	150,000 00	
		200,000 00
PENSIONS.		
For amount of Annuity to—		
Lady Cartier.....	1,200 00	
Mrs. Delaney.....	400 00	
Mrs. Gowanlock.....	400 00	
Miss Harriet Fraser.....	250 00	
Mr. Roderick Fraser.....	150 00	
Pensions payable on account of Fenian raid.....	3,147 50	
To meet probable amount required for veterans of the war of 1812.....	180 00	
Compensation to pensioners in lieu of land.....	389 20	
Pensions payable to Militiamen on account of Rebellion of 1885.....	23,000 00	
Pensions payable to Mounted Police, Prince Albert Volunteers and Police Scouts on account of Rebellion of 1885.....	3,367 78	
		32,484 48
SUPERANNUATION.		
Extra allowance to Mr. Wallace, ex-postmaster at Victoria, B.C.....		240 00
MILITIA.		
Pay of staff, permanent corps and active militia, including allowances.....	400,282 00	
Salaries and wages of civil employees.....	50,000 00	
Military properties, works and buildings.....	91,000 00	
Warlike and other stores.....	66,700 00	
Modern firearms.....	16,500 00	
Clothing and necessaries.....	62,000 00	
Provisions, supplies and remounts.....	150,500 00	
Transport and freight.....	42,000 00	
Grants in aid of artillery and rifle associations and bands and military institutes.....	36,800 00	
Miscellaneous and unforeseen contingencies.....	15,000 00	
Royal Military College of Canada.....	70,000 00	
Dominion cartridge factory.....	44,000 00	
Monuments for battlefields of Canada.....	2,000 00	
Gratuities to officers of the active militia staff who are to be placed on the retired list.....	12,000 00	
Carried forward.....	1,058,782 00	3,163,071 91

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward	1,058,782 00	3,163,071 91
<i>MILITIA—Concluded.</i>		
Defence of Esquimalt, B.C.—		
Dominion contribution towards capital expenditure for works and buildings	\$80,000 00	
Pay and allowance of a detachment of royal marine artillery or royal engineers	47,500 00	
	127,500 00	
Clothing and necessaries	20,000 00	
Military works and buildings	25,000 00	
To provide for the salary of an inspector of stores	1,200 00	
To provide for the salary of Brigade Major Roy	1,200 00	
Salaries and wages of civil employees	17,200 00	
Modern firearms	58,600 00	
Grants in aid of artillery and rifle associations and bands	200 00	
Transport and freight	10,000 00	
Free ammunition for rifle competitions	3,500 00	
Cartridge factory	8,000 00	
Gratuity to Thos. Rainsford for permanent injuries received in service	1,000 00	
Military properties, works and buildings, viz.:—		
Cancellation of leases of property, Barriefield camping ground, Kingston	\$ 2,000 00	
Quebec—Pointing walls	10,000 00	
Sussex, N. B.—Fitting up camp grounds	1,500 00	
New Westminster, B. C.—For a drill hall	5,000 00	
	18,500 00	
Monuments, battlefields of Canada	4,000 00	
Grant towards a monument to be erected in Toronto to the volunteers who took part in the rebellion in the North-west Territories in 1885	1,000 00	
		1,355,682 00
<i>RAILWAYS AND CANALS.</i>		
<i>(Chargeable to Capital.)</i>		
<i>RAILWAYS.</i>		
<i>Canadian Pacific Railway.</i>		
Construction	2,000 00	
To pay for work done under award	90,000 00	
<i>Intercolonial Railway.</i>		
Increased accommodation at Halifax	53,000 00	
do	89,375 00	
Rolling stock	10,000 00	
Construction, original	2,000 00	
St. Charles Branch	17,000 00	
Indiantown do	3,000 00	
Extension North Sydney Branch to Deep Water	20,000 00	
Increased accommodation at Moncton	7,500 00	
Branch from some point on the Intercolonial Railway between Windsor Junction and Bedford to Dartmouth	198,000 00	
Increased accommodation at Feronia	2,000 00	
Construction, Cape Breton and Oxford and New Glasgow sections	57,500 00	
Construction, Annapolis and Digby Railway	5,000 00	
<i>CANALS.</i>		
Soulanges	750,000 00	
Cornwall	450,000 00	
Carried forward	1,756,375 00	4,518,753 91

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward	1,756,375 00	4,518,753 91
RAILWAYS AND CANALS—Continued.		
(Chargeable to Capital)—Concluded.		
CANALS—Concluded.		
Rapide Plat.	100,000 00	
do enlargement.	130,000 00	
Galops.	150,000 00	
St. Lawrence River and Canals.	30,000 00	
Welland.	10,000 00	
do Land damages, Grand River.	3,700 00	
Murray.	15,000 00	
Trent.	73,000 00	
Sault Ste. Marie.	200,000 00	
Lachine.	115,500 00	
do enlargement.	50,000 00	
Lake St. Louis channel.	125,000 00	
Trent Valley Canal, construction.	130,000 00	
GENERAL.		
To authorize payment of costs of litigation in connection with construction of railways and canals, which expenditure is to be charged against the particular works interested	6,000 00	
		2,894,575 00
RAILWAYS AND CANALS.		
(Chargeable to Income.)		
CANALS.		
Lachine.		
Reconstruction of workshops, sheds and warehouses, Montreal.	10,900 00	
To enlarge electric light station, Montreal.	2,000 00	
To pay for land damages.	19,200 00	
Cornwall.		
To repair old locks Nos. 15 and 19.	7,500 00	
To repair new lock No. 15.	1,500 00	
To provide telephone line.	2,000 00	
To extend the Cornwall sewer.	10,000 00	
Welland.		
Overhauling superstructure piers at Dalhousie, etc.	15,000 00	
To clean and deepen back ditch on south side of feeder.	3,000 00	
To form outlet for drainage at feeder junction.	3,000 00	
To take down and rebuild wall at Hoover's culvert.	6,500 00	
To take down and rebuild wall of raceway at lock No. 25.	5,800 00	
To clean and deepen back ditch north side of feeder.	2,800 00	
To construct drain on John Charlston's property.	200 00	
To provide for rebuilding 1,300 feet of masonry wall along prism of canal on the level above lock No. 24.	14,500 00	
Towards building the east pier at Port Dalhousie.	2,000 00	
Chambly.		
To complete fences in front of farms along canal.	750 00	
To build rubble wall along highway.	2,500 00	
Towards rebuilding lock walls.	2,000 00	
Carried forward.	111,150 00	7,413,328 91

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward	111,150 00	7,413,328 91
RAILWAYS AND CANALS—Continued.		
<i>(Chargable to Income)—Continued.</i>		
CANALS—Concluded.		
<i>Williamsburg.</i>		
To build new lock gates at lock No. 23	4,000 00	
<i>Ste. Anne's Lock.</i>		
To repair south channel piers	2,500 00	
To complete one pair of lock gates	1,200 00	
<i>Carillon and Grenville.</i>		
To pay for land damages, and services of valuator	1,000 00	
To repair canal bank	2,500 00	
To rebuild north abutment of swing at guard lock, Grenville	4,700 00	
<i>Trent Valley.</i>		
Repairs and dredging	9,000 00	
To complete cut at mouth of Scugog River	500 00	
To build sluice-way in Healy's dam	1,200 00	
To build fish-way at Bobcaygeon	200 00	
To pay for building swing bridge at Trent Narrows	8,500 00	
To assist in rebuilding Rosa's bridge over Otonabee River	1,700 00	
<i>Beauharnois.</i>		
To build steel bridge above lock 14, Valleyfield	4,000 00	
To build coffer-dam and repair sills and platforms, lock 14, Valleyfield	2,500 00	
To renew foundations of swing bridge at guard lock	1,000 00	
Drain at Grand Isle, Valleyfield	4,500 00	
To renew masonry of nine locks	3,000 00	
To rebuild bridge at Lost Channel, St. Timothy	3,500 00	
<i>St. Peter's.</i>		
Towards reconstructing west wall	600 00	
To repair mitre sills, gates, floor and lock	32,000 00	
<i>Culbute.</i>		
Towards settlement of claims and removing obstructions	5,000 00	
<i>Ridau.</i>		
To complete sheet piling at Deep Cut	10,000 00	
To build ice-breaker at Hog's Back	600 00	
To pay for land damages	5,000 00	
Towards assuming control and rebuilding Lorne bridge	6,500 00	
To rebuild lock walls at lock 4	2,000 00	
To rebuild bridge, lot 16, con. 4, Green Bay Road	600 00	
To build swing bridge at Jones' Lock, Smith's Falls	1,800 00	
MISCELLANEOUS.		
Miscellaneous works not provided for	5,000 00	
Arbitrations and awards	4,000 00	
Surveys and inspections—Canals	3,000 00	
Surveys and inspections—Railways	5,000 00	
Carried forward	247,750 00	17,413,328 91

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	247,750 00	7,413,328 91
RAILWAYS AND CANALS—Concluded.		
<i>(Chargeable to Income)</i> —Concluded.		
GENERAL.		
Railway statistics.....	1,600 00	
To provide for salaries of extra clerks and copyists other than those who have passed the Civil Service examinations, anything in the Civil Service Act to the contrary notwithstanding.....	2,000 00	
For repairs and alterations to car "Victoria".....	3,200 00	
To pay two months' wages as gratuity to the heirs of the late Vigile Chevalier, foreman of labourers, Beauharnois Canal.....	91 50	
To pay gratuity to James Rutherford who was injured at a crossing of the Intercolonial Railway, near New Glasgow, on the 17th September, 1889.....	500 00	
To pay a gratuity of two months' salary to the employees on the Welland Canal whose services were dispensed with at the time of the reduction of the staff in 1894.....	2,654 00	
To provide for salaries of engineers, draughtsmen and extra clerks, which salaries may be paid notwithstanding anything in the Civil Service Act to the contrary—1 at \$2,800, 1 at \$2,600, 1 at \$2,400, 1 at \$1,620, 2 at \$1,600, 3 at \$600, 1 at \$500, 2 at \$450, and 4 at \$400.....	17,420 00	
Towards compensating A. H. Archibald for the loss sustained by him by the breaking up of the roads between North Sydney and Port Hastings (over which he was then carrying the mails) by the construction of the Cape Breton Railway.....	4,000 00	279,215 50
PUBLIC WORKS.		
<i>(Chargeable to Capital.)</i>		
HARBOURS AND RIVERS.		
<i>Ontario.</i>		
River Kaministiquia.....	15,000 00	
<i>Quebec.</i>		
River St. Lawrence Ship Channel.....	90,000 00	105,000 00
PUBLIC WORKS.		
<i>(Chargeable to Income.)</i>		
PUBLIC BUILDINGS.		
<i>Nova Scotia.</i>		
Halifax Drill Hall, including purchase of site.....	\$ 65,000 00	
Pictou Post Office—To complete.....	19,500 00	
Lunenburg Post Office, Custom-house, &c.—To complete.....	6,600 00	
Halifax Quarantine Station on Lawlor's Island.....	5,000 00	
Sydney Quarantine Station at Keating Point.....	3,000 00	
<i>Prince Edward Island.</i>		
To pay W. C. Harris, architect, for professional services rendered, 1886 to 1893, in connection with the construction and maintenance of Public Buildings at Charlottetown, Montague and Summerside, inclusive of interior fittings, repairing walls, etc.....	213 35	
<i>New Brunswick.</i>		
Chatham Post Office, Custom-house, etc.....	7,580 00	
do do.....	5,000 00	
Tracadie Lazaretto.....	26,000 00	
Carried forward.....	137,893 35	7,797,544 41

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward	\$137,893 35	7,797,544 41
PUBLIC WORKS—Continued.		
<i>(Chargeable to Income)—Continued.</i>		
PUBLIC BUILDINGS—Continued.		
<i>New Brunswick—Concluded.</i>		
St. John Savings Bank—To pay Thos. H. Lawson, janitor, for watching the public treasure kept in the Assistant Receiver General's office, while the combination lock of the safe was being repaired, 16th July to 1st August, 1892	10 00	
Partridge Island Quarantine Station—St. John harbour.	2,000 00	
Marysville Public Building	5,000 00	
<i>Maritime Provinces Generally.</i>		
Dominion Public Buildings—Renewals, improvements, repairs, etc	10,000 00	
<i>Quebec.</i>		
St. Vincent de Paul Penitentiary	30,000 00	
Richmond Post Office and Customs and Inland Revenue offices.	15,000 00	
Dominion Public Buildings—Renewals, improvements, repairs, etc.	12,060 00	
Montreal Post Office—Alterations, improvements, repairs, elevators, fittings, etc.	20,000 00	
Montreal Dominion Public Buildings—Improvements, alterations, renewals, repairs, etc.	10,000 00	
Quebec Post Office—New wing, including alterations to old buildings, furniture, etc.	6,000 00	
Quebec immigrant buildings on Queen's wharf, Louise embankment and breakwater.	3,500 00	
St. Hyacinthe Post Office, Custom-house, etc.	3,742 95	
Grosse Isle quarantine station.	5,000 00	
Quebec Drill Hall—Balance due contractors	77 76	
Rimouski Post Office, Custom-house, etc., site to be given free of cost by municipality.	7,500 00	
<i>Ontario.</i>		
Toronto Drill Hall (the city of Toronto having provided a plot of land as agreed upon)—To complete drill hall.	15,000 00	
do do	20,000 00	
Smith's Falls Post Office, Custom-house, etc.	16,000 00	
Picton Post Office, Custom-house, etc.	10,000 00	
Dominion Public Buildings—Renewals, improvements, repairs, etc.	25,000 00	
Toronto Custom-house, Examining Warehouse, Savings Bank and Assistant Receiver General's Offices—Recovering roofs, renewing floors, electric clocks, vaults, repairs, &c.	5,000 00	
Rideau Hall—Heating apparatus, electric lighting, new dairy, etc.	13,000 00	
Stratford Public Building—To make good damage done by fire of 21st April, 1894.	10,000 00	
Port Arthur Public Building—To complete payments to contractors on overdue amounts and to provide for further fittings and furniture required, etc.	4,605 00	
Carried forward	386,329 06	7,797,544 41

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward	8386,329 09	7,797,544 41
PUBLIC WORKS—Continued.		
<i>(Chargeable to Income)—Continued.</i>		
PUBLIC BUILDINGS—Continued.		
<i>Ontario—Concluded.</i>		
Petrolia Public Buildings—To complete payments to contractors on overdue amounts, and to provide for additional fittings and furniture required	9,700 00	
Orillia Public Building—To complete payments to contractors on overdue amounts, and to provide additional fittings, sidewalks, fences, etc	4,617 32	
National Art Gallery and Fisheries Exhibit, Ottawa—Recovering roof, etc	1,600 00	
Arnprior Post Office, Custom-house, etc	7,500 00	
Kingston Royal Military College—Engineer model shed	2,500 00	
Toronto—New magazine	4,000 00	
Amount required to pay for repairs and improvements in the post office building at Lucan, Ont	351 42	
Dominion Reformatory	10,000 00	
<i>Manitoba.</i>		
Dominion Public Buildings—Renewals, improvements, repairs, etc	3,000 00	
Winnipeg Dominion Lands and Crown Timber Agents and Inspectors of Indian Affairs offices—Heating apparatus, plumbing, etc	2,500 00	
Brandon Industrial School—To complete	6,150 00	
Portage la Prairie Post Office, etc	8,000 00	
<i>North-west Territories.</i>		
Regina Court-house and Registry Office	20,000 00	
Lethbridge Custom-house and Court-house, site being furnished	15,500 00	
Calgary Post Office, Custom-house and Inland Revenue, Dominion Lands and Crown Timber Office	12,300 00	
Dominion Public Buildings—Renewals, repairs, etc	3,000 00	
Wolseley—New Court-house	5,200 00	
do	4,000 00	
Court-house, lock-up and police accommodation	2,000 00	
Red Deer Industrial School	4,000 00	
Lieutenant-Governor's residence, Regina—Improvements, repairs, and furniture, including stables, conservatory, water supply and fire protection	2,500 00	
Lethbridge Custom-house—Safe	600 00	
Moosomin Court-house—Addition, etc	3,700 00	
Prince Albert Crown Lands and Timber Agents' offices	6,700 00	
Edmonton Registry Office and Crown Lands and Timber Agents' Offices	2,779 00	
Regina Court-house, Land Office and Registry Office	8,000 00	
Lieutenant-Governor's residence, Regina—To pay outstanding accounts for indispensable works performed and furniture, fittings, etc., supplied to render the new residence ready for occupation	2,879 46	
Carried forward	539,406 20	7,797,544 41

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward	\$539,406 20	7,797,544 41
PUBLIC WORKS—Continued.		
<i>(Chargeable to Income)—Continued.</i>		
PUBLIC BUILDINGS—Concluded.		
<i>British Columbia.</i>		
Dominion Public Buildings—Renewals, improvements, repairs, etc.	3,000 00	
Victoria Drill Hall and accessory buildings.....	5,000 00	
Victoria new Post Office.....	54,000 00	
Williams Head quarantine station—Detention buildings, etc.	10,000 00	
British Columbia Penitentiary, New Westminster—Towards retaining wall in front of guards' cottages, Columbia st..	600 00	
<i>Repairs, Furniture, Heating, etc.</i>		
Public Buildings, Ottawa—Repairs, furniture, etc.	110,000 00	
Parliament Buildings, Ottawa—Renewal of boilers.	5,900 00	
Rideau Hall, including Grounds—Renewals, improvements, repairs, furniture and maintenance	15,000 00	
Allowance for fuel and light, Rideau Hall.....	8,000 00	
Grounds, Public Buildings, Ottawa.	6,000 00	
Removal of snow, Public Buildings, Ottawa.....	2,500 00	
Heating Public Buildings, Ottawa, including salaries of engineers, firemen, elevator attendants and caretakers.....	71,500 00	
Gas and electric light, Public Buildings, Ottawa, including roads and bridges.	25,000 00	
Water, Public Buildings, Ottawa.....	16,500 00	
Telephone service, Public Buildings, Ottawa	3,800 00	
Major's Hill Park, Ottawa.....	4,000 00	
Material for repairs, etc., in connection with ventilation and lighting, Public Buildings, Ottawa.....	4,000 00	
Rents—Dominion Public Buildings.....	12,500 00	
Furniture—Dominion Public Buildings	7,500 00	
Salaries of engineers, firemen, caretakers, etc., of Dominion Public Buildings	68,500 00	
Heating, Dominion Public Buildings, fuel, etc.	55,000 00	
Lighting do do	38,500 00	
Water for do do	15,500 00	
Sundry supplies for caretakers, engineers, firemen, etc., Dominion Buildings.....	5,000 00	
Dominion Immigration Buildings, repairs, furniture, etc.....	5,000 00	
Quarantine Buildings, repairs and maintenance	5,000 00	
Cattle Quarantine Station—works of repairs, renewal and improvement to buildings, fences, etc.	2,000 00	
<i>Experimental Farms.</i>		
New buildings, etc., and improvements, renewals, repairs, etc., in connection with existing buildings, fences, etc.	6,000 00	
	1,103,806 26	
HARBOURS AND RIVERS.		
<i>Nova Scotia.</i>		
L'Ardoise breakwater—Repairs.....	\$ 4,300 00	
Digby—Pier.....	8,000 00	
Nyanza—Wharf.....	1,200 00	
do	600 00	
Bayfield—New wharf.....	10,950 00	
Carried forward.....	25,050 00	7,797,544 41

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward	\$25,050 00	1,103,806 26 7,797,544 41
PUBLIC WORKS—Continued.		
<i>(Chargeable to Income)—Continued.</i>		
HARBOURS AND RIVERS—Continued.		
<i>Nova Scotia—Concluded.</i>		
Bayfield breakwater—Repairs.....	1,000 00	
Babbins Cove.....	3,000 00	
Blue Rock breakwater—Repairs.....	500 00	
McNair's Cove pier—To complete repairs.....	2,000 00	
Yarmouth Harbour—Dredging, etc.....	10,000 00	
Grand Etang.....	23,000 00	
Boularderie—Ross Ferry.....	3,200 00	
Whitehaven Channel.....	1,500 00	
South Ingonish—Closing up breach between protection block on north side of channel and the shore.....	1,000 00	
D'Escousse Wharf.....	1,000 00	
Cow Bay—Urgent repairs to breakwater.....	4,000 00	
Boularderie Island—Wharf on south side.....	3,000 00	
Broad Cove—Repairs to breakwater.....	500 00	
Port Mouton—Repairs to breakwater.....	850 00	
Louis Head.....	1,002 00	
Church Point.....	350 00	
Margaretville—Repairs to pier.....	500 00	
Port George—Urgent repairs.....	1,400 00	
Parrsboro' Wharf—Repairs.....	1,500 00	
Bass River—Pile wharf.....	3,200 00	
Great Village—Repairs to wharf.....	450 00	
Arisaig—Repairs to wharf.....	1,000 00	
Margaree—Repairs to breakwater.....	500 00	
Seaside—Wharf; the locality contributing an equal amount.	2,000 00	
Blanche Harbour.....	300 00	
To cut a channel at Monk's Head from the lake to Antigonish Harbour.....	500 00	
McNair's Cove—To secure facilities for the use by fishermen of the wharf and landing place.....	400 00	
Georgeville—Repairs to wharf.....	2,000 00	
<i>Prince Edward Island.</i>		
General repairs to piers and breakwaters.....	6,000 00	
Miminegash.....	500 00	
Bay Fortune Harbour.....	750 00	
Souris—Reconstruction of breakwater.....	18,000 00	
Wood Islands—Repairs to breakwaters, etc.....	14,200 00	
North Rustico—Repairs to breakwater, etc.....	3,000 00	
Campbell's Cove Breakwater—Works of reconstruction and repair.....	2,000 00	
Kier's Shore—Extension to wharf and repairs.....	3,000 00	
<i>New Brunswick.</i>		
Negro Point breakwater, St. John harbour.....	25,000 00	
River St. John, including tributaries.....	10,000 00	
Shediac Harbour—New breakwater for protection of Intercol- onial Railway wharf at Pointe du Chêne.....	25,000 00	
Gardner's Creek—New wharf.....	7,000 00	
River St. John—Protection of banks of Oromocto and Thatch Islands.....	2,220 00	
Carried forward.....	211,372 00	1,103,806 26 7,797,544 41

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward	\$211,372 00	1,103,806 26 7,797,544 41
PUBLIC WORKS—Continued.		
<i>(Chargeable to Income)—Continued.</i>		
HARBOURS AND RIVERS—Continued.		
<i>New Brunswick—Concluded.</i>		
Hopewell Cape—Repairs to wharf	600 00	
Buctouche Wharf—Repairs	1,500 00	
West Quaco—Repairs to dam	400 00	
Burnt Church—Wharf	2,000 00	
<i>Maritime Provinces Generally.</i>		
General repairs and improvements to harbour and river works	10,000 00	
<i>Quebec.</i>		
Anse à l'Eau—Tadoussac pier	1,500 00	
Chicoutimi wharf	2,000 00	
Etang du Nord—Repairs	1,800 00	
Laprairie—Works in connection with ice piers	2,500 00	
River St. Maurice—Improvement of channel between Grandes Piles and La Tuque and at the mouth of the Mekinac River	3,000 00	
Roberval pier, Lake St. John	5,000 00	
Longueuil pier—Widening	4,500 00	
River Saguenay—Dredging below Chicoutimi	6,000 00	
St. Zotique—Heavy repairs to wharf and ice piers—To complete	1,600 00	
St. Jean, Ile d'Orléans—Heavy repairs to wharf	6,000 00	
Grand Pabos	1,200 00	
Grande Rivière—To complete harbour of refuge by extending the wharf	14,000 00	
Port Daniel—Repairs to pier	1,000 00	
New Carlisle—General repairs to wharf	500 00	
Lower St. Lawrence—To provide for the establishment of safe landing places for fishing boats along the south coast of the Gulf of St. Lawrence below Matane	2,000 00	
Rimouski—Extension of wharf	10,000 00	
Matane—Repairs to pier	1,000 00	
Pointe aux Esquimaux—Wharf	5,000 00	
Lake St. John District—Wharfs	2,000 00	
Cacouna pier—Extension	2,000 00	
Isle Verte pier—Repairs	1,000 00	
Trois Pistoles—Repairs	1,000 00	
Baie St. Paul—To complete wharf at Pointe aux Corbeaux	8,700 00	
Baie St. Paul—Repairs to isolated block	1,500 00	
St. Irénée—Addition to pier	2,000 00	
St. Michel de Bellechasse—Repairs to pier	800 00	
Cap de la Magdeleine—Addition to wharf	2,800 00	
River Richelieu—Belœil channel guide piers	3,000 00	
Lacolle—Repairs to wharf	800 00	
Pointe Claire—Repairs to wharf	2,500 00	
Rivière du Lièvre—To provide for settlement of claims for damages to riparian properties by back water due to the construction of the Little Rapids Lock and dam	5,000 00	
Baie des Pères, Lake Temiscaming—Repairs to wharf	1,000 00	
Phillipsburg—Towards the construction of a pier	4,000 00	
Brought forward	332,572 00	1,103,806 26 7,797,544 41

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	\$332,572 00	1,103,806 26 7,797,544 41
PUBLIC WORKS—Continued.		
<i>(Chargeable to Income)—Continued.</i>		
HARBOURS AND RIVERS—Continued.		
<i>Quebec—Concluded.</i>		
Magog wharf.....	2,500 00	
River Ste. Anne (La Pérade).....	10,000 00	
General repairs and improvements to harbour, river and bridge works.....	10,000 00	
<i>Ontario.</i>		
Kingston harbour, Lake Ontario.....	6,000 00	
Port Hope—Repairs to piers.....	2,500 00	
River Ottawa—Improvement of steamboat channel through Narrows at Petewawa, above Pembroke.....	4,000 00	
Southampton—Repairs to breakwater and landing pier.....	1,000 00	
Thornbury.....	2,500 00	
Hamilton harbour—Dredging.....	6,000 00	
Port Albert—Extension of piers and dredging.....	10,000 00	
Goderich harbour—Extension of piers and repairs.....	33,000 00	
Port Rowan—Wharf under contract.....	5,300 00	
Owen Sound harbour—Dredging, etc.....	5,000 00	
Belleville harbour.....	3,000 00	
Cobourg—Repairs to breakwaters.....	1,000 00	
Dyer's Bay—Wharf.....	3,500 00	
River Beaudette—To continue improvement of river by cleaning out channel.....	3,000 00	
Nation River, North Branch—For purchase of existing riparian rights and removal of a dam; the parties interested furnishing an equal amount.....	2,500 00	
Trenton harbour—Dredging.....	2,000 00	
Toronto harbour—Works at eastern entrance, etc.; the city of Toronto having contributed \$100,000.....	50,000 00	
Port Arthur—Dredging.....	1,500 00	
Owen Sound—Harbour improvements.....	10,000 00	
Thessalon—New wharf; the municipality furnishing the site free of cost.....	5,000 00	
Removal of Robertson's Rocks in main passage between Clapperton and Croker's Island, Georgian Bay—To continue work.....	2,000 00	
Lakes Simcoe and Couchiching—Regulation of waters of.....	5,500 00	
Port Dover—Dredging.....	5,000 00	
Port Stanley.....	5,000 00	
General repairs and improvements to harbour, river and bridge works.....	5,000 00	
<i>Manitoba.</i>		
Wharf on Lake Winnipeg.....	2,500 00	
General repairs and improvements to harbour, river and bridge works.....	3,000 00	
<i>North-west Territories.</i>		
General repairs and improvements to harbour, river and bridge works, including approaches.....	5,000 00	
Carried forward.....	544,872 00	1,103,806 26 7,797,544 41

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward	\$544,872 00	1,103,806 26
PUBLIC WORKS—Continued.		
<i>(Chargeable to Income)—Continued.</i>		
HARBOURS AND RIVERS—Concluded.		
<i>British Columbia.</i>		
Victoria harbour—Dredging in inner harbour	10,000 00	
Fraser River—Improvement of channel	30,000 00	
Columbia River—Improvements above Golden	4,000 00	
Skeena River	4,000 00	
Fraser River—Protection works at Garry Bush	3,000 00	
Columbia River—Improvements below Kootenay	2,500 00	
General repairs and improvements to harbour, river and bridge works	3,000 00	
Protection of river banks at Golden, on the Kicking Horse River, the Local Government contributing \$500	500 00	
Kootenay (East) River—Improvements between Canal Flat and Fort Steele	5,000 00	
Columbia River—Protection of bank at Revelstoke and vicinity to prevent erosion; the Local Government of British Columbia contributing an equal amount—Expenditure to be made on settlement of title	5,000 00	
Fraser River—Survey	5,000 00	
<i>Harbours and Rivers generally.</i>		
Harbours and rivers generally	5,000 00	621,872 00
DREDGING.		
New dredging plant	\$ 50,000 00	
Dredge vessels—Repairs	30,000 00	
Dredging—Nova Scotia	40,000 00	
do Prince Edward Island	40,000 00	
do New Brunswick	10,000 00	
do Quebec and Ontario	15,000 00	
do Manitoba	6,000 00	
do British Columbia	40,000 00	
do General service	40,000 00	
Dredge—Maritime Provinces	231,000 00	
SLIDES AND BOOMS.		
Slides and booms	\$ 5,000 00	
Ottawa District—		
River Petewawa	8,000 00	
To pay Mrs. George Guertin for a strip of her property along the south shore and opposite the 1st Chute of the Petewawa River which is required for the improvement of the existing facilities for the descent of timber; the amount to be in full of all demands for water power and other riparian privileges and rights, damages to her old mill and flume resulting from the passages of timber through the gap in the Government dam on the south side of the river and a right of way across her lands to the public road	750 00	
Saguenay District—For piers at the Décharge from Lake St. John to obviate the necessity of stretching booms in the fall	2,000 00	
	15,750 00	
Carried forward	1,972,428 26	7,797,544 41

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward	1,972,428 26	7,797,544 41
PUBLIC WORKS—Continued.		
<i>(Chargeable to Income)—Continued.</i>		
ROADS AND BRIDGES.		
Bridges, Ottawa City, over the Ottawa River, the Slides, the Rideau Canal and approaches thereto—Ordinary repairs. \$	6,500 00	
Dominion traffic bridges throughout Canada, including approaches	5,000 00	
Bridges across the Saskatchewan at Edmonton, N.W.T.; the municipality furnishing 25 per cent of the cost.....	25,000 00	
Swing bridge over the Burlington channel.....	5,000 00	
Des Joachims bridge over the Ottawa—Repairs.....	1,250 00	
Portage du Fort bridge over the Ottawa—Works of reconstruction and repair	1,250 00	
Bridge over Pond Creek.....	3,000 00	
To settle Kennedy and Heney's claim in connection with construction of Battle River bridge.....	525 00	
	47,525 00	
TELEGRAPH LINES.		
Land and cable telegraph lines for the sea coasts and the islands of the Lower River and the Gulf of St. Lawrence and the Maritime Provinces—		
Land line on the north shore of the St. Lawrence—		
To improve roadway, repair line and increase operating facilities between Godbout and Pointe aux Esquimaux	\$ 1,500 00	
General repairs and clearance of line on Manicouagan Peninsula and reconstruction of foot bridges destroyed by storms between Bersimis and Sault au Cochon, north shore of St. Lawrence	1,800 00	
Meat Cove Line, C.B.—Clearance of line and repairs	1,000 00	
Grant to Great North-western Telegraph Company, covering cost of materials used by them in providing increased facilities between Quebec and St. Joachim for exchange of business with the Government north shore telegraph system.....	500 00	
Telegraph lines, North-west Territories—		
Aid to telephone line from Lethbridge to Cardson and extensions, 70 miles at the rate of \$30 per mile, on condition that Government messages shall be sent free	2,100 00	
Telegraph lines, British Columbia—		
Telegraphic connection of Lillooet with the Ashcroft-Barkerville line	3,500 00	
Telegraphic connection of French Creek with Alberni Canal	3,250 00	
Ashcroft-Barkerville line—Resetting of poles and general repairs	1,000 00	
	14,650 00	
MISCELLANEOUS.		
Surveys and inspections	\$ 15,700 00	
National Art Gallery	5,000 00	
To provide for salaries of engineers, draughtsmen and clerks, Chief Engineer's office.....	54,000 00	
To provide for salaries of architects, draughtsmen and clerks, Chief Architect's office.....	28,500 00	
To provide for salaries of staff, telegraph service.....	3,500 00	
	106,700 00	
Carried forward	2,034,603 26	7,797,544 41

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward	\$106,700 26	2,034,603 00
PUBLIC WORKS—Concluded.		
<i>(Chargeable to Income)</i> —Concluded.		
MISCELLANEOUS—Concluded.		
To provide for temporary, clerical and other assistance, inclusive of services of all persons required who were first employed after 1st July, 1882, notwithstanding anything to the contrary in the Civil Service Act	30,000 00	
Monument to the late Sir John A. Macdonald	12,700 00	
Towards the erection of the Maisonneuve monument	1,000 00	
Retiring allowance to Joseph Rosa, civil engineer, who spent 37 years in the public service, equal to 6 months of his salary	1,003 75	
Retiring allowance to C. E. Michaud, civil engineer, who spent 30 years in the public service, equal to 6 months of his salary	1,003 75	
Retiring allowance to John Bowes, architect, who spent 36 years in the public service, equal to 6 months of his salary	1,080 00	
Retiring allowance to W. B. Snow, civil engineer, who spent 13 years in the public service, equal to 3 months of his salary	365 00	
To pay to the widow of John C. Allison, late resident engineer, Public Works Department at St. John, N.B., a gratuity equal to 2 months of his salary	300 00	
To pay for clerical assistance	300 00	
	154,452 50	2,189,055 76
MAIL SUBSIDIES AND STEAMSHIP SUBVENTIONS.		
For a line of steamers to run between St. John, N.B., Halifax, N.S., and London, G.B.	25,000 00	
Steam communication between Halifax, N.S., and Newfoundland via Cape Breton ports	2,000 00	
Three lines of steamers to run between St. John and Halifax, or either, and the West Indies and South America	103,000 00	
Steam service between Victoria, B.C., and San Francisco, Cal.	5,000 00	
Steam communication during the season of 1894, <i>i.e.</i> , from the opening to the closing of navigation, between the mainland and the Magdalen Islands	9,000 00	
Steam communication during the season of 1894, <i>i.e.</i> , from the opening to the closing of navigation, between Prince Edward Island and the mainland	6,000 00	
do do do	6,000 00	
Steam communication during the year 1894-95, <i>i.e.</i> , from the opening to the closing of navigation, between Gaspé Basin, Quebec, and Dalhousie, N.B.	12,500 00	
Steam communication during the season of 1894, <i>i.e.</i> , from the opening to the closing of navigation, between Pictou, N.S., and Cheticamp	2,000 00	
Steam communication during the season of 1894, <i>i.e.</i> , from the opening to the closing of navigation, between St. John, N.B., and ports in Minas Basin	3,000 00	
Steam service during the season of 1894, <i>i.e.</i> , from the opening to the closing of navigation, between Baddeck, Grand Narrows and Iona; between St. Peter's and Port Mulgrave; between Grand Narrows, East Bay and Irish Cove; and between St. Peter's, Irish Cove and Grand Narrows	7,000 00	
Steam communication during the season of 1894, <i>i.e.</i> , for not less than 32 full round trips between St. John, N.B., and Halifax, N.S., via Yarmouth and other way ports	7,000 00	
Steam communication from the 1st July, 1894, to the 30th June, 1895, between St. John, Digby and Annapolis	12,500 00	
Carried forward	200,000 00	9,986,600 17

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	§ cts.	§ cts.
Brought forward	200,000 00	9,986,600 17
MAIL SUBSIDIES AND STEAMSHIP SUBVENTIONS—Con.		
Steam communication for the season of 1894, to the 30th June, 1895, between Pictou, N.S., Murray Harbour, Georgetown and Montague Bridge, P. E. I.	1,200 00	
Steam communication from 1st May, 1894, to 30th June, 1895, between Grand Manan and the mainland	4,666 66	
Steam communication from 1st April, 1894, to 30th June, 1895, between Port Mulgrave, Arichat and Canso, and between Port Mulgrave and Guysboro, and from 1st April, to 30th November, 1894, between Port Mulgrave and Port Hood	5,000 00	
Steam communication between Victoria, B.C., and Nanaimo tri-weekly, and between Nanaimo, Comox and Valdez Island, semi-weekly, stopping at intermediate landings.	6,000 00	
Amount required to pay the Allan Steamship Company for ocean mail service between Great Britain and Canada.	126,533 33	343,399 99
OCEAN AND RIVER SERVICE.		
Maintenance and repairs of Government steamers.	172,400 00	
Examination of masters and mates.	5,000 00	
Rewards for saving life, etc.	8,000 00	
Investigations into wrecks, etc.	1,000 00	
Canadian registration of shipping	500 00	
Tidal observations	10,000 00	
Removal of obstructions, etc.	5,000 00	
Winter mail service, P. E. I.	5,000 00	
To provide for the maintenance of new steamer now under construction in England	10,000 00	
To provide for a lifeboat station at Seal Island.	2,000 00	
To pay two months' gratuity to the widow of the late Archibald Warner, in his lifetime chief engineer of the Government steamer "Newfield".	160 00	
To meet expenses in connection with conference to be held in London relating to the manning of ships.	500 00	
To pay McDonald Bros. for their services in saving the boiler and engine of the steamer Napoleon III.	4,000 00	223,560 00
LIGHTHOUSE AND COAST SERVICE.		
Salaries and allowances, etc., of lighthouse-keepers.	201,600 00	
Agencies, rents and contingencies	18,120 00	
Maintenance and repairs to lights, fog-whistles, buoys and beacons and humane establishments	265,000 00	
Completion and construction of lighthouses and fog-alarms	30,000 00	
Signal service.	6,000 00	
Repairs and incidental expenses in connection with wharfs.	5,000 00	525,720 00
SCIENTIFIC INSTITUTIONS AND HYDROGRAPHIC SURVEYS.		
Observatory, Toronto	5,250 00	
do Kingston.	500 00	
do Montreal.	500 00	
Meteorological service.	62,900 00	
Hydrographic surveys, including survey Georgian Bay	16,000 00	85,150 00
MARINE HOSPITALS.		
St. Catharines Hospital.	500 00	
Kingston do	500 00	
Marine Hospitals in the provinces of Quebec, New Brunswick, Nova Scotia, Prince Edward Island and British Columbia.	35,000 00	
Shipwrecked and distressed seamen.	3,000 00	39,000 00
Carried forward		11,203,430 16

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....		11,203,430 16
STEAMBOAT INSPECTION.		
To provide for expenses of steamboat inspection.....		26,000 00
FISHERIES.		
SALARIES AND DISBURSEMENTS OF FISHERY OVERSEERS, ETC.		
<i>Ontario.</i>		
Salaries—Inspectors and overseers.....	12,000 00	
Disbursements.....	6,000 00	
Wages.....	3,000 00	
Miscellaneous.....	1,000 00	
<i>Quebec.</i>		
Salaries, etc.....	10,000 00	
Disbursements.....	4,000 00	
Wages, etc.....	1,500 00	
Miscellaneous.....	500 00	
<i>New Brunswick.</i>		
Salaries.....	9,000 00	
Disbursements.....	5,000 00	
Wages, etc.....	6,000 00	
Miscellaneous.....	1,000 00	
<i>Nova Scotia.</i>		
Salaries.....	9,000 00	
Disbursements.....	5,000 00	
Wages, etc.....	5,000 00	
Miscellaneous.....	1,000 00	
<i>Prince Edward Island.</i>		
Salaries.....	3,000 00	
Disbursements.....	700 00	
Wages, etc.....	1,000 00	
Miscellaneous.....	200 00	
<i>Manitoba.</i>		
Salaries.....	2,000 00	
Disbursements.....	1,000 00	
Wages.....	1,000 00	
Miscellaneous.....	500 00	
<i>North-west Territories.</i>		
Salaries, etc.....	1,500 00	
Disbursements.....	1,000 00	
Wages, etc.....	1,000 00	
Miscellaneous.....	500 00	
<i>British Columbia.</i>		
Salaries.....	3,000 00	
Disbursements.....	2,000 00	
Wages, etc.....	3,500 00	
Miscellaneous.....	1,500 00	
Carried forward.....	102,400 00	11,229,430 16

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	102,400 00	11,229,430 16
FISHERIES—Concluded.		
FISH-BREEDING.		
Building and maintenance of fish-breeding establishments and lobster hatcheries.....	50,000 00	
Fishery protection vessels.....	100,000 00	
MISCELLANEOUS.		
Building fish-ways and clearing rivers.....	5,000 00	
Legal and incidental expenses.....	5,000 00	
Canadian fishery exhibit.....	1,000 00	
Distributing fishing bounty.....	5,000 00	
Oyster culture.....	7,500 00	
International fisheries commission.....	2,000 00	
Amount required to pay George Ganley for hire of tug during the fall of 1891, while employed on fisheries service on Lake Superior.....	675 00	
		278,575 00
SUPERINTENDENCE OF INSURANCE.		
To meet expenses in connection with this service.....		8,000 00
GEOLOGICAL SURVEY.		
Exploration and survey.....		
Printing and publication reports and maps.....		
Wages of assistant explorers, draughtsmen, clerks, etc.....		
Purchase of specimens, books, instruments, stationery, mapping materials, maintenance of museum, laboratory apparatus, chemicals, etc., Queen's Printer, express charges, telegrams, etc.....	53,000 00	
Advances to explorers.....		
To provide for the cost of boring for petroleum at Athabasca River.....	7,000 00	
To pay J. W. Powell, Victoria, B.C., balance of cost of a collection of Indian curios furnished the Department of the Interior in 1879-80....	129 51	
		60,129 51
DEPARTMENT OF INDIAN AFFAIRS.		
<i>Ontario and Quebec.</i>		
Relief of distress and seed grain, Province of Quebec.....	\$ 4,500 00	
Relief of distress and medical attendance, Ontario.....	800 00	
Blankets for Indians of Ontario and Quebec.....	1,600 00	
Schools, Ontario, Quebec and the Maritime Provinces.....	28,100 00	
Salaries, Chiefs of Gibson and Cape Croker bands.....	100 00	
Removal of Lake of Two Mountains Indians.....	1,000 00	
Payment of Robinson Treaty annuities.....	16,806 00	
Survey of Indian Reserves.....	500 00	
To provide for the following overdrawn accounts:—Indian Land Management Fund, Province of Quebec Fund and Indian School Fund.....	14,000 00	
To provide a grant to assist the Agricultural Society of the Munceys of the Thames.....	90 00	
To pay expenses of prosecution of persons selling liquor to Indians belonging to bands in the older provinces which have no funds of their own.....	250 00	
	67,746 00	
Carried forward.....	67,746 00	11,576,134 67

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	67,746 00	11,576,134 67
DEPARTMENT OF INDIAN AFFAIRS—Continued.		
<i>Eastern Provinces.</i>		
To provide an amount for expenditure at Caughnawaga, P. Q., in building school-houses, repairing roads and bridges, and evicting trespassers, and surveys.....	\$ 3,500 00	
For surveys of reserves on the St. Maurice.....	500 00	
To assist in building Bonnechère bridge, foot of Golden Lake Reserve.....	200 00	
To increase the allowance to George Long, the agent for the Iroquois of St. Régis.....	50 00	
To increase the salary of the teacher of the Indian day school at Nipigon River Reserve, from \$200 to \$250.....	50 00	
To provide for 20 additional pupils (girls) at \$60 each per annum at the R. C. Industrial School at Wikwemikong..	1,200 00	
To provide arrears of salary to J. Jacobs, teacher of the boys' school, Caughnawaga, for December quarter, 1892, March and June quarters, 1893, at the rate of \$450 per annum, Mr. Jacobs only having received \$300 for these quarters.	112 50	
To provide for re-shingling and painting the roof of the agent's house, on the Pointe Bleue Reserve, Lake St. John.....	75 00	
To refund to A. C. Macrae amount overpaid on lots 24 and 25, 9th concession of Gordon, \$102.90, with interest at 6 p.c., from 1st December, 1884, to 30th June, 1894, \$59.17....	162 07	
Amount required for removal of school-house from Hudson's Bay Company's post to Indian Reserve at Michipicoten..	100 00	
To assist in the erection of a school-house for the Micmacs of Ste. Anne de Restigouche, P. Q.....	1,000 00	
To provide an amount to pay account for legal services rendered by Borden, Ritchie, Parker and Chisholm in connection with the ejection of trespassers on the Whyocomagah and Malagawatch Reserves, County Inverness.....	100 00	
To provide for the salary of the teacher of the Indian school at Shubenacadie.....	300 00	
	7,349 57	
<i>Nova Scotia.</i>		
Salaries.....	\$ 1,200 00	
Relief and seed grain.....	3,000 00	
Medical attendance and medicines.....	2,000 00	
Miscellaneous.....	100 00	
To provide for repairs to the road and bridges leading to the school and church on the Salmon River Reserve, N.S....	150 00	
	6,450 00	
<i>New Brunswick.</i>		
Salaries.....	\$ 1,705 00	
Relief and seed grain.....	2,700 00	
Medical attendance and medicines.....	1,295 00	
Miscellaneous.....	300 00	
	6,000 00	
<i>Prince Edward Island.</i>		
Salaries and travelling expenses.....	\$ 300 00	
Relief and seed grain.....	1,125 00	
Medical attendance and medicines.....	350 00	
Office and miscellaneous.....	75 00	
	1,850 00	
Carried forward.....	89,394 57	11,576,134 67

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	89,394 57	11,576,134 67
DEPARTMENT OF INDIAN AFFAIRS—Concluded.		
<i>Manitoba and the North-west Territories.</i>		
Annuities and commutations	\$128,575 00	
Impl-ements, tools, etc.....	9,481 00	
Field and garden seeds.....	1,700 00	
Live stock.....	7,001 00	
Supplies for destitute working Indians.....	215 693 00	
Triennial clothing.....	5,182 00	
Day, boarding and industrial schools.....	233,000 00	
Surveys.....	4,000 00	
Farm wages.....	24,713 00	
Supplies for farmers.....	11,484 00	
Sioux.....	4,597 00	
Buildings.....	5,953 00	
General expenses.....	114,256 00	
Grist and saw mills.....	4,471 00	
To provide the usual grant for two Roman Catholic schools outside treaty limits, Nativity Mission near Fort Chipe- wayan, and Providence Mission, Mackenzie River. . . .	400 00	
To provide an additional amount for the purchase of seed grain for Manitoba and the North-west Territories.....	2,500 00	
To provide for the purchase of medicines to be furnished missionaries for the use of Indians outside treaty limits..	400 00	
	773,406 00	
<i>British Columbia.</i>		
Salaries.....	\$ 19,140 00	
Relief of distress.....	5,000 00	
Seed grain, implements and tools.....	1,200 00	
Medical attendance and medicines.....	6,000 00	
Day schools.....	8,500 00	
Industrial and boarding schools.....	36,200 00	
Travelling expenses.....	5,000 00	
Office and miscellaneous.....	4,000 00	
Steamer "Vigilant".....	2,000 00	
Surveys.....	9,672 00	
Reserve commission.....	8,000 00	
To assist in the erection of a new building for girls at the Indian School, Alberni.....	1,500 00	
To provide for the erection of an industrial school at Lytton.....	5,000 00	
To provide a grant for the maintenance of a hospital at Lyt- ton, under the auspices of the Church of England.....	400 00	
To provide for the erection of a new building for the indus- trial school at Williams Lake.....	2,000 00	
For seed grain for Indian sufferers by Fraser River floods ...	500 00	
	114,112 00	
<i>General.</i>		
J. A. Macrae, inspector of Indian agencies.....	\$ 1,400 00	
G. L. Chitty, inspector of timber.....	1,000 00	
Travelling expenses of these two officers.....	600 00	
	3,000 00	
NORTH-WEST MOUNTED POLICE.		
Pay of force.....	290,000 00	
Subsistence.....	75,000 00	
Forage.....	70,000 00	
Fuel and light.....	35,000 00	
Clothing.....	45,000 00	
Repairs, renewals, replace-ment of horses, arms and ammunition.....	50,000 00	
	565,000 00	979,913 57
Carried forward.....	565,000 00	12,556,048 24

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	8 cts.	8 cts.
Brought forward.....	565,000 00	12,556,048 24
NORTH-WEST MOUNTED POLICE—Concluded.		
Medicines, medical comforts and hospital expenses	3,000 00	
Books, stationery and printed forms	4,000 00	
Scouts, guides, billeting charges, travelling allowances, transport of men and horses	45,000 00	
Contingencies	8,000 00	
New buildings and general repairs	30,000 00	
		655,000 00
GOVERNMENT OF THE NORTH-WEST TERRITORIES.		
Expenditure connected with Lieutenant-Governor's office	10,575 00	
Schools in unorganized districts	5,000 00	
Incidental justice, etc.	6,640 00	
Additional to salary of Clerk of Legislative Assembly	400 00	
Legal adviser	1,200 00	
Registrars.	18,160 00	
Insane patients, Manitoba.	30,000 00	
Schools, clerical assistance, printing, etc.	200,534 00	
Further amount required for the Government of the North-west Territories.	25,000 00	
		297,509 00
MISCELLANEOUS.		
"Canada Gazette"	6,000 00	
Miscellaneous printing.	25,000 00	
Expenses in connection with distribution of Parliamentary documents.	1,000 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.	2,000 00	
For the expenses of the Government in the district of Keewatin.	2,000 00	
Maintenance of Keewatin and other lunatics chargeable to Keewatin.	4,000 00	
To meet expenditure in connection with "The Canada Temperance Act".	1,500 00	
To compensate members of the North-west Mounted Police for injuries received in the discharge of duty.	2,000 00	
To provide for the payment of Mr. Fabre's salary and contingencies of his office	3,500 00	
To meet costs of litigated matters (Justice).	20,000 00	
To meet payments of extra clerks for services rendered in preparation of returns ordered by Parliament.	5,000 00	
Survey, construction of roads, bridges and other necessary works in con- nection with the Hot Springs Reservation, near Banff Station, North- west Territories	7,000 00	
Academy of Arts.	2,000 00	
To assist in the publication of the proceedings of the Royal Society	5,000 00	
Further amount required for plant for Printing Bureau	5,000 00	
To meet the cost of arbitration respecting the accounts between the Dominion of Canada and the provinces of Ontario and Quebec. (Payments on account of services rendered may be made to members of the Civil Service notwithstanding anything in the Civil Service Act).	10,000 00	
To provide for survey of bed of Straits of Northumberland.	6,300 00	
Towards the expenses of determining the boundary line between Canada and the United States of America between the southernmost point of Prince of Wales Island and the 141st meridian of west longitude, and in Passamaquoddy Bay	45,000 00	
Classification of old records of Canada in office of the Privy Council.	1,000 00	
To cover 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 and assistance to him in estimating the value of printing for the returning officers and others.	500 00	
Carried forward.....	173,800 00	13,508,557 24

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	173,800 00	13,508,557 24
MISCELLANEOUS—Concluded.		
To provide an amount for the relief of distressed Canadians in foreign countries other than the United States.....	500 00	
To meet disbursements on account of litigated matters (Interior).....	6,500 00	
Further amount required to meet cost of Royal Commission on liquor traffic, \$10,000; printing, etc., \$20,000.....	30,000 00	
Commissions to make public inquiries.....	5,000 00	
		215,800 00
COLLECTION OF REVENUE.		
CUSTOMS.		
Salaries and Contingent Expenses of the several ports—		
In the province of Nova Scotia.....	\$111,470 00	
do New Brunswick.....	92,035 00	
do Prince Edward Island.....	19,225 00	
do Quebec.....	215,175 00	
do Ontario.....	299,850 00	
do Manitoba.....	34,900 00	
do North-west Territories.....	4,900 00	
do British Columbia.....	62,195 00	
Provinces generally.—To cover any unforeseen changes it may appear necessary to make in staff.....	5,000 00	
Salary and travelling expenses of Inspectors of Ports and travelling expenses of other officers on inspection.....	21,350 00	
Board of Customs and Outside Detective Service.—To meet expenditure in connection therewith, including \$400, salary of Commissioner of Customs as Chairman of the Board.....	26,150 00	
Customs Laboratory.—To meet expenditure in connection with the testing of molasses, etc., including pay of officers appointed or employed for that purpose.....	5,150 00	
Miscellaneous.—Day books, ledgers, book-binding, printing and stationery, subscriptions to commercial papers, flags, dating stamps, locks, instruments, etc., for various ports of entry, and for legal expenses.....	15,000 00	
To provide for expenses of maintenance of Government cruiser "Constance," for preventive service on Lower St. Lawrence.....	12,000 00	
	924,400 00	
EXCISE.		
Salaries of officers and inspectors of Excise, and to provide for increases depending upon the result of excise examinations.....	\$305,771 25	
To provide for extension of Inland Revenue supervision in the North-west Territories.....	1,000 00	
To provide for extra duty-pay to officers at large distilleries and other factories.....	6,000 00	
To provide for duty-pay to officers serving long hours at other than special surveys.....	1,000 00	
Preventive service.....	15,800 00	
Travelling expenses, rent, fuel, stationery, etc.....	47,500 00	
Stamps for imported and Canadian tobacco.....	20,000 00	
To pay collectors of Customs allowance on duties collected by them.....	5,500 00	
Commission to sellers of stamps for Canada twist tobacco.....	100 00	
To increase the salary of A. F. Simpson, collector, Sherbrooke Division, due to a higher classification of his division.....	120 00	
To provide a deputy collector for Sherbrooke Division.....	800 00	
Carried forward.....	403,591 25	13,724,357 24

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	\$403,591 25	924,400 00
COLLECTION OF REVENUE—Continued.		
<i>Excise—Concluded.</i>		
To provide a deputy collector for Perth Division (Eganville).....	200 00	
To provide for the salary of N. McLenaghan, Deputy Collector, Perth Division.....	\$ 1,000 00	
Less main estimates.....	800 00	
	200 00	
To provide for a 3rd class exciseman at Vancouver Division..	600 00	
To increase the salary of U. H. McKimm, Pembroke.....	100 00	
Tobacco stamps for Canadian and imported tobacco—further amount required.....	5,000 00	
<i>Methylated Spirits.</i>		
To enable the department to supply methylated spirits to manufactories, the cost of which will be recouped by manufacturers to whom they are supplied; and to pay for rent, heating, light, power, salaries, etc.....	85,000 00	
	494,691 25	
CULLING TIMBER.		
Montreal—Deputy supervisor.....	\$ 900 00.	
Quebec—Salaries.....	6,750 00	
Contingencies.....	6,000 00	
Pay of cullers.....	8,300 00	
Superannuated cullers.....	6,000 00	
	27,950 00	
WEIGHTS AND MEASURES AND GAS.		
Salaries of officers, inspectors and assistant inspectors of weights and measures, including extension of the service in the North-west or elsewhere.....	\$ 53,150 00	
Salaries of inspectors of gas.....	15,050 00	
Rent, fuel, travelling expenses, postage, stationery, etc., for Weights and Measures.....	15,950 00	
Rent, fuel, travelling expenses, postage, stationery, etc., for Gas.....	8,000 00	
To increase the salary of S. Irwin.....	100 00	
Wm. Johnson.....	200 00	
A. E. Wheatly.....	50 00	
A. Guay.....	100 00	
To provide for the salary of T. H. Elliott.....	500 00	
	95,100 00	
ELECTRIC LIGHT INSPECTION.		
To provide for the purchase of standard instruments, etc., and payment for expert services, and for other purposes under the Act.....	5,000 00	
INSPECTION OF STAPLES.		
For the purchase and distribution of standards of flour, etc., and other expenditure under the Act.....	3,000 00	
ADULTERATION OF FOOD AND FERTILIZERS, AND THE ADMINISTRATION OF THE ACT RESPECTING FRAUDULENT MARKING.		
To meet expenses under these Acts.....	25,000 00	
Carried forward.....	1,575,141 25	13,724,357 24

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward	1,575,141 25	13,724,357 24
COLLECTION OF REVENUE—Continued.		
MINOR REVENUES.		
Minor revenues.....	\$ 800 00	
Ordnance Lands, including amount required to pay expenses, \$500, in connection with repairs to roads at Grand Falls, N.B.....	1,755 00	
Aid to Basil Beaulieu towards reconstruction of bridge des- troyed by fire across Little River, N.B.....	300 00	
	2,855 00	
RAILWAYS AND CANALS.		
<i>Railways.</i>		
Intercolonial	\$3,200,000 00	
Compassionate allowance to the sufferers by the accident on the Intercolonial Railway at Lévis	12,000 00	
To compensate Mr. Martin for injuries sustained on the Intercolonial Railway	1,500 00	
Windsor Branch	30,000 00	
Prince Edward Is and	250,000 00	
<i>Canals.</i>		
Repairs and working expenses	523,650 00	
Salaries and contingencies, canal offices	43,000 00	
Additional pay to persons permanently employed "in the public service," and remuneration to any other persons for services rendered for or in connection with passing ves- sels through the canals of the Government of Canada from midnight on Saturdays to midnight on Sundays, not- withstanding anything in the Civil Service Act to the contrary	15,000 00	
Carillon and Grenville Canal—General repairs	1,150 00	
Rideau Canal—To pay Thos. Sweetman, land damages.....	220 00	
<i>Miscellaneous.</i>		
To pay in cases of emergency for the services of the regular canal staff when called away from their duties to make repairs of damage done to any canal which require imme- diate and prompt attention to ensure the stoppage of navigation for as short a term as possible, to be charged in each case to the canal on which the work is done, notwithstanding anything in the Civil Service Act to the contrary.....	6,000 00	
	4,082,520 00	
PUBLIC WORKS.		
Collection of slide and boom dues.....	\$ 4,000 00	
Repairs and working expenses, harbours, docks and slides. . .	105,900 00	
To provide for paying the Upper Ottawa Improvement Company the authorized allowance for management, etc., in connection with logs to be passed through the Cheneaux boom, Ottawa River.....	1,600 00	
Telegraph lines between Prince Edward Island and the main- land.....	2,000 00	
Carried forward	113,500 00	5,660,516 25
		13,724,357 24

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	\$113,500 00	5,660,516 25
COLLECTION OF REVENUE—Continued.		
PUBLIC WORKS—Concluded.		
Land and cable telegraph lines of the sea coasts and islands of the Lower River and Gulf of St. Lawrence and Maritime Provinces, including cost of working steamer "Newfield" or other vessels when required for cable service.....	28,000 00	
Telegraph lines, North-west Territories.....	22,000 00	
Telegraph lines, British Columbia.....	10,000 00	
Telegraph and signal service generally.....	2,750 00	
Public Works agency, British Columbia.....	2,500 00	
Maintenance and Repairs.		
Slides and Booms—River Trent and Newcastle District Works.—To provide for the amount of a judgment for damages which was rendered in the Exchequer Court against the Crown in the suit of Mossom, Boyd & Co., lumber merchants, vs. E. T. Smith, Collector of Slide and Boom dues, for illegal seizure of plaintiffs' timber at Bobcaygeon, as security for tolls claimed to be due for slidage, together with the costs recovered, etc.....	1,152 16	
Land and cable telegraph lines of the sea coasts and islands of the Lower River and Gulf of St. Lawrence and Maritime Provinces—Renewal of appliances on board steamship "Newfield," for raising and laying cables, etc.....	1,500 00	
		181,402 16
POST OFFICE.		
Mail Service.....	\$2,125,000 00	
Salaries and allowances.....	1,202,220 00	
Miscellaneous.....	207,120 00	
To compensate E. C. Powell, third class railway mail clerk, in the British Columbia Division, for the loss of personal property, while saving the mails.....	38 75	
To provide for the permanent staff of the Vancouver, B.C., post office—		
1 postmaster.....	\$2,000 00	
1 assistant postmaster.....	1,400 00	
2 second class clerks at \$900.....	1,800 00	
4 third class clerks at \$400.....	1,600 00	
1 messenger.....	360 00	
4 letter carriers.....	1,600 00	
	8,760 00	
Amount required to enable the Postmaster-General to pay J. H. Bartlett, in addition to his present salary as second class clerk, the sum of \$60 for attending to the clock of the Ottawa post office.....	60 00	
To provide for the appointment of Theodore Pope as a third class clerk in the outside service, without increment.....	500 00	
		3,543,698 75
DOMINION LANDS.		
Commissioner's salary.....	\$ 5,000 00	
Superintendent of Mines' salary.....	3,200 00	
Inspector of Agencies' salary.....	2,200 00	
Secretary's salary.....	2,000 00	
Assistant Secretary's salary.....	1,500 00	
Carried forward.....	13,900 00	9,385,617 16
		13,724,357 24

SCHEDULE B—*Concluded.*

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	\$13,900 00	9,385,617 16
COLLECTION OF REVENUE—<i>Concluded.</i>		
DOMINION LANDS—<i>Concluded.</i>		
Homestead Inspectors' salaries.....	8,400 00	
Dominion Lands and Crown Timber Agents' salaries.....	24,000 00	
Salaries of clerks in Outside Service, Forest Rangers and Intelligence Officers.....	43,726 25	
Travelling expenses of Inspectors of Agencies, Homestead Inspectors and Superintendent of Mines, contingencies of Superintendent of Mines, Land Board, Dominion Lands and Crown Timber Agents and at Head Office; removal expenses, etc.; stationery and printing and Half-breed claims commission expenses.....	40,180 00	
To pay members of the Board of Examiners of Dominion Land Surveyors. The authority required by the Civil Service Act is hereby given for paying out of this votesuch sums as may be required to pay for services of members of the Board who are also members of the Civil Service.....	1,000 00	
Stationery, rent of rooms and contingent expenditure of Board of Examiners of Dominion Land Surveyors.....	200 00	
To pay salaries of extra clerks at Head Office, Ottawa, advertising, copying, etc.....	5,000 00	
To provide for the salary of one carpenter.....	732 00	
	137,138 25	9,522,755 41
DEPARTMENT OF TRADE AND COMMERCE.		
To provide for the administration of the Chinese Immigration Act, including remuneration to Trade and Commerce and Customs Officers.....	4,000 00	
To meet proportion of expenditure in connection with the International Customs Bureau, Brussels.....	600 00	
Commercial agencies, including expenses in connection with the negotiation of treaties or in the extension of commercial relations.....	10,000 00	
		14,600 00
DOMINION LANDS.		
<i>(Chargeable to Capital.)</i>		
To provide for the amount required for surveys, examination of survey returns, printing of plans, etc.....		100,000 00
		23,361,712 65

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57-58 VICTORIA.

CHAP. 2.

An Act respecting a certain Treaty between Her Britannic Majesty and the President of the French Republic.

[Assented to 23rd July, 1894.]

WHEREAS on the sixth day of February, one thousand eight hundred and ninety-three, an agreement or treaty, for the purpose of facilitating and extending commercial relations between Canada and France, was entered into by plenipotentiaries appointed by Her Majesty and by the President of the French Republic; and whereas by the said treaty it is provided that it shall receive the sanction of the Parliament of Canada before it is ratified; and whereas it is expedient to make provision for that purpose: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows:—

- 1.** This Act may be cited as *The French Treaty Act, 1894.* Short title.
- 2.** The treaty of the sixth day of February, one thousand eight hundred and ninety-three, which is set forth in schedule A to this Act, is hereby sanctioned. Treaty sanctioned.
- 3.** It is hereby declared that the duties of customs mentioned in article one of the said treaty as existing on the sixth day of February, one thousand eight hundred and ninety-three, on the several articles therein mentioned, were on that date as set forth in schedule B to this Act; and the reduction of the duties then existing as agreed upon in the said article shall take effect immediately upon the coming into force of this Act. Declaratory as to duties on 6th Feb., 1893. When reduction takes effect.
- 4.** This Act shall not have force or effect until a day to be named by proclamation of the Governor General; and if the said treaty ceases to be binding on Canada, this Act shall cease to be of any effect on and after a day to be named by proclamation of the Governor General. Commencement and duration of Act.

SCHEDULE A.

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the President of the French Republic, being alike desirous of facilitating and extending commercial relations between Canada and France have resolved to conclude an agreement to this end, and have named as their plenipotentiaries, that is to say :—

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland : His Excellency the Marquess of Dufferin and Ava, a peer of the United Kingdom, member of the most Honourable Privy Council, Vice-Admiral of Ulster, Warden and Keeper of the Cinque Ports, Constable of the Castle Dover, etc., Her Ambassador Extraordinary and Plenipotentiary to the Government of the French Republic, and Sir Charles Tupper, Baronet, High Commissioner for Canada in London,

The President of the French Republic : Son Excellence M. Jules Develle, Deputy and Minister for Foreign Affairs, and Son Excellence M. Siegfried, Deputy, Minister for the Department of Commerce, Industry and of the Colonies.

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

ARTICLE I.

Wines, sparkling and non-sparkling, common soaps, savons de Marseille (Castile soaps) and nuts, almonds, prunes and plums of French origin entering Canada shall enjoy the following advantages :—

1. Non-sparkling wines gauging 15 degrees by the centesimal alcoholometer or less, or according to the Canadian system of testing containing 26 per cent or less of alcohol, and all sparkling wines shall be exempted from the surtaxe or *ad valorem* duty of 30 per cent.

2. The present duty charged on common soaps, savons de Marseille (Castile soaps) shall be reduced by one-half.

3. The present duty charged on nuts, almonds, prunes and plums shall be reduced by one-third.

ARTICLE II.

Any commercial advantage granted by Canada to any third power, especially in tariff matters, shall be enjoyed fully by France, Algeria and the French colonies.

ARTICLE III.

The following articles of Canadian origin imported direct from that country accompanied by certificates of origin shall receive

receive the advantage of the minimum tariff on entering France, Algeria or the French colonies :—

Canned meats.

Condensed milk, pure.

Fresh water fish, eels.

Fish preserved in their natural form.

Lobsters and crayfish preserved in their natural form.

Apples and pears, fresh, dried or pressed.

Fruits preserved, others.

Building timber in rough or sawn.

Wood pavement.

Staves.

Wood pulp (cellulose).

Extract of chestnut and other tanning extracts.

Common paper, machine-made.

Prepared skins, others, whole.

Boots and shoes.

Furniture of common wood.

Furniture other than chairs, of solid wood, common.

Flooring in pine or soft wood.

Wooden sea-going ships.

It is understood that the advantage of any reduction of duty granted to any other power on any of the articles enumerated above shall be extended fully to Canada.

ARTICLE IV.

The present agreement having received the sanction of the Parliament of Canada and of the French Chambers shall be ratified and the ratifications shall be exchanged at Paris as soon as possible. It shall come into operation immediately after this formality has been accomplished, and shall continue in force until the expiration of twelve months after either of the contracting parties shall have given notice of their intention of terminating the same.

It is agreed likewise that if non-sparkling wines gauging fifteen degrees at the most, or sparkling wines, become subject later on to an increase of duty in Canada, the French Government by denouncing the present agreement could terminate its operation immediately without waiting until the expiration of the twelve months' delay provided for above.

In witness whereof, the respective plenipotentiaries have signed the present agreement and affixed thereto the seals of their arms.

Done in duplicate, at Paris, this 6th day of February, 1893.

DUFFERIN AND AVA.
JULES DEVELLE.
CHARLES TUPPER.
JULES SIEGFRIED.

SCHEDULE B.

Non-sparkling wines, containing 26 per cent or less of proof spirits, whether imported in wood or in bottles, (six quart or twelve pint bottles to be held to contain a gallon), 25 cents per gallon, and for each degree of strength in excess of 26 per cent of spirits as aforesaid, an additional duty of 3 cents per gallon until the strength reaches 40 per cent of proof spirits; and in addition thereto, 30 per cent *ad valorem*.

Sparkling wines, in bottles containing each not more than a quart but more than a pint, \$3.30 per dozen bottles; containing not more than a pint each but more than one-half pint, \$1.65 per dozen bottles; containing one-half pint each or less, 82 cents per dozen bottles; bottles containing more than one quart each shall pay, in addition to \$3.30 per dozen bottles, at the rate of \$1.65 per gallon on the quantity in excess of one quart per bottle, the quarts and pints in each case being old wine measure; in addition to the above specific duty, there shall be an *ad valorem* duty of 30 per cent.

Castile soaps, 2 cents per lb.; nuts, n.e.s., 3 cents per lb.; almonds, shelled, 5 cents per lb.; almonds, not shelled, 3 cents per lb.; prunes, 1 cent per lb.; plums, 30 cents per bushel.

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57-58 VICTORIA.

CHAP. 3.

An Act respecting the Common School Fund.

[Assented to 23rd July, 1894.]

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, so soon as an agreement is reached between the governments of the provinces of Ontario and Quebec as to the manner in which the fund hereinafter referred to is to be divided and distributed between the said provinces, or so soon as the manner of the distribution thereof is determined by the arbitrators appointed under the authority of chapter six of the Statutes of 1891, should the question of the distribution thereof be referred to and determined by such arbitrators, pay to and divide between the said provinces, in the proportions agreed upon or determined by such arbitrators, and in full discharge of any further obligation or liability on the part of the Dominion with respect to the said fund, the principal of a certain fund held by the Dominion in trust for the said provinces and known as "The Common School Fund"; and such payment shall divest the Dominion of the said trust and of any further liability or obligation in any way connected therewith or relating thereto.

The Common School Fund may be paid to Ontario and Quebec.

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57-58 VICTORIA.

CHAP. 4.

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

[Assented to 23rd July, 1894.]

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 grant the subsidies herein-after mentioned to the railway companies and towards the construction of the railways also hereinafter mentioned, that is to say:—

To the Bracebridge and Baysville Railway Company, for 15 miles of their railway from Bracebridge towards Baysville, in lieu of the subsidy granted by chapter 5 of 1892, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole....\$	48,000
To the Brockville, Westport and Sault Ste. Marie Railway, the balance remaining unpaid of the subsidy granted by chapter 3 of 1889, not exceeding \$3,200 per mile, and also the balance remaining unpaid of the subsidy granted by chapter 2 of 1890, which was re-granted by chapter 5 of 1892; the whole not exceeding.....	86,800
To the Tilsonburg, Lake Erie and Pacific Railway Company, for 16 miles of their railway, from Port Burwell to Tilsonburg, in lieu of the subsidy granted by chapter 5 of 1892, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	51,200
To the Brantford, Waterloo and Lake Erie Railway Company, for 18 miles of their railway, from the town of Brantford to the village of Hagersville or the village of Waterford, or some intermediate point on the Canada Southern Railway, the balance remaining unpaid of the subsidy granted by chapter 24 of 1887, not exceeding \$3,200 per mile, nor exceeding in the whole.....	4,790

Subsidies authorized.

To

<p>To the St. Catharines and Niagara Central Railway Company, for 34 miles of their railway from the city of St. Catharines to the city of Hamilton, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....</p>	<p>\$ 108,800</p>
<p>To the Montreal and Ottawa Railway Company (formerly the Vaudreuil and Prescott Railway Company), for 30 miles of their railway from Vaudreuil towards Hawkesbury, the balance remaining unpaid of the subsidy granted by chapter 24 of 1887; and for 30 miles of their railway from the western end of the 30 miles first mentioned towards Ottawa, the balance remaining unpaid of the subsidy granted by chapter 2 of 1890, not exceeding \$3,200 per mile; the whole not exceeding.....</p>	<p>118,400</p>
<p>Notwithstanding the expiration of the time limited by chapter 2 of 1890, and by the contract entered into with the Quebec Central Railway Company, and notwithstanding anything otherwise in the said chapter 2 contained, the Governor in Council may pay the subsidy granted by the said chapter to the said Company at the present worth of the twenty annual payments mentioned in the said chapter (interest computed at four per cent), for and upon the completion of its railway extending from a point between the Chaudière River and Tring Station to a point on the International Railway at or near Lake Megantic, and upon the inspection and acceptance of the same by the Chief Engineer of Railways and Canals, the sum in all of.....</p>	<p>288,000</p>
<p>To the Philipsburg Junction Railway and Quarry Company, for $\frac{17}{100}$ mile of their railway from Stanbridge Station to Philipsburg, in the county of Missisquoi and a branch to Missisquoi Bay, the balance remaining unpaid of the subsidy granted by chapter 5 of 1892, not exceeding \$3,200 per mile, nor exceeding in the whole...</p>	<p>2,912</p>
<p>To the Joliette and St. Jean de Matha Railway Company, for 8 miles of their railway from St. Félix de Valois to St. Jean de Matha, in lieu of the subsidy granted by chapter 5 of 1892, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....</p>	<p>25,600</p>
<p>To the Lake Temiscamingue Colonization Railway Company, for their railway from Mattawa to the foot of the Kippewa Lake, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$160,000,—also 15 per cent on the value of a wooden truss bridge over the Ottawa River near Mattawa, not to exceed \$15,000 in all, in lieu of</p>	

	the subsidies granted by chapter 5 of 1892,—also the balance remaining unpaid of the subsidy granted by chapter 24 of 1887, for their railway from Long Sault to Lake Kippewa, a subsidy not exceeding \$3,200 per mile of railway and 15 per cent on the value of the bridges,—also, a sum of \$1,750 additional per mile on their said railway from Mattawa to the foot of the Kippewa Lake; the whole not exceeding.....	\$274,940
For a railway from St. Placide to St. Andrews, 8 miles, in lieu of the subsidy granted by chapter 5 of 1892, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....		25,600
For a railway from St. Eustache to St. Placide, in the county of Two Mountains, for 18 miles of such railway, in lieu of the subsidy granted by chapter 5 of 1892, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....		57,600
For a railway from a point on the line of the Canadian Pacific Railway on Isle Jésus, in the county of Laval, towards St. Eustache, for 12 miles of such railway, in lieu of the subsidy granted by chapter 5 of 1892, to the Carillon and Grenville Railway Company, for 12 miles of their railway, from St. Eustache to Sault au Récollet, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....		38,400
For a railway from the parish of St. Rémi, in the county of Napierville, to St. Cyprien, in the said county, for 12 miles of such railway, in lieu of the subsidy granted by chapter 5 of 1892, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....		38,400
To the Pontiac Pacific Junction Railway Company, for bridging the several channels of the Ottawa River at Culbute and west thereof, a subsidy of \$31,500, to be paid out monthly as the work progresses, upon the certificate of the chief engineer of government railways, in the proportion which the value of the work executed bears to the value of the whole work undertaken; and for 3 miles of their railway extending from a point 3 miles east of Pembroke to Pembroke, in the province of Ontario, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$9,600, in lieu of the subsidy granted by chapter 3 of 1888; provided that the entire work subsidized upon this railway shall be completed within 4 years from the passing of this Act; the subsidy granted by this Act not to exceed in the whole.....		41,100
To the Pontiac Pacific Junction Railway Company, for the construction or acquisition of 7½ miles of		railway,

<p>railway, from Hull to Aylmer, in lieu of the subsidy granted by chapter 2 of 1890, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....</p>	\$ 24,000
<p>To the Pontiac Pacific Junction Railway Company, for 85 miles of their railway from Aylmer to Pembroke, the balance remaining unpaid of the subsidy granted by chapter 8 of 1884, less the subsidy granted for the line from Hull to Aylmer, provided the Ottawa River is crossed at some point not east of Lapasse, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....</p>	73,172
<p>To the Harvey Branch Railway Company, for 3 miles of their railway from the southern terminus of the Albert Railway to Harvey Bank, the balance remaining unpaid of the subsidy granted by chapter 24 of 1887, not exceeding \$3,200 per mile, nor exceeding in the whole.....</p>	4,046
<p>For a railway from a point on the Intercolonial Railway near Newcastle via Douglastown, to a point on the River Miramichi opposite the town of Chatham, in the province of New Brunswick, 6 miles, in lieu of the subsidy granted by chapter 10 of 1886, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....</p>	19,200
<p>For a railway from some point on the Joggins Railway, near the Hebert River, to Young's Mills, in the province of Nova Scotia, a distance of 5 miles, in lieu of the subsidy granted by chapter 3 of 1889, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole</p>	16,000
<p>To the Woodstock and Centreville Railway Company, for a railway from Woodstock to the international boundary between the province of New Brunswick and the state of Maine, 26 miles, in lieu of the subsidies granted by chapter 24 of 1887 and chapter 2 of 1890, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....</p>	83,200
<p>For 90 miles of the railway from Newport or Windsor to Truro, or to a point between Truro and Ste-wiacke, and from a point on the said railway to a point at or near Eastville, and from Eastville through the valley of the Musquodoboit River towards a point on the proposed Dartmouth branch of the Intercolonial, in lieu of the subsidy granted by chapter 5 of 1892, a subsidy not exceeding \$3,200 per mile; and also for a railway bridge over the Shubenacadie River on the line of the said railway, a subsidy of 15 per cent on the value of the structure; the whole not exceeding.....</p>	300,000

To the Nipissing and James's Bay Railway Company, for 25 miles of their railway from, at or near North Bay Station on the Canadian Pacific Railway towards James's Bay, in lieu of the subsidy granted by chapter 5 of 1892, a subsidy not exceeding \$3,200 per mile; also for 43 miles of their railway from North Bay towards Lake Tamagaming, a subsidy not exceeding \$3,200 per mile; the whole not exceeding.....	\$ 217,000
To the Lotbinière and Megantic Railway Company, for 15 miles of their railway, in addition to the 15 miles already subsidized and built, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	48,000
To the Drummond County Railway Company, for 30 miles of their railway from St. Leonard northerly towards a junction with the Intercolonial Railway at Chaudière Junction, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	96,000
For a railway from Lime Ridge, in the county of Wolfe, in the province of Quebec, northerly through the county of Wolfe and into the county of Megantic, a distance not exceeding 50 miles from Lime Ridge, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	160,000
To the Strathroy and Western Counties Railway Company, for 25 miles of their railway from St. Thomas through the counties of Elgin and Middlesex, towards Forest Station or Park Hill, on the Grand Trunk Railway, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole..	80,000
To the Parry Sound Colonization Railway Company, for 20 miles of their railway east from Parry Sound, a subsidy not exceeding \$3,200, nor exceeding in the whole.....	64,000
To the Manitoulin and North Shore Railway Company, for 10 miles of their railway from Little Current to Nelson, on the Algoma Branch of the Canadian Pacific Railway, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	32,000
To the United Counties Railway Company, for 32 miles of their railway from Iberville to Sorel, in addition to the 32 miles already subsidized, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	102,400
To the Joliette and St. Jean de Matha Railway Company, for 12 miles of their railway from St. Jean de Matha to Ste. Emelie de L'Energie, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	38,400

To the Great Northern Railway Company, for 22 miles of their railway, from the eastern end of the 15 miles subsidized by chapter 2 of 1893 to a point between Joliette and St. Félix de Valois, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.	\$ 70,400
To the Quebec and Lake St. John Railway Company, for 2 miles of the Chicoutimi branch of their railway, from the east end of the 50 miles already subsidized and built eastward to deep water at Chicoutimi, a subsidy not exceeding \$3,200 per mile; also for 12 miles from the 52nd mile on the Chicoutimi branch to Ha Ha Bay, a subsidy not exceeding \$3,200 per mile; the whole not exceeding	44,800
To the Pontiac and Ottawa Railway Company, for 23 miles of their railway from the point of divergence from the Pontiac Railway to Ferguson's Point, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	73,600
To the Ottawa and Gatineau Valley Railway Company, for 20 miles of their railway from the eastern end of the 62 miles already subsidized towards Désert, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	64,000
To the Canada Eastern Railway Company for 6 miles of their railway from the town of Chatham to Black Brook, a subsidy not exceeding \$3,200 per mile; also for 4 miles of their railway for a branch to the village of Nelson, a subsidy not exceeding \$3,200 per mile; the whole not exceeding.....	32,000
For a railway from Cross Creek Station, on the Canada Eastern Railway to Stanley village, in the county of York, in the province of New Brunswick, 6 miles, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	19,200
To the Restigouche and Victoria Railway Company, for 20 miles of their railway from the western end of the 15 miles subsidized by chapter 5 of 1892, towards Grand Falls, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	64,000
To the Central Railway Company of New Brunswick, for 15 miles of their railway from Chipman station to the Newcastle coal fields, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole	48,000
To the Tobique Valley Railway Company, for 15 miles of their railway from the present terminus at Plaister Rock easterly, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole	48,000

Towards the restoration or renewal of the railway bridge on the South-eastern Railway over the Yamaska River at Yamaska, a subsidy equal to one-third of the actual cost of the renewal of the bridge, but the grant not to exceed in the whole	\$ 50,000
To the Boston and Nova Scotia Coal and Railway Company, for 10½ miles of their railway from the north end of the section already subsidized to Broad Cove, a subsidy not exceeding \$3,200 per mile; also for 25 miles of their railway from a point on the Cape Breton Railway at or near Orangedale towards Broad Cove, in lieu of the subsidy granted by chapter 5 of 1892, a subsidy not exceeding \$3,200 per mile; the whole not exceeding	113,600
For a railway from Port Hawkesbury towards Cheticamp, 25 miles, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole	80,000
To the Manitoba North-western Railway Company, for 100 miles of the extension of their main line from its present western terminus towards Prince Albert,—the company relinquishing 3,200 acres of the land grant per mile, and the whole road to be operated as a continuous line of railway under one management,—a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole	320,000
For a line of railway from the junction of the Elk and Kootenay Rivers to Coal Creek, a distance of 34 miles, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole	108,800
For a railway from Abbotsford Station on the Mission Branch of the Canadian Pacific Railway to the town of Chilliwack, 21 miles, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole	67,200
To the Nicola Valley Railway Company, for 28 miles of their railway from the western end of the section of their road subsidized by chapter 5 of 1892, towards Nicola Lake, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole	89,600
To the Nakusp and Slocan Railway Company, for 38 miles of their railway from the town of Nakusp to a point at or near the Forks of Carpenter Creek, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole	121,600
To the Pontiac and Kingston Railway Company, for 22 miles of a railway from Portage du Fort to Upper Thorne Centre, via Shawville, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole	70,400
	To

To the New Glasgow Iron, Coal and Railway Company, for 5 miles of their railway, from Sunnybrae to Kerrogare, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	\$ 16,000
To the South Shore Railway Company, for 35 miles of their railway from Yarmouth towards Shelburne and Lockeport, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	112,000
To the Cape Breton Railway Extension Company, for 30 miles of railway from Port Hawkesbury to St. Peter's, on their line of railway from Port Hawkesbury to Louisbourg, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.	96,000
For a railway from a point on the Intercolonial Railway between Norton and Sussex Stations towards Havelock, 20 miles, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.	64,000
For a railway from St. John to Barneville, for a distance of 10 miles, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole	32,000
For a line of railway from Cap de la Magdeleine to connect with the Piles Branch of the Canadian Pacific Railway, 3 miles, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	9,600
To the Canada Eastern Railway Company, for an extension of one mile from the western end of their railway, to connect with the Canadian Pacific Railway, a subsidy not exceeding	3,200
To the Great Northern Railway Company, for 30 miles of their railway from its junction with the Lower Laurentian Railway near St. Tite, in the vicinity of the River St. Maurice, westward, in lieu of the subsidy granted to the Maskinongé and Nipissing Railway Company by chapter 2 of 1893, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	96,000
To the Lindsay, Bobcaygeon and Pontypool Railway Company, for 16 miles of their railway from Bobcaygeon to the Midland Railway, and for another 16 miles from the end of the first mentioned 16 miles to Pontypool, in lieu of the subsidies granted by chapter 2 of 1890, and chapter 5 of 1892, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	102,400
To the Montfort Colonization Railway Company, for 12 miles of their railway from the end of the 21 miles already subsidized westward to a point on the Rouge River, in the county of Argenteuil, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	38,400
For a railway from a point on the Caraquet Railway, at or near Pokemouche siding, towards Tracadie	village,

village, 12 miles, a subsidy not exceeding \$3,200
per mile, nor exceeding in the whole.....\$ 38,400

2. 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 shall be 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, 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.

On what conditions subsidies may be granted.

3. The granting of such subsidies respectively shall be subject to such conditions for securing such running powers or traffic arrangements and other rights as will afford all reasonable facilities and equal mileage rates to all railways connecting with those so subsidized, as the Governor in Council determines.

As to running powers.

4. The said subsidies respectively shall be payable out of the Consolidated Revenue Fund of Canada, by instalments, on the completion of each section of the railway of not less than ten miles, proportionate to the value of the portion so completed in comparison with that of the whole work undertaken, to be established by the report of the said Minister, or upon the completion of the work subsidized,—except as to subsidies with respect to which it is hereinbefore otherwise provided, and except also as to the subsidy granted to the Great Northern Railway Company by chapter two of 1893, for fifteen miles from Montcalm to the Canadian Pacific Railway, which shall be paid as follows: on the completion of the eighteen miles from New Glasgow to Montcalm and of two miles out of the fifteen miles from Montcalm to the Canadian Pacific Railway, an instalment proportionate to the value of the ten miles out of the total mileage subsidized by chapter two of 1893, to be established as aforesaid, and the balance of the said subsidy on the completion of the remaining thirteen miles of the said railway.

How subsidies shall be paid.

Exceptions.



57-58 VICTORIA.

CHAP. 5.

An Act respecting certain subsidies granted to the Government of the Province of Quebec by chapter eight of the Statutes of 1884.

[Assented to 23rd July, 1894.]

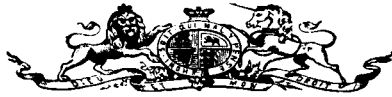
HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. Notwithstanding anything in chapter eight of the Statutes of 1884, intituled *An Act to authorize certain subsidies and grants for and in respect of the construction of the lines of railway therein mentioned*, the Governor in Council may, at the request of the Government of the province of Quebec, pay to the treasurer of that province the principal of either or both of the subsidies which by the said Act the Governor in Council was authorized to grant, on the terms therein set forth, to the Government of the said province in consideration of their having constructed the railway from Quebec to Ottawa, that is to say : for the portion between Quebec and Montreal, one hundred and fifty-nine miles, a subsidy not exceeding six thousand dollars per mile nor exceeding in the whole nine hundred and fifty-four thousand dollars, and for the portion between Montreal and Ottawa, one hundred and twenty miles, a subsidy not exceeding twelve thousand dollars per mile nor exceeding in the whole one million four hundred and forty thousand dollars.

Railway subsidies granted by chapter 8 of 1884 may be paid to Government of Quebec.

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57-58 VICTORIA.

CHAP. 6.

An Act to authorize the granting of Subsidies in land to certain Railway Companies.

[Assented to 23rd July, 1894.]

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 grant the subsidies in land hereinafter mentioned to the railway companies and towards the construction of the railways also hereinafter mentioned, that is to say:—

To the Rocky Mountain Railway and Coal Company, Dominion lands to an extent not exceeding six thousand four hundred acres per mile for a line of railway from a point at or near Olds Station on the line of the Calgary and Edmonton Railway in a westerly direction to the Red Deer River and thence along the said river in a westerly direction to the coal fields, a distance of about sixty miles.

To the Canadian Pacific Railway Company, Dominion lands to an extent not exceeding six thousand four hundred acres per mile for a line of railway from a point at or near Souris on the Souris Branch of the Canadian Pacific Railway, in a westerly direction to the Pipestone Valley, a distance of about thirty-two miles.

To the Brandon and South-western Railway Company, Dominion lands to an extent not exceeding six thousand four hundred acres per mile for a line of railway from a point in township one, in either range twenty-three or twenty-four west of the first principal meridian to a point at or near Deloraine, a distance of about seventeen miles.

To the Saskatchewan and Western Railway Company, Dominion lands to an extent not exceeding six thousand four hundred acres per mile for a line of railway from Minnedosa to Rapid City, a distance of about fifteen miles.

2. The said grants and each of them may be made in aid of the construction of the said railways respectively in the proportion and upon the conditions fixed by the Orders in Council

oil made with respect thereto ; and, except as to such conditions, the said grants shall be free grants, subject only to the payment by the grantees respectively of the cost of the survey of the lands and incidental expenses at the rate of ten cents per acre in cash on the issue of the patents therefor.

As to grants
to Canadian
Pacific Rail-
way Co.

3. The lands authorized by this Act to be granted to the Canadian Pacific Railway Company shall be taken and held, and may be disposed of, free and clear of any incumbrance on the lands or property of the said company created before the passing of this Act.

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57-58 VICTORIA.

CHAP. 7.

An Act respecting the land subsidy of the Canadian Pacific Railway Company.

[Assented to 23rd July, 1894.]

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 Dominion Lands Act*, chapter fifty-four of the Revised Statutes, or in chapter one of the Statutes of 1881, intituled *An Act respecting the Canadian Pacific Railway*, or in any other Act, the Governor in Council may, with the consent of the Canadian Pacific Railway Company, grant so much of the subsidy in lands of the said Company as remains ungranted, wholly or in part in tracts of such area as he deems expedient, and including sections bearing even, as well as those bearing uneven numbers, on that portion of the main line of the said Company between Medicine Hat on the east and Crowfoot Crossing on the west, and within twenty-four miles on each side of the said portion of the said Company's line of railway; but such grant shall not include any land reserved under *The Dominion Lands Act* for the Hudson's Bay Company unless and until the said Company have consented thereto, or any lands reserved under the said Act as school lands, unless and until other public lands of equal extent and value, as nearly as may be, have been set apart in lieu thereof.

Ungranted portion of C. P. R. land subsidy may be granted in tracts.

Hudson's Bay Co. lands and school lands.

2. Where any such grant includes lands reserved for the Hudson's Bay Company, after such consent as aforesaid, the Governor in Council may grant to the said Company other lands equal in extent and value, as nearly as may be, in lieu thereof.

Other lands may be granted instead to H. B. Co.

2. The grants of lands so made may include the statutory allowance for roads between sections in the areas so granted, but in such case shall be subject to a reserve of one acre out of every fifty acres for the establishment of public highways to be defined as hereinafter provided.

Allowance for roads.

Survey and opening of roads.

3. When the grants of land so made include the statutory allowance for roads between sections, the Minister of the Interior shall cause such public highways as he thinks expedient to be surveyed and set off through any tract of land granted under this Act, provided the area taken for this purpose does not exceed the one-fiftieth part of the aggregate area of such tract; and upon the approval by the minister of any such survey, the area set off thereby shall become and be a public highway and shall be subject to the direction, management and control of the Lieutenant-Governor of the Northwest Territories for the public uses of the Territories.

No compensation for lands so taken for roads.

2. The legal title to the land comprised in such highway shall be vested in the Crown, and the Company or its assigns shall not be entitled to compensation therefor.

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57-58 VICTORIA.

CHAP. 8.

An Act further to amend the Act respecting Ocean Steamship Subsidies.

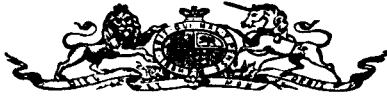
[Assented to 23rd July, 1894.]

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

1. Section three of chapter two of the Statutes of 1889, intituled *An Act relating to Ocean Steamship Subsidies*, is hereby repealed and the following substituted therefor : 1889, c. 2, s. 3 repealed.

“ 3. The Governor in Council may enter into a contract for a term not exceeding ten years with any individual or company, for the performance of a fast weekly steamship service between Canada and the United Kingdom, making connection with a French port, on such terms and conditions as to the carriage of mails and otherwise as the Governor in Council deems expedient, for a subsidy not exceeding the sum of seven hundred and fifty thousand dollars a year.” Steamship service between Canada and United Kingdom.

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57-58 VICTORIA.

CHAP. 9.

An Act to provide for the payment of Bounties on Iron and Steel manufactured from Canadian ore.

[Assented to 23rd July, 1894.]

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 authorize the payment of a bounty of two dollars per ton on all pig iron made in Canada from Canadian ore, a bounty of two dollars per ton on all iron puddled bars made in Canada from Canadian pig iron manufactured from Canadian ore, and a bounty of two dollars per ton on all steel billets manufactured in Canada from pig iron (made in Canada from Canadian ore) and such other ingredients as are necessary and usual in the manufacture of such steel billets, the proportion of such ingredients to be regulated by order of the Governor in Council: *Provided*, that in computing the bounty no payment shall be made with respect to foreign ores used in the products herein mentioned.

Bounty on iron and steel made in Canada from Canadian ore.

Provido.

2. In the case of the products of furnaces now in operation the said bounties shall be applicable only to such products manufactured therein between the twenty-seventh day of March, one thousand eight hundred and ninety-four, and the twenty-sixth day of March, one thousand eight hundred and ninety-nine, both days included; and in the case of the products of any furnace which commences operations hereafter, but prior to the twenty-seventh day of March, one thousand eight hundred and ninety-nine, the said bounties shall be applicable to such products manufactured therein during a period of five years from the date of commencing operations.

During what periods.

3. The Governor in Council may make regulations in relation to the bounties hereinabove mentioned in order to prevent fraud and to ensure the good effect of this Act.

Regulations.

4. The said regulations shall be laid before Parliament within the first fifteen days of each session, with a statement

Yearly report to Parliament.

of the moneys expended in payment of the said bounties, and of the persons to whom they have been paid, and the places at which the pig iron with respect to which they have been paid was manufactured, and such other particulars as tend to show the effect of the said bounties.

“Steel billet”
defined.

5. For the purposes of this Act, a steel billet shall mean the product of a steel ingot re-heated or rolled or hammered into flat slabs or square billets of any size.

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most Excellent Majesty.



57-58 VICTORIA

CHAP. 10.

An Act further to amend the Act respecting the Senate and House of Commons.

[Assented to 23rd July, 1894]

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

1. For the present session of Parliament, the deduction of eight dollars per day mentioned in section twenty-six of the *Act respecting the Senate and House of Commons*, being chapter eleven of the Revised Statutes, shall not be made for twelve days in the case of a member who has been absent from a sitting of the House of which he is a member, or of some committee thereof, during such number of days; but this provision shall not operate to extend the maximum amount mentioned in section twenty-five of the said Act, nor in the case of a member elected since the commencement of the present session shall it apply to days prior to his election.

Days of absence during present session.

Proviso.

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57-58 VICTORIA.

CHAP. II.

An Act respecting the Speaker of the Senate.

[Assented to 23rd July, 1894.]

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

1. Whenever the Speaker of the Senate, from illness or other cause, finds it necessary to leave the chair during any part of the sittings of the Senate on any day, he may call upon any senator to take the chair and preside as Speaker during the remainder of such day, unless the Speaker himself resumes the chair before the close of the sittings for that day.

Provision for the Speaker's illness and leaving the chair.

2. Whenever the Senate is informed by the Clerk at the table of the unavoidable absence of the Speaker, the Senate may choose any senator to preside as the Speaker during such absence, and such senator shall thereupon have and execute all the powers, privileges and duties of Speaker, until the Speaker himself resumes the chair, or another Speaker is appointed by the Governor General.

Provision for unavoidable absence of the Speaker.

3. Every act done by any senator, acting as aforesaid, shall have the same effect and validity as if the act had been done by the Speaker himself.

Validity of acts done in such cases.

4. This Act shall not come into force until Her Majesty's pleasure thereon has been signified by proclamation in the *Canada Gazette*.

As to coming into force of Act.



57-58 VICTORIA.

CHAP. 12.

An Act further to amend the Electoral Franchise Act.

[Assented to 23rd July, 1894.]

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,—

(a.) The expression “the Redistribution Act” means the *Act to readjust the representation in the House of Commons*, being chapter eleven of the Statutes of 1892, as amended by chapter nine of the Statutes of 1893. Interpretation. “Redistribution Act.”

(b.) The expression “by-election” means any election held after the revision and bringing into force of the voters’ lists for the present year, one thousand eight hundred and ninety-four, and before the dissolution of the present Parliament. “By-election.”

2. Except as hereinafter provided, the lists of voters shall be prepared, revised and completed for the present year, one thousand eight hundred and ninety-four, and for any subsequent year previous to the dissolution of the present Parliament, as if the Redistribution Act were in force, and for and with reference to the electoral districts as they will be constituted when that Act comes into force. Lists to be prepared as if Redistribution Act were in force.

3. For the purposes of the revision in the present year, section fifteen of *The Electoral Franchise Act*, as the said section is enacted by section four of chapter eight of the Statutes of 1890, as amended by section two of chapter eighteen of the Statutes of 1891, shall be read and construed as if the words “first day of June in each year,” in the first and second lines thereof, were struck out and the words “first day of August” substituted therefor, and as if the word “August” in the fourteenth line of subsection five thereof were struck out and the word “October” substituted therefor. Time extended for revision of lists in 1894.

2. For the purposes of the said revision, subsection six of section twenty-one of *The Electoral Franchise Act*, as the said section is enacted by section seven of chapter eight of the Statutes of 1890, shall be read and construed as if the words

“thirty-first day of December in each year” in the third and fourth lines of the said subsection were struck out and the words “twenty-eighth day of February, one thousand eight hundred and ninety-five” substituted therefor.

Polling districts.

4. For the purposes of any revision which takes place before the dissolution of the present Parliament, and for the purposes of by-elections, each polling district shall be constituted so as not to include territory which is included in more than one electoral district as now constituted ; and wherever to that end it is necessary so to do the revising officer shall, before the final revision of the lists of voters, make a new subdivision into polling districts in the manner provided by *The Electoral Franchise Act*.

In electoral districts affected by Redistribution Act.

2. For the purposes of any such revision and of by-elections, the polling districts situate in electoral districts which will be affected by the Redistribution Act shall be numbered and designated as polling districts in and for such electoral districts respectively, as well as in and for the electoral districts respectively in which they will be situated under the provisions of the Redistribution Act ; and the several forms in the schedule to *The Electoral Franchise Act* shall in such case, where necessary, be modified accordingly.

Persons registered in more than one polling district.

3. The list of voters for any such polling district shall contain, in addition to the names of the persons otherwise entitled to have their names on such list, the names of those persons, if any, so entitled with respect to real property who are registered as voters within another polling district by reason of their desire to be so registered under the provisions of section six of *The Electoral Franchise Act*, and who are not otherwise entitled to have their names on any list of voters for the electoral district to which, as now constituted, such first mentioned polling district belongs.

Appointment of revising officer where electoral district is affected by Redistribution Act.

5. The Governor in Council may at any time after the passing of this Act appoint a revising officer for any electoral district for the constitution of which the Redistribution Act provides, or the limits of which are defined by that Act, or for any portion of any such electoral district, or for any such electoral district or portion of an electoral district and any other electoral district or portion of an electoral district which he thinks fit to attach thereto ; and upon such appointment, the jurisdiction of any revising officer heretofore appointed shall cease and determine and his commission shall be superseded so far as such jurisdiction and commission extend to any territory included in the jurisdiction of the new appointee.



57-58 VICTORIA.

CHAP. 13.

An Act further to amend the Dominion Elections Act.

[Assented to 23rd July, 1894.]

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 for section four of *The Dominion Elections Act*, chapter eight of the Revised Statutes, by section one of chapter eleven of the Statutes of 1888 as amended by chapter nine of the Statutes of 1890, is hereby repealed and the following substituted therefor :—

R.S.C., c. 8,
s. 4 repealed.

“4. The Governor General shall, except as hereinafter mentioned, fix the day for the nomination of candidates at the election, and shall, at every general election, fix one and the same day for the nomination of candidates in all the electoral districts, except in the electoral districts of Algoma and Nipissing, in the province of Ontario, of Gaspé and Chicoutimi and Saguenay, in the province of Quebec, and of Cariboo, in the province of British Columbia.”

Day of nomination of candidates, how fixed.

2. The subsections substituted for subsections two and three of section fourteen of the said Act by section two of chapter eleven of the Statutes of 1888 as amended by chapter nine of the Statutes of 1890, are hereby repealed and the following substituted therefor :—

Section 14 amended.

“2. In the electoral districts of Algoma and Nipissing, in the province of Ontario, 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 ten days nor more than fifteen days after the proclamation hereinafter required has been posted up; and the day for holding the polls shall be not less than ten days nor more than fifteen days after the day on which the nomination is to take place,—neither the day of nomination nor the day of posting the proclamation being reckoned;

Nomination and polling days in Algoma and Nipissing.

In Gaspé,
Chicoutimi
and Saguenay
and Cariboo.

“3. In the electoral districts of Gaspé and Chicoutimi and Saguenay, in the province of Quebec, and Cariboo, in the province of British Columbia, the returning officer 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 fifteen days nor more than thirty days after the proclamation hereinafter required has been posted up; and the day for holding the polls shall be not less than fifteen days nor more than thirty days after the day on which the nomination is to take place,—neither the day of nomination nor the day of posting the proclamation being reckoned.”

Section 16
repealed.

3. The section substituted for section sixteen of the said Act by section three of chapter eleven of the Statutes of 1888 as amended by chapter nine of the Statutes of 1890, is hereby repealed and the following substituted therefor:—

Proclamation
by returning
officer.

“16. Within ten days after the reception of the writ in the electoral districts of Algoma and Nipissing, in the province of Ontario, within twenty days after such reception in the electoral districts of Gaspé and Chicoutimi and Saguenay, in the province of Quebec, and Cariboo, in the province of British Columbia, and within eight days after such 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,—

“(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, and the territorial limits to which they respectively apply;

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

Form.

“Such proclamation shall be in the form E, in the first schedule to this Act.”

Section 46
repealed.

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

Mode of vot-
ing and mark-
ing ballots,
etc.

“46. 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 pencil on the white portion of the ballot paper opposite to or within the division (or, if there is more than one to be elected, opposite to or within the divisions) containing the name or names of the candidate or candidates for whom he intends to vote, and shall then fold up such ballot paper so that the initials on the back 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 number upon the counterfoil, that it is the same which he furnished to the elector, and shall first detach and destroy the counterfoil, and shall then immediately, and in the presence of the elector, place the ballot paper in the ballot box.

5. Section one hundred and thirty-two of the said Act is hereby repealed and the following substituted therefor:—

Section 132 repealed.

“**132.** 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 districts to the east of Bersimis, in the electoral district of Chicoutimi and Saguenay, or between such polling districts and the place of nomination, may 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 he 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 best attaining the purposes of this enactment.”

Provision for transmission of information respecting elections by telegraph, in certain places and seasons in Quebec.

New form J.

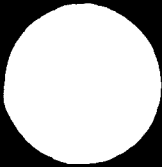
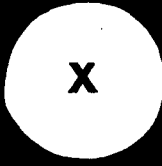
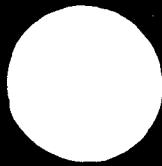
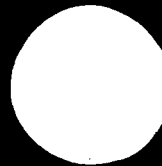
6. Form J in the first schedule to the said Act is hereby repealed and the following substituted therefor :—

“ J.

“ *Ballot paper.*

“ Election for the electoral district of

18 .

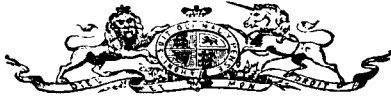
<p style="text-align: center;">DOE John Doe, Township of Nepean, County of Car- leton, yeoman.</p>	
<p style="text-align: center;">ROE Richard Roe, of Town of Prescott, County of Gren- ville, Merchant.</p>	
<p style="text-align: center;">STILES Geoffrey Stiles, of 10 Sparks Street, Ottawa, Physician.</p>	
<p style="text-align: center;">STILES John Stiles, of 3 Elgin Street, Ottawa, Barrister- at-law.</p>	



The names of the candidates will be as in the nomination paper. There is to be no white margin on either side of the ballot paper. All portions of the ballot paper are to be coloured dark except the divisions containing the names of the candidates and the circular spaces opposite, which are to be white as shown in the above form. The elector is supposed to have marked his ballot paper in favour of Richard Roe. The dotted line will be a line of perforations for easily detaching the counterfoil."

Coming into force of sections 5 and 6.

7. Sections five and six of this Act shall not come into force until a day to be named by proclamation of the Governor in Council.



57-58 VICTORIA.

CHAP. 14.

An Act to disfranchise Voters who have taken bribes.

[Assented to 23rd July, 1894.]

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

1. In each of the provinces of Canada, the court which under the provisions of *The Dominion Controverted Elections Act* has power, jurisdiction, and authority with reference to election petitions therein, shall be held to be, and is hereby constituted, a court for the purposes of this Act. Court in each province. R.S.C., c. 9.

2. Whenever, on a day not less than forty days and not more than sixty days after the day on which an election is held under *The Dominion Elections Act*, a petition, in the form or to the effect set out in the form A in the schedule to this Act, has been presented to the court, signed by five or more voters of an electoral district (the postal address of each voter signing the same being added to his name), stating that bribery has extensively prevailed at the election, and having annexed thereto an affidavit or affidavits, in the form or to the effect set out in the form B in the schedule to this Act, sworn by all the petitioners, stating that they are such voters, and that the allegations in the petition are true, to the best of their knowledge and belief, the court shall within thirty days assign one of its judges for the purpose of making inquiry under this Act, provided the court is satisfied by the affidavits produced that such extensive bribery has been practised. Petition of electors for inquiry into alleged bribery at election.

3. The rotation or order in which any duties assigned by this Act to a single judge shall be performed by the judges of the court respectively, shall, if not prescribed by the law of the province or the practice of the court, be arranged by the judges. Rotation of judges.

4. The several officers of the court for the trial of controverted elections shall be, respectively, officers of the court constituted by this Act. Officers of court.

Holding of inquiry.

5. The judge shall, upon his appointment, or within a reasonable time thereafter, from time to time hold meetings for the purposes of the inquiry, at some convenient place within the electoral district, and may adjourn such meetings from time to time and from place to place within the said electoral district; and the clerk or the prothonotary of the court shall give notice of the time and place of holding the first meeting, by mailing such notice to each of the electors who have signed the petition, at least fourteen days before the first meeting is held.

Notice to petitioners.

Duty of judge.

6. It shall be the duty of the judge to endeavour, by all lawful means, to ascertain the persons who have taken bribes at the last election.

Rules of court.

7. The judges of the several courts named in section one of this Act, or a majority of such judges, may, from time to time, make, revoke and alter general rules and orders, for the effectual execution of this Act and of the intention and object thereof.

2. Any general rules and orders made as aforesaid and not inconsistent with this Act shall be deemed to be within the powers conferred by this Act, and shall be of the same force as if they were herein enacted.

3. Such rules shall include regulations respecting the appearance of solicitors and counsel, and the several parties who may take part in the inquiry and be represented thereat.

Attendance and examination of witnesses.

8. All persons duly summoned shall attend and answer all questions touching the matters to be inquired into, and shall produce all books, papers, deeds and writings required of them and in their custody or under their control.

Evidence.

9. The evidence shall be taken under oath.

Court of record.

10. The judge sitting in such inquiry shall be a court of record.

Evidence of allegations.

11. The presentation of the petition shall be *primâ facie* evidence of the allegations therein, except as to the allegation that bribery prevailed at the election.

Witnesses' fees.

12. All witnesses shall be entitled to be paid, in the first instance, by the party by whom they are summoned, witness fees or conduct money as in an ordinary action in the supreme or superior court of the province in which the proceedings are carried on; and the judge shall allow the witness fees of all material witnesses so called before him out of the money in court, if not already paid to such witness.

Judge's decision.

13. The finding or decision in respect to any voter shall be made by the judge in open court, at the close of the evidence, or at such future time and place as he then fixes for that purpose;

pose ; but he shall not decide that any voter has taken a bribe unless and until he is satisfied that such voter has been served with a notice of the charge against him, and has had an opportunity of meeting it, or that it was impossible to give him such notice by reason of his intentionally evading service.

Notice to accused.

14. The judge shall, within ten days after the time within which an appeal may be taken under this Act, report the names of all voters whom he finds to have taken bribes and who have not duly appealed from his finding.

Judge's report.

2. Such report shall be laid before the Secretary of State, who shall publish it in the *Canada Gazette* and forthwith furnish a copy thereof to the revising officer of the electoral district to which it relates ; and it shall be the duty of the revising officer on receiving such copy to strike off the lists of voters furnished the returning officer of the district for any election held within the term of seven years hereinafter mentioned the names of the electors contained in such copy.

Proceedings upon report.

3. A copy of such report, certified by the Secretary of State, shall be received by the revising officer as evidence of the facts therein stated.

Copy for revising officer.

15. No voters whom the judge reports to have taken bribes shall be placed on the voters' lists or shall be capable of voting at any election of a member of the House of Commons held during the seven years next after the report has been received by the Secretary of State.

Bribed voters disfranchised for 7 years.

16. Every voter shall be held to have taken a bribe within the meaning of this Act 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, for voting or agreeing to vote, or for refraining or agreeing to refrain from voting at any election, or who, after any 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.

Taking a bribe defined.

17. No petition under this Act shall be received unless the sum of one thousand dollars is deposited therewith, to be applied, under the direction of the court, in defraying the expenses of the inquiry.

Security to be given.

2. The presentation of a petition shall be deemed to be complete upon its being left, together with the deposit aforesaid, with the clerk or prothonotary of the court.

Presentation of petition.

18. Any report made under this Act shall be laid before Parliament within fourteen days after it is received by the Secretary of State, if Parliament is sitting, or, if Parliament is not then sitting, within fourteen days after the then next meeting of Parliament.

Judge's report to be laid before Parliament.

“Voter” defined.

19. The word “voter” in this Act shall mean any person whose name is upon any revised voters’ list in force under the provisions of *The Electoral Franchise Act*, or any person entitled to vote at an election of a member of the House of Commons in the North-west Territories, or who has voted at the said election.

Appeals.

20. From any finding or decision of the court or judge disfranchising any voter such voter shall within thirty days after such finding or decision have a right to appeal—

(a.) In the province of Quebec to the ordinary courts of review or appeal;

(b.) In the province of Ontario, to one of the divisions of the High Court of Justice;

(c.) And in the provinces of Nova Scotia, New Brunswick, Prince Edward Island and British Columbia, and in the North-west Territories, to the Supreme Court *in banc* in the said provinces and territories respectively, and in Manitoba to the Court of Queen’s Bench; and such appeals shall be carried on under the provisions of the rules of court made pursuant to section seven of this Act.

Report to Secretary of State.

2. After the final disposal of any appeal, the clerk of the court of appeal shall forthwith report to the Secretary of State the name of every voter who under the decision upon the said appeal is held to have taken a bribe; and on such report the like proceedings shall be had as are required by this Act in the case of the report of a judge.

In case of controverted elections.

21. Notwithstanding anything in this Act, where in any electoral district an election petition has been filed under the *Dominion Controverted Elections Act*, no petition shall be filed under this Act, until such election petition has been abandoned or disposed of.

R.S.C., c. 9.

R.S.C., c. 8, form S amended.

22. Form S in the first schedule to *The Dominion Elections Act*, chapter eight of the Revised Statutes, as amended by section eleven of chapter eleven of the Statutes of 1888, and by section sixteen of chapter nineteen of the Statutes of 1891, is hereby further amended by adding the following paragraph thereto :—

“ 6. That I have not been disfranchised under the provisions of the *Act to disfranchise voters who have taken bribes.*”

SCHEDULE.

FORM A.

PETITION.

Electoral district of

The petition of A, B, C, D, and E, _____, of the said electoral district, sheweth :—

1. That they are duly qualified voters in the said electoral district.

2. That an election in the said electoral district took place, and that the polling was held on _____ day of 189____, for the election of a member of the House of Commons of Canada.

3. That in the said election _____ were candidates.

4. That bribery extensively prevailed at the said election.

5. That the post office address of each of your petitioners is opposite his signature.

A.....	P. O. address.....
B.....	“
C.....	“
D.....	“
E.....	“

FORM B.

AFFIDAVIT.

Electoral district of _____

I _____ make oath and say that I am one of the petitioners named in the foregoing petition and that the facts set forth therein are true to the best of my knowledge and belief.

Sworn before me at _____ in the county of _____ day of _____ 18 _____ this }

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



57-58 VICTORIA.

CHAP. 15.

An Act further to amend the North-west Territories' Representation Act.

[Assented to 23rd July, 1894.]

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

1. Section four of *The North-west Territories' Representation Act*, chapter seven of the Revised Statutes, is hereby amended by adding thereto the following subsection:—

R. S. C., c. 7, s. 4 amended.

“2. The judges of every court now existing or hereafter created in the North-west Territories whose appointment rests with the Governor in Council shall be disqualified and incompetent to vote at any election of a member under this Act.”

Judges not to vote.

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

Section 18 amended.

“3. The returning officer shall not receive the nomination paper of any member of the Legislative Assembly of the North-west Territories.”

Returning officer not to receive nomination paper.

3. The section substituted for section twenty-eight of the said Act, by section three of chapter ten of the Statutes of 1888, is hereby amended by striking out the words “Governor General” in the first line and substituting therefor the words “Governor in Council.”

Section 28 amended.

4. Section thirty-one of the said Act is hereby amended by adding after the word “and” in the second line thereof the words “two days.”

Section 31 amended.

5. Section thirty-two of the said Act is hereby amended by striking out the words “on the day” in the fifth line thereof and replacing the same by the words “two days.”

Section 32 amended.

6. Section thirty-three of the said Act is hereby amended by leaving out all the words after the word “division” in the sixth line thereof.

Section 33 amended.

Section 38
repealed.

7. Section thirty-eight of the said Act is hereby repealed and the following substituted therefor:—

Poll books and
notices.

“**38.** The returning officer shall furnish each deputy returning officer with a poll book, which shall be in the form R in the first schedule to *The Dominion Elections Act*, and with at least five copies of the notice, in the form L in the schedule to this Act, for the information of electors.”

Section 42
repealed.

8. Section forty-two of the said Act is hereby repealed and the following substituted therefor:—

Posting of
notice.

“**42.** The deputy returning officer shall post up on the polling day before nine o'clock in the forenoon, in conspicuous places near the polling station, at least three copies of the notice, in the form L in the schedule to this Act, for the information of electors.”

Section 64
repealed.

9. Section sixty-four of the said Act is hereby repealed and the following substituted therefor:—

Instructions
for returning
officer and de-
puties.

“**64.** One copy of this Act, and of such portions of *The Dominion Elections Act* as are hereinafter or by any other Act incorporated with this Act, and of such instructions, approved by the Governor in Council, as are necessary to carry out the elections according to the provisions of this Act (with a copious alphabetical index prefixed), for the returning officer, and one for each of his deputies, shall be transmitted, with the writ of election, to each returning officer.”

Section 67
repealed.

10. Section sixty-seven of the said Act is hereby repealed, and in lieu thereof it is hereby enacted that the following provisions shall be incorporated with the said Act and be read as forming part thereof:—

Certain provi-
sions of R.S.
C., c. 8, incor-
porated.

(a.) Paragraphs (a), (b) and (h) of section two, subsection one of section twenty, section twenty-eight, section twenty-nine, paragraphs (b), (c) and (d) of section thirty, section thirty-one, sections thirty-three to forty, both inclusive, subsections one and three of section forty-five, sections forty-six to forty-nine, both inclusive, sections fifty-one to fifty-five, both inclusive, subsections one and two of section fifty-six, sections fifty-seven to one hundred and twenty-two, both inclusive, and sections one hundred and twenty-five to one hundred and thirty-one, both inclusive, of *The Dominion Elections Act*, as amended by subsequent Acts, together with the forms mentioned in the said sections and parts of sections: Provided that any of the said sections, parts of sections, or forms in which the words “revising officer” occur shall be read as if the word “enumerator” were substituted for the said words;

And 1888, c.
11, s. 13.

(b.) Section thirteen of chapter eleven of the Statutes of 1888.

Application
to judge under
R.S.C., c. 8,
s. 64.

11. The application for a recount or final addition provided for by section sixty-four of *The Dominion Elections Act*, shall in the North-west Territories be made to any judge of the

Supreme Court of the said Territories, and the application provided for by the subsection added to the said section by section eleven of chapter nineteen of the Statutes of 1891, shall be made to the said court *in banco*

12. Form I, in the schedule to the said *North-west Territories' Representation Act*, is hereby amended by striking out the words "poll books" in the fourth paragraph and substituting therefor the words "ballot boxes." Form I
amended.

13. Form L, in the schedule to the said Act, is hereby repealed and the following substituted therefor:— New Form L.

" L.

" Information for electors.

" The following is the qualification of electors as prescribed by the Parliament of Canada.

" (Here insert section four of this Act.)

" If any elector finds that his name is not on the voters' list of the polling division to which he belongs, he may apply to the enumerator on any day before the polling day, and if the enumerator objects to add his name to the said list, he may require the deputy returning officer, on the polling day, while the poll is open, to cause his name to be placed on the list on taking before that officer the following oath :

" (Here insert oath No. 1. See form P.)

" Each elector may vote only at one polling station and for one candidate within the same electoral district.

" The elector will go into one of the compartments, and with a pencil there provided, place a cross in the division containing the name of the candidate for whom he votes, thus **X**.

" The elector shall then fold the ballot paper so as to show a portion of the back only, with the initials of the deputy returning officer thereon and the number on the counterfoil, and also in such a manner as to permit the counterfoil to be detached without unfolding the ballot paper; he shall then return the ballot paper so folded to the deputy returning officer, who shall place it in the ballot box, after having detached the counterfoil. The elector shall then forthwith quietly leave the polling station.

" If an elector inadvertently spoils a ballot paper he may return it to the proper officer, who, on being satisfied of the fact, will give him another.

" If an elector 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.



57-58 VICTORIA.

CHAP. 16.

An Act to provide for the examination of witnesses on oath by the Senate and House of Commons.

[Assented to 23rd July, 1894.]

WHEREAS it is expedient that the Senate and House of Commons and any committee thereof should respectively have the power of administering oaths to witnesses: Therefore, 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 Parliamentary Witnesses Oaths Act, 1894.* Short title.
- 2.** The Senate or the House of Commons may administer an oath to any witness examined at the bar of the Senate or of the said House. Examination on oath at bar of House.
- 3.** Any committee of the Senate or of the House of Commons may administer an oath to any witness examined before such committee. Before committee.
- 4.** The Senate or the House of Commons may at any time order witnesses to be examined on oath before any committee. Before committee by order of House.
- 5.** Any person examined as aforesaid who wilfully gives false evidence shall be liable to the penalties of perjury. False evidence.
- 6.** Where any witness to be examined under this Act conscientiously objects to take an oath, he may make his solemn affirmation and declaration in the words following:
“I, A.B., do solemnly, sincerely and truly affirm and declare that the taking of any oath is according to my religious belief unlawful, and I do also solemnly, sincerely and truly affirm and declare, etc.”
2. Any solemn affirmation and declaration so made shall be of the same force and effect, and shall entail the same consequences, as an oath taken in the usual form. Affirmation instead of oath.

By whom oath
may be admin-
istered.

7. Any oath or affirmation under this Act may be administered by the Speaker of the Senate or of the House of Commons, or by the chairman of any committee of the Senate or House of Commons, or by such person or persons as may from time to time be appointed for that purpose, either by the Speaker of the Senate or by the Speaker of the House of Commons, or by any standing order or other order of the said Senate or House of Commons respectively.

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



57-58 VICTORIA.

CHAP. 17.

An Act further to amend the Acts respecting the North-west Territories.

[Assented to 23rd July, 1894.]

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

1. Sub-paragraph (b.) of paragraph seven of subsection one of the section substituted by section six of chapter twenty-two of the Statutes of 1891 for section thirteen of *The North-west Territories Act*, is hereby repealed and the following substituted therefor:—

R.S.C., c. 50,
s. 13 amended.

“(b.) Railway companies (not including tramway and street railway companies), and steamboat, canal, transportation, telegraph and irrigation companies.”

Powers of
Assembly.

2. Section fifteen of *The North-west Territories Act* is hereby repealed.

Section 15
repealed.

3. Section forty-nine of the said Act is hereby amended by striking out the word “any” in the last line thereof.

Section 49
amended.

4. Section fifty of the said Act is hereby amended by adding the following words thereto: “Provided that the judge by or before whom the judgment, order or decision then in question was rendered or made, shall not sit as one of the judges composing the court unless his presence is necessary to constitute a quorum.”

Section 50
amended.

5. Section fifty-nine of the said Act is hereby repealed and the following substituted therefor:—

Section 59
repealed.

“**59.** Each sheriff shall be paid a yearly salary of five hundred dollars, and the Lieutenant-Governor, by and with the advice and consent of the Legislative Assembly, may legislate with respect to the remuneration, by fees or otherwise, in civil matters, of sheriffs and clerks, including the registrar of the Supreme Court.”

Salaries and
fees of sheriffs
and clerks.

Sections 60
and 61 repeal-
ed.

6. Sections sixty and sixty-one of the said Act are hereby repealed.

Section 64
repealed.

7. Section sixty-four of the said Act is hereby repealed, and the following substituted therefor:—

Justices of the
peace.

“**64.** The Lieutenant-Governor may appoint justices of the peace for the Territories, who shall have jurisdiction as such throughout the same; but no person shall be appointed a justice of the peace for the Territories, or shall act as such, who is not the owner in fee simple for his own use and benefit of lands lying and being in the Territories of and above the value of three hundred dollars over and above what will satisfy and discharge all incumbrances affecting the same and over and above all rents and charges payable out of or affecting the same and who has not resided in the Territories for a period of at least three years.

Property
qualification.

Oaths of
qualification
and office.

“**2.** Every justice of the peace for the Territories, before he takes upon himself to act as such justice, shall take and subscribe before the Lieutenant-Governor, a judge of the Supreme Court, or any justice of the peace for the Territories, the oath of qualification and the oath of office contained in the schedule to this Act.

Police magis-
trates.

“**3.** The Governor in Council may appoint police magistrates in the Territories, and such police magistrates shall have all powers and authorities now vested in two justices of the peace under any law in Canada, and shall exercise jurisdiction in and for such territory as is defined by the Order in Council appointing them respectively, or by any Order in Council amending the same.

Who may be
appointed.

“**4.** No person shall be appointed a police magistrate unless he has been admitted and has practised as an advocate, barrister or solicitor in one of the provinces of Canada, for a period of not less than three years, or unless he is a magistrate of not less than three years' standing in Canada.”

Section 71
amended.

8. Section seventy-one of the said Act is hereby amended by adding thereto the following subsection:—

Governor in
Council may
repeal this
section by pro-
clamation.

“**2.** The Governor in Council may at any time by proclamation declare that this section shall be repealed from and after the date named in such proclamation.”

Section 72
amended.

9. Subsection one of section seventy-two of the said Act is hereby repealed and the following substituted therefor:—

Peremptory
challenges by
accused in
criminal cases.

“**72.** Any one arraigned for treason or an offence punishable with death or an offence for which he may be sentenced to imprisonment for more than five years, may challenge peremptorily, and without cause, any number of jurors not exceeding six; and every peremptory challenge beyond that number shall be void.”

Section 91
repealed.

10. Section ninety-one of the said Act is hereby repealed and the following substituted therefor:—

91. The Governor in Council may from time to time by proclamation declare that the three sections next preceding, or any of them, or any portion or portions of the said sections or of any of them, shall be repealed from and after the date named in such proclamation.”

Governor in Council may repeal sections 88 to 90 by proclamation.

11. Subsection four of section two of chapter nineteen of the Statutes of 1888, intituled *An Act to amend the Revised Statutes of Canada, chapter fifty, respecting the North-west Territories*, is hereby repealed.

1888, c. 19, s. 2 ss. 4 repealed.

12. Section five of the said Act of 1888 is hereby repealed.

Section 5 repealed.

13. Section ten of the said Act of 1888 is hereby repealed and the following substituted therefor :—

Section 10 repealed.

“**10.** Until the Legislative Assembly otherwise provides, a majority of the members shall form a quorum for the transaction of business.”

Quorum in Assembly.

14. Sections thirteen and fifteen of the said Act of 1888 are hereby repealed.

Sections 13 and 15 repealed.

15. Section two of chapter twenty-two of the Statutes of 1891, intituled *An Act to amend the Acts respecting the North-west Territories*, is hereby repealed and the following substituted therefor :—

1891, c. 22, s. 2 repealed.

“**2.** There shall be a Legislative Assembly for the Territories, which shall be composed of twenty-six members elected to represent the electoral districts set forth in the schedule to this Act until the said Legislative Assembly otherwise provides.”

Legislative Assembly.

16. The section substituted for section three of the said Act of 1888 by section three of the said Act of 1891 is hereby amended by striking out the word “three” in the first line and substituting therefor the word “four.”

Section 3 amended.

2. This section shall not affect the duration of the present Legislative Assembly.

Duration of Legislative Assembly not affected.

17. The Legislative Assembly may from time to time appoint a committee of four persons from among the elected members thereof to advise the Lieutenant-Governor in relation to the expenditure of territorial funds and of such portion of any moneys appropriated by Parliament for the Territories as the Lieutenant-Governor is authorized to expend by and with the advice of the Legislative Assembly or of any committee thereof.

Member of Executive Committee of the Territories.

2. The said committee shall be styled “The Executive Committee of the Territories,” and the members thereof shall severally hold office until their successors are appointed.

Style and tenure of office.

3. The Legislative Assembly may by Ordinance make such provision as may be deemed necessary for the filling of any vacancy

Filling of vacancies occurring during recess

vacancy or vacancies that may at any time occur in the Executive Committee during the recess, and between the sessions of the Assembly, whether such vacancy or vacancies are occasioned by death, resignation, or otherwise; provided that any action taken under the provisions of such Ordinance shall be subject to confirmation by the Assembly at its first session held next after such action has been taken."

Executive Committee may sit in Assembly.

18. No member of the Executive Committee of the Territories shall, by reason of any salary, fee, allowance, emolument or profit of any kind or amount attaching to such membership, be disqualified from sitting or voting in the Legislative Assembly.

Procedure.

19. Unless otherwise therein specially provided, proceedings for the imposition of punishment by fine, penalty or imprisonment for enforcing any territorial Ordinance may be brought summarily before a justice of the peace under the provisions of part LVIII. of *The Criminal Code*, 1892.

Jurisdiction in matters of alimony.

20. For the removal of doubts, it is hereby declared that, subject to the provisions of *The North-west Territories Act*, the Legislative Assembly has and shall have power to confer on territorial courts jurisdiction in matters of alimony.

Lands in N.W.T.

21. The Lieutenant-Governor may, with the consent of the Governor in Council, close up any road which has been transferred to the Territories, or vary its direction; and may, subject to any Ordinances made in respect thereof, open and establish any new highway in the stead of such road; and the land in any road allowance, public travelled road, or trail so closed may be dealt with as the Governor in Council sees fit.

Certain acts of Lieut. Gov. declared valid.

2. Notwithstanding section six of chapter fifteen of the Statutes of 1892, any action heretofore taken by the Lieutenant-Governor in the manner provided in subsection one of this section with respect to roads or trails, with the consent of the Governor in Council but without the concurrence of the Assembly of the North-west Territories, is hereby declared to have been and to be valid.

SCHEDULE.

OATH OF QUALIFICATION OF A JUSTICE OF THE PEACE FOR THE NORTH-WEST TERRITORIES.

I, A. B., of _____ in the North-west Territories, do swear that I truly and *bonâ fide* have, to and for my own proper use and benefit, an estate in fee simple in lands situate in the North-west Territories, of such value as doth qualify me to act as a justice of the peace, according to the

true intent and meaning of the statute in that behalf, and that such lands are the following :—

So help me God.

Sworn (or affirmed) before me, }
 at this day } (Signature.)
 of A.D., 18 }

OATH OF OFFICE OF A JUSTICE OF THE PEACE FOR THE NORTH-
 WEST TERRITORIES.

I, A. B., of _____ in the North-west Terri-
 tories, do swear that I will well and truly serve our Sovereign
 Lady Queen Victoria in the office of justice of the peace, and
 will do right to all manner of people, after the laws and
 usages of these Territories, without fear or favour, affection or
 ill-will. So help me God.

Sworn (or affirmed) before me, }
 at this } (Signature.)
 day of A.D. 18 }

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





57-58 VICTORIA.

CHAP. 18.

An Act further to amend the Acts respecting the Civil Service.

[Assented to 23rd July, 1894.]

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

1. 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.

Who may be appointed without examination.

R.S.C., c. 17.

2. All appointments of such persons, and all payments of salaries to them, heretofore made, are hereby legalized and confirmed.

Retroaction.

3. No appointment or promotion shall be made under the provisions of this section after the first day of July, one thousand eight hundred and ninety-five.

Time limited.

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





57-58 VICTORIA.

CHAP. 19.

An Act to amend the Consolidated Revenue and Audit Act.

[Assented to 23rd July, 1894.]

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

1. *The Consolidated Revenue and Audit Act*, chapter twenty-nine of the Revised Statutes, is hereby amended by adding at the end thereof the following section:—

New section added to R.S. C., c. 29.

“ 81. Every action and prosecution against any officer or person acting in any office or employment connected with the collection of the revenue for anything purporting to be done in pursuance of any Act relating to the collection of the revenue, shall, unless otherwise provided, be laid and tried in the district, county or other judicial division where the act was committed, and not elsewhere, and shall not be commenced except within six months next after the act committed.

Limitation of actions against revenue officers.

“ 2. Notice in writing of such action and of the cause thereof shall be given to the defendant one month at least before the commencement of the action.

Notice to defendant.

“ 3. In any such action the defendant may plead the general issue, and give the provisions of this section and the special matter in evidence at any trial had thereupon.

Defence.

“ 4. No plaintiff shall recover in any such action if tender of sufficient amends is made before such action brought, or if a sufficient sum of money is paid into court by or on behalf of the defendant after such action brought.

Tender or payment into court.

“ 5. If such action is commenced after the time hereby limited for bringing it, or is brought or the venue is laid in any other place than as aforesaid, a verdict shall be found or judgment shall be given for the defendant; and thereupon, or if the plaintiff becomes non-suit, or discontinues any such action after issue joined, or if upon demurrer or otherwise judgment is given against the plaintiff, the defendant shall recover his full costs as between solicitor and client, and shall have the like remedy therefor as any defendant has by

Verdict or judgment for defendant in certain cases, and recovery of costs.

law in other cases; and although a verdict or judgment is given for the plaintiff in any such action, such plaintiff shall not be entitled to more than twenty cents damages and shall not have costs against the defendant, if the judge before whom the trial is had certifies that the defendant had probable cause.

In case of seizure for which there was probable cause.

“6. If, on any information or suit on account of any seizure made by any such officer or person, judgment is given for the claimant and the court or judge certifies that there was probable cause for the seizure, the claimant shall not be entitled to costs, and the person who made the seizure shall not be liable to any indictment, prosecution or suit on account thereof.

Protection of officers from vexatious actions.

“7. Nothing herein shall prevent the effect of any Act for the protection of officers from vexatious actions for things purporting to be done in the performance of their duty.”

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



57-58 VICTORIA.

CHAP. 20.

An Act further to amend The Insurance Act.

[Assented to 23rd July, 1894.]

WHEREAS it is expedient to amend *The Insurance Act*, Preamble, chapter one hundred and twenty-four of the Revised Statutes: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts R.S.C., c. 124. as follows:—

1. Paragraph (k.) of section two of *The Insurance Act* is hereby amended by adding thereto the following words: "and any other written contract of insurance whether contained in one or more documents." Section 2 amended. Definition of "policy."

2. The said Act is hereby further amended by adding the following section thereto, immediately after section six, provided that the section so added shall not interfere with the renewal of licenses heretofore granted or with any application for license pending on the first day of April in the present year, one thousand eight hundred and ninety-four:—

New section 6A added. Proviso.

"6A. A license shall not be granted to a company to carry on the business of life insurance in combination with any other branch of insurance. Enumeration of classes of insurance business that may or may not be done together.

"2. A license may be granted to a company to carry on the three following classes of insurance, viz., fire insurance, inland marine insurance and cyclone or tornado insurance or any two of the said classes.

"3. A license may be granted to a company to carry on any two of the following classes of insurance:—

"(a.) Guarantee insurance, that is to say: to guarantee the fidelity of persons in positions of trust;

"(b.) Accident insurance, that is to say: to insure against bodily injury and death by accident, including the liability of employers for injuries to persons in their employment;

"(c.) Plate-glass insurance, that is to say: to insure against the breakage of plate or other glass either local or in transit;

"(d.) Steam boiler insurance, that is to say: to insure against loss or damage to the life, person or property of the insured or of another for which the insured is liable, caused by the explosion of steam boilers.

As to unenumerated classes of insurance business that may be done together.

“4. A license may, on the recommendation of the Superintendent of Insurance approved by the Treasury Board, be granted to a company to carry on any class or classes of insurance not hereinbefore enumerated, but no such license shall be granted for more than two such classes of insurance, or on the like recommendation approved as aforesaid, a license may be granted to a company to carry on one of the classes of business above enumerated, and one other class of insurance not above enumerated.

Limitation.

“5. Except, as hereinbefore provided, a license shall not be granted to a company to carry on more than two classes of business.”

New section 6B added.
Proviso.

3. The said Act is hereby further amended by adding the following section thereto immediately after section 6A, provided that the section so added shall not interfere with the renewal of licenses heretofore granted:—

Provision for the case of companies having power by law to carry on more classes of business than allowed under section 10.

“6B. A license shall not be granted to a company which is by its charter authorized or empowered to carry on classes or branches of insurance greater in number or variety than those for which a license could be granted under the provisions of the next preceding section. Provided, however, that any company incorporated elsewhere than in Canada, regardless of its charter powers, which has a paid-up capital, in the case of a company authorized to transact among other classes of business the business of fire insurance, of at least three hundred thousand dollars, and in the case of any other company, of at least one hundred thousand dollars, wholly unimpaired and in addition to such paid-up capital holds over and above all liabilities estimated according to the existing Dominion Government standard, a rest or surplus fund equal to at least twenty per cent of such paid-up capital, and the market value of whose stock is at a premium of at least twenty per cent, and which has carried on successfully for a period of at least five years, the business for which a license is sought, being only one class of insurance, or if more than one then such classes as may be combined under the provisions of the next preceding section, shall be deemed eligible for and entitled to such license upon depositing, keeping and maintaining assets in Canada as defined by subsections two and three of section ten of this Act, over and above and in excess of the amount which would be required, if such company's charter powers were limited to the purposes for which such license is asked, to such an amount as the Treasury Board, on the report of the superintendent, shall fix or determine, not being less than ten thousand dollars nor more than two hundred thousand dollars, such excess to be regarded as the company's Canadian capital.”

Section 8 amended.

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

“ All such deposits may be made by any company in securities of the Dominion of Canada, or in securities issued by any of the provinces of Canada ; and by any company incorporated in the United Kingdom in securities of the United Kingdom ; and by any company incorporated in the United States, in securities of the United States ; and the value of such securities shall be estimated at their market value, not exceeding par, at the time when they are so deposited.”

Nature of securities that may be deposited.

Valuation.

5. Subsection four of section eight of the said Act is hereby repealed and the following subsections substituted therefor:—

Section 8 further amended.

“ 4. Any company licensed under this Act may, at any time deposit in the hands of the minister any further sums of money or securities beyond the sum herein required to be deposited ; and any such further sums of money, or securities therefor, so deposited in the hands of the minister, shall be held by him and be dealt with according to the provisions of this Act in respect to the sum required to be deposited by such company, and as if the same had been part of the sum so required to be deposited.”

Company may deposit further security.

How to be dealt with.

“ 5. If at any time it appears that a company has on deposit with the minister a sum in excess of the amount required under the provisions of this Act, the Treasury Board may, upon being satisfied that the interest of the company’s Canadian policyholders will not be prejudiced thereby, and upon the giving of such notice, and the exercise of such other precautions, as may seem expedient, authorize the withdrawal of the amount of such excess or such portion thereof as may be deemed advisable ; provided that such withdrawal may be authorized without the giving of any notice.”

Treasury Board may authorize withdrawal of deposits in excess.

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

Section 11 amended.

“ 11. So long as the conditions of this Act are satisfied by any company, and no notice of any final judgment against the company, or order made by the proper court in that behalf for the winding up of the company or the distribution of its assets, is served upon the minister, the interest upon the securities forming the deposit shall be handed over to the company as it falls due.”

Interest on securities. When to be payable to company.

7. Subsection two of section seventeen of the said Act is hereby amended by adding at the end thereof the following words:—

Section 17 amended.

“ Such notice to be a condition precedent to the release of the company’s deposit.”

Notice of ceasing business.

8. Sections nineteen, twenty and twenty-one of the said Act are hereby repealed and the following substituted therefor:—

Sections 19, 20, 21 amended.

“ 19. The president, vice-president or managing director, and the secretary, actuary or manager of every Canadian company licensed under this Act, shall prepare annually, under their

Annual statement to be made on oath.

Contents.	own oath, a statement of the condition and affairs of such company at the thirty-first day of December in each year, which statement shall exhibit the assets and liabilities of the company, and its income and expenditure during the previous year, and such other information as is deemed necessary by the minister.
Form of life insurance.	“2. In the case of such companies carrying on the business of life insurance, such statement shall be made in the form and manner set forth in the form A in the schedule to this Act; suitable changes being made therein in the case of companies carrying on business on the assessment plan.
Form for fire or inland marine.	“3. In the case of such companies carrying on the business of fire or inland marine insurance, such statement shall be made in the form and manner set forth in the form B in the schedule to this Act.
Form for other companies.	“4. In the case of such companies carrying on business other than life, fire or inland marine insurance, such statement shall be made in the form and manner set forth in the said form B, as nearly as circumstances will permit, necessary changes only being made therein.
Before whom to be sworn.	“5. Such statements shall be sworn to before some person duly authorized to administer oaths in any legal proceeding, in the form C in the schedule to this Act.
Minister may alter form of statement.	“6. The minister may, from time to time, make such changes in the form of such statements as seem best adapted to elicit from the companies a true exhibit of their condition in respect to the several points hereinbefore enumerated.
Annual statements by companies incorporated elsewhere than in Canada.	“20. Every company incorporated or legally formed elsewhere than in Canada, and at present licensed or hereafter licensed under this Act, and every company which is subject to the provisions of this Act, shall make annual statements of its condition and affairs at the balancing day of the company in the preceding year, and the form and manner of making such statements shall, as to the Canada business of such company, be the same, so far as applicable, as is required of Canadian companies, and as to its general business, shall be in such form as such company is required by law to furnish to the government of the country in which its head office is situate. The blank forms of the statements of the Canada business shall be supplied by the superintendent.
Blank forms as to Canada business. To be verified on oath and by whom.	“2. Such statements shall, as to the Canada business, be verified by the oath of the company's chief agent in Canada, and as to the general business, shall be verified by the oath of the president, vice-president or managing director, and secretary or actuary of the company.
Set of books, etc., to be kept at chief agency in Canada. Provide: as to business done by general agents reporting to head office	“3. Such chief agent shall keep at his chief agency in Canada records and documents sufficient to enable him to prepare and furnish the statement of Canada business in this section provided for, and such that the said statement of Canada business may be readily verified therefrom: Provided that in the case of any company having in Canada in addition to such chief agent, one or more general agents reporting to the head office,

office, and not to such chief agent, the requirements of this subsection shall be sufficiently complied with by such chief agent keeping on file at the chief agency, in addition to the necessary records and documents relating to the business transacted by or through such chief agent, annual statements of the business transacted by each such general agent, duly verified by the oath of each such general agent, and such additional records and documents transmitted through the company's head office as shall, taken together, show the company's entire Canadian business.

"4. The statements of the business of general agents in the next preceding subsection provided for, shall be made up to the thirty-first day of December in each year, and the blank forms for such statements shall, on application, be furnished by the superintendent.

Date of statements.

Supply of forms.

"5. In the case of any company not availing itself of the proviso contained in subsection three of this section, such subsection shall be read and construed without reference to such proviso, and as if the said proviso and the subsection next preceding this subsection did not exist.

Construction of proviso to subsection 3.

"6. In every case where a company, incorporated, or legally formed, elsewhere than in Canada, has heretofore made and filed with the minister statements verified under oath, it is hereby declared that such statements and verification were and shall be deemed to have been, and to be sufficient within the intent and meaning of this section.

Validation of past statements.

"7. The statements mentioned in this and the next preceding section shall be deposited in the office of the Superintendent of Insurance on the first day of January next following the date thereof or within two months thereafter.

Date for deposit of statements.

"8. All companies, whether Canadian or otherwise, carrying on the business of life insurance shall, on or before the first day of February in each year, send to the superintendent a preliminary abstract of the year's Canada business to the preceding thirty-first day of December inclusive. Such abstract shall comprise the cash premium receipts of the year, the number and amount of the policies issued and taken up during the year, the number and amount of policies that are in force at the date of the abstract, the number and amount of the policies that have become claims during the year, and the number and amount of those that have been paid up to the date of the statement, distinguishing as to such as are unpaid between those resisted and unresisted. Such preliminary abstracts shall be verified in the same manner as the annual statements hereinbefore provided for are required to be verified."

Preliminary abstract to be sent.

Contents.

Verification.

"21. Every company which makes default in depositing in the office of the superintendent the annual statement hereinbefore provided for, shall incur a penalty of ten dollars for each day during which such default continues; all such penalties shall be recoverable and enforceable with costs at the suit of

Penalty for default.

Recovery of penalties

Her Majesty, instituted by the Attorney General of Canada, and shall when recovered be applied towards payment of the expenses of the office of the superintendent.

Suspension, withdrawal or non-renewal of license if penalty is not paid.

"2. If such penalties are not paid, the minister, with the concurrence of the Treasury Board, may order the license of such company to be suspended or withdrawn as is deemed expedient, and until such penalties are paid, the license of such company shall not on expiry be renewed."

New section 25A added.

9. The said Act is hereby further amended by adding the following section thereto immediately after section twenty-five :—

Inquiries by Superintendent.

"25A. For the purpose of carrying out the provisions of this Act, the Superintendent of Insurance is hereby authorized and empowered to address any inquiries to any insurance company licensed under this Act, or to the president, manager, actuary or secretary thereof, in relation to its assets, investments, liabilities, doings, or conditions, or any other matter connected with its business or transactions, and it shall be the duty of any company so addressed to promptly reply in writing to any such inquiries."

New section 28A added.

10. The said Act is hereby further amended by adding the following section thereto immediately after section twenty-eight, provided that the section so added shall apply to any contract of life insurance now existing or hereafter entered into :—

Proviso.

Contract of life insurance not avoided by misstatement of age if statement is made in good faith.

"28A. Where in any contract of life insurance entered into with any company licensed to carry on business in Canada under the provisions of this Act, the age of the person whose life is insured is given erroneously in any statement or warranty made for the purposes of the contract, such contract shall not be avoided by reason only of the age being other than as stated or warranted, if it appears that such statement or warranty was made in good faith and without any intention to deceive ; but the person entitled to recover on such contract shall not be entitled to recover more than an amount which bears the same ratio to the sum that such person would otherwise be entitled to recover as the premium proper to the stated age of such person bears to the premium proper to the actual age of such person, the stated age and the actual age being both taken as at the date of the contract ; but in no case shall the amount receivable exceed the amount stated or indicated in the contract.

Effect of such statement.

Interpretation. "Premium."

"2. For the purposes of this subsection the word 'premium' means the net annual premium calculated on the basis prescribed by this Act."

Section 34 amended.

11. Section thirty-four of the said Act is hereby amended by adding thereto the following subsection :—

"Policy-holder" defined.

"2. In this and the next preceding section the word 'policy-holder' means the person to whom the policy is issued

and with whom the contract for assurance is made, and includes the assignee of such person."

12. Subsection one of section thirty-five of the said Act is hereby repealed, and the following substituted therefor :—

"**35.** In computing or estimating the reserve necessary to be held in order to cover its liability to policy-holders in Canada, each company may employ any of the standard tables of mortality as used by it in the construction of its tables, but there shall be set apart and credited to such reserve in each year out of the interest earned in the year, a sum equal to four and one-half per cent per annum on the amount of the reserve as at the end of the preceding year, together with such further additions from premiums received during the year, if any, as shall be necessary to bring the reserve up to the standard provided by subsection ten of section twenty-five of this Act : Provided, that in no case shall a company be required to maintain a reserve in excess of that provided for by the said subsection ten of section twenty-five of this Act ; but if it appears to the superintendent that the reserve as computed by the company falls below that above provided for, he shall report the same to the minister, who may thereupon direct the superintendent to compute, or to procure to be computed under his supervision, the reserve on the basis therein mentioned, and the amount so computed, if it differs materially from the return made by the company, may be substituted in the annual statement of assets and liabilities ; and in such case the company shall furnish to the superintendent, on application, the full particulars of each of its policies necessary for such computation, and shall pay to the superintendent an amount at the rate of three cents for each policy or bonus addition so computed, which amount he shall pay over to the minister."

Section 35 amended.

How reserve for covering liabilities to Canadian policy-holders shall be calculated.

Minister may order recomputation.

Costs.

13. Section thirty-nine of the said Act is hereby amended by adding thereto the following subsections, which shall also apply to companies incorporated in Canada :—

Section 39 amended.

"**10.** No company which is authorized to assure or assures to any of its members a certain annuity either immediate or deferred, whether for life or for a term of years, or any endowment whatever shall be eligible for license as an assessment company under the foregoing provisions of this Act.

Assurance of annuities to debar from registration as assessment company.

"**11.** No company shall be eligible for license as an assessment company :

Conditions of such registration.

"(a.) If a new company, until it has received at least five hundred applications for membership calling for an amount of insurance not less than five hundred thousand dollars, the procuring of which applications shall not be deemed a violation of the provisions of section twenty-two of this Act ; or

In case of new company.

"(b.) If a company already engaged in business, unless it has at least five hundred members or policy-holders holding policies for at least the sum of five hundred thousand dollars."

In case of company in business.

14.

Section 47
amended.

14. Subsection two of section forty-seven of the said Act is hereby repealed, and the following substituted therefor:—

Conditions on
which deposits
may be releas-
ed.

“2. Upon making application for its securities the company shall file with the minister a list of all Canadian policy-holders who have not been so reinsured, or who have not surrendered their policies; and it shall at the same time publish in the *Canada Gazette* a notice that it has applied to the minister for the release of its securities on a certain day, not less than three months after the date of the notice and calling upon its Canadian policy-holders opposing such release to file their opposition with the minister on or before the day so named; and after that day if the minister, with the concurrence of the Treasury Board, is satisfied that the company has ample assets to meet its liabilities to Canadian policy-holders, he may order that all the securities be released to it or that a sufficient amount of them be retained to cover the value of all risks outstanding or respecting which opposition has been filed, and that the remainder be released; and thereafter, from time to time, as such risks lapse, or proof is adduced that they have been satisfied, further amounts may be released on the authority aforesaid.”

Retention of
amount to
cover out-
standing
risks.

Section 49
amended.

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

License requi-
site for trans-
action of busi-
ness other than
life, fire or in-
land marine
insurance.

“49. No company or person shall issue any policy other than a life, fire, or inland marine insurance policy, or receive any premium in respect thereof, or carry on any business of insurance other than life, fire, or inland marine insurance, without first obtaining a license from the minister to carry on such business in Canada; the Treasury Board shall determine in each case what deposit shall be required to be made with the minister, and the sections of this Act which shall apply to such company or person.

Deposit, and
application of
Act.

Revocation of
license.

“2. The Treasury Board upon the report of the superintendent may revoke any such license if sufficient cause therefor be shown by such report.

Annual state-
ments by li-
censed per-
sons.

“3. Any person receiving such license shall make annual statements under oath of such business at the same time and in the same form and manner as a company transacting the same business would under the provisions of this Act be required to make the same.

Powers of
superintend-
ent.

“4. The superintendent shall have the same powers with regard to a person receiving a license as are conferred on him by this Act with regard to insurance companies, and such person shall contribute towards the expenses of the office of the superintendent a sum in proportion to the gross premiums received in Canada during the previous year.

Contribution
towards ex-
penses.

Penalties for
carrying on
business men-
tioned in this
section, with-
out license.

“5. Every company or person carrying on any such business without obtaining such license, or after such license is revoked, or neglecting or refusing to make the statements required, and

every person who delivers any policy of insurance or collects any premium on behalf of such company or person shall respectively incur the penalties mentioned in the twenty-first and twenty-second sections of this Act.

“6. This section shall not apply to companies carrying on in Canada ocean marine insurance business exclusively.” ^{Exception from section.}

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57-58 VICTORIA.

CHAP. 21.

An Act to amend the Act respecting Dominion Notes.

[Assented to 23rd July, 1894.]

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

1. Section three of the *Act respecting Dominion Notes*, R. S. C., c. 31 chapter thirty-one of the Revised Statutes, is hereby amended s. 3 amended. by striking out the word “twenty” in the fourth line of the said section, and substituting therefor the words “twenty-five.”

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





57-58 VICTORIA.

CHAP. 22.

An Act further to amend the Revised Statute respecting Interest.

[Assented to 23rd July, 1894.]

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

1. The *Act respecting Interest*, being chapter one hundred and twenty-seven of the Revised Statutes, is hereby amended by adding thereto the following provisions which shall apply to British Columbia only. Application to B. C. only. R.S.C., c. 127.
2. Every judgment debt shall bear interest at the rate of six per cent per annum until it is satisfied. Interest on judgment debts.
3. Unless it is otherwise ordered by the court, such interest shall be calculated from the time of the rendering of the verdict or of the giving of the judgment, as the case may be, notwithstanding that the entry of judgment upon the verdict or upon the giving of the judgment has been suspended by any proceedings either in the same court or in appeal. From what time calculated.
4. Every judgment, decree, rule or order of any court whatsoever in any civil proceeding whereby any sum of money, or any costs, charges or expenses are made payable to any person shall have the effect of a judgment under this Act, and the amount payable thereunder shall be deemed to be a judgment debt within the meaning of section two of this Act. Judgment debt defined.

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



57-58 VICTORIA.

CHAP. 23.

An Act to amend the Act respecting the incorporation of Boards of Trade.

[Assented to 23rd July, 1894.]

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

1. Paragraph (a) of section one of chapter one hundred and thirty of the Revised Statutes is hereby repealed and the following substituted therefor: R.S.C., c. 130, s. 1 amended.

“(a.) The expression ‘district’ means the city, county, town, village or judicial district within and for which a board of trade is established under this Act; and with regard to the North-west Territories, means and includes also any electoral district, as constituted for elections to the Legislative Assembly for the North-west Territories, within and for which a board of trade is established.” Interpretation of “district.”

2. The said Act shall be read and construed and shall have the same operation and effect as if the said repeal and substitution had taken effect on the twenty-second day of May, one thousand eight hundred and eighty-eight. Construction of preceding section to be retroactive.

3. Section five of the said Act is hereby amended by adding thereto the following subsections :— Section 5 amended.

“2. Upon application by the corporation under its corporate seal, and signed by its president and secretary, the name of any such corporation may be changed provided the Governor in Council is satisfied that such change is not desired for any improper purpose and is not otherwise objectionable.” Change of name.

“3. Any such change of name shall be conclusively established by the insertion in the *Canada Gazette* by the Secretary of State of a notice of such change.” Notice and evidence.

“4. No rights or liabilities of the corporation shall be affected by a change of its name under the provisions of this section, and all actions commenced by or against the corporation prior to such change may be proceeded with by or against it under its former name.” Rights and obligations not affected.



57-58 VICTORIA.

CHAP. 24.

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 23rd July, 1894.]

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 seventy-three of the Statutes of 1885, or in chapter twenty-nine of the Statutes of 1886, or in chapter thirteen of the Statutes of 1891, or in chapter six of the Statutes of 1892, or in chapter three of the Statutes of 1893, 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 two years after the first day of January, one thousand eight hundred and ninety-four, 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.

Grants of land authorized.
1885, c. 73.
1886, c. 29.
1891, c. 13.
1892, c. 6.
1893, c. 3.

Limitation of time.

Previous Acts to apply.

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57-58 VICTORIA.

CHAP. 25.

An Act respecting the Seigniory of Sault Saint Louis.

[Assented to 23rd July, 1894.]

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, on such conditions as he deems expedient, and with the consent of the Iroquois Indians of Caughnawaga, accept from the *cessitaires* of the seigniory of Sault Saint Louis seventy-five per cent of the arrears of rents due by the said *cessitaires* on the eleventh day of November, one thousand eight hundred and ninety-two, as payment in full of the said arrears. Payment of arrears of rents.

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



57-58 VICTORIA.

CHAP. 26.

An Act respecting Dominion Lands.

[Assented to 23rd July, 1894.]

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

1. Section twenty-three of *The Dominion Lands Act*, chapter fifty-four of the Revised Statutes, is hereby amended by adding the following thereto:—"Provided, that any person who is proved to the satisfaction of the minister to have *bonâ fide* settled and made improvements upon any such section before the survey of the township containing such section, may be granted a homestead entry for the lands so occupied by him, not in excess of one hundred and sixty acres, if such lands are in other respects of the class open to homestead entry: Provided further, that in every such case the minister shall select from the unclaimed lands in the township an area equal to that for which entry is granted, and shall by notice in the *Canada Gazette* withdraw it from sale and settlement and set it apart as school lands."

R. S. C., c. 54, s. 23 amended.

Rights of settler on school lands before survey.

Other lands to be set apart as school lands instead.

2. Notwithstanding anything contained in any such Act, the omission to publish any order or regulation heretofore made by the Governor in Council under the provisions of any Act relating to Dominion lands, or to publish such order or regulation in any prescribed manner, shall not be held to invalidate it or anything done thereunder.

Publication of orders and regulations.

3. The Governor in Council may authorize the sale or lease of any lands vested in Her Majesty which are not required for public purposes, and for the sale or lease of which there is no other provision in the law.

Sale or lease of public lands.

2. The expression "lands" in this section means real property of any kind, or any interest therein.

"Lands" defined.



57-58 VICTORIA.

CHAP. 27.

An Act to amend and consolidate the Acts respecting the North-west Mounted Police Force.

[Assented to 23rd July, 1894.]

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 Mounted Police Act, 1894.* Short title.
2. In this Act, unless the context otherwise requires,—
 - (a.) The expression “the force” means the North-west Mounted Police Force; Interpretation. “The force.”
 - (b.) The expression “minister” means the minister for the time having the control and management of the force; “Minister.”
 - (c.) The expression “member of the force” or “member,” includes the commissioner and every other officer, non-commissioned officer and man of the force. “Member of the force.”
3. The Governor in Council may constitute a police force in and for the North-west Territories, which shall be known as “The North-west Mounted Police,” and the president of the Privy Council, or such other member of the Queen’s Privy Council for Canada as the Governor in Council from time to time directs, shall have the control and management of the force, and of all matters connected therewith. Police force may be constituted. Control thereof.
4. The Governor General may by commission appoint an officer who shall be called “the comptroller of the North-west Mounted Police Force,” a commissioner of police, an assistant commissioner of police, and one or more staff and other superintendents and inspectors, surgeons, assistant surgeons and veterinary surgeons of the police. Officers.
 2. The comptroller shall have the rank and salary of a deputy head of a department, and shall, under the minister, have the control and management of the force, and of all matters connected therewith. The comptroller.

Commissioner
of police.

3. The commissioner of police shall perform such duties as are assigned to him, and shall be subject to the control, orders and authority of such person or persons as are for that purpose named by the Governor in Council.

Surgeons and
veterinary
surgeons.

5. The Governor in Council may authorize arrangements to be made with any surgeon or veterinary surgeon to perform the duties of surgeon or veterinary surgeon, respectively, for the force, as to any portions or detachments thereof, and may pay reasonable and proper remuneration for any services so rendered.

Constables.

6. The Governor in Council may, from time to time, authorize the commissioner of police to appoint, by warrant under his hand, such number of constables as he thinks proper, not exceeding in all one thousand men, and to appoint from among them non-commissioned officers of different grades, and the commissioner may delegate such authority to any commissioned officer of the force ; and such number thereof shall be mounted as the Governor in Council directs ; and the Governor in Council may authorize the commissioner to appoint supernumerary constables, not exceeding in all twenty men, and to employ scouts, not exceeding in all fifty men, and twelve boys, not less than fourteen years of age, as buglers, at such rates of pay as are authorized by the minister.

Non-commissioned
officers.

Supernumeraries,
scouts,
and buglers.

Qualifications
required.

7. No officer or constable shall be appointed to the police force unless he is of a sound constitution, able to ride, active and able-bodied, of good character, and between the ages of eighteen and forty years,—nor unless he is able to read and write either the English or the French language ; but the provision in this section as to age shall not apply to any officer appointed before the passing of this Act, or to the commissioner, assistant commissioner, or surgeons.

Oaths of allegi-
ance and of
office.

8. Every member of the force shall, before entering upon the duties of his office, take the oath of allegiance and an oath of office in the form following, that is to say :—

Form.

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

Before whom
to be taken.

2. Such oaths may be taken by the commissioner before any judge, stipendiary magistrate or justice of the peace having jurisdiction in any part of Canada, and by any other member of the force, before the commissioner of police, or any person having jurisdiction as aforesaid ; and such oaths shall be retained by the commissioner as part of the records of his office.

Powers of
members of
the force in
N. W. T.

9. The commissioner and the assistant commissioner shall, respectively, have all the powers of two justices of the peace under

under this or any Act in force in the North-west Territories ; and the superintendents, and such other officers as the Governor in Council approves, shall be *ex officio* justices of the peace : and every constable of the force shall be a constable in and for the whole of the North-west Territories, for carrying out any laws of Canada or Ordinances of the North-west Territories in force therein ; and every such commissioner, assistant commissioner, superintendent or other officer is hereby further empowered to exercise, in any province of Canada, adjacent to the said Territories, and every constable is hereby empowered to exercise in every province of Canada, for the purpose of carrying out the criminal and other laws of Canada, like powers and to perform like duties as are in this section assigned to him with respect to the North-west Territories.

Elsewhere in
Canada.

10. Whenever any officer or member of the force is serving with the militia as a military force, by order of the Governor in Council, every such officer and member of the force shall be subject to *The Militia Act* in the same manner and to the same extent as the active militia are subject thereto.

Members sub-
ject to Militia
Act when
serving with
militia.

2. In any such case the commissions of the officers of the force shall, for the purpose of seniority and command, be considered equivalent to those issued to the officers of the militia of corresponding rank from the date of their respective commissions, according to the following scale, that is to say :—

Relative rank
of officers in
such case.

Commissioner, as lieutenant-colonel ;

Assistant commissioner, on appointment, as major,—after three years' service as lieutenant-colonel ;

Senior superintendent, as major ;

Other superintendents, as captains ;

Inspector, as lieutenant ;

Senior surgeon, as surgeon ;

Assistant surgeon, as assistant surgeon ;

Veterinary surgeon, as veterinary surgeon.

11. Every constable shall, upon appointment to the force, sign articles of engagement for a term of service not exceeding five years, and such engagement shall be made with the commissioner, and may be enforced by him ; but such constable may be previously dismissed or discharged by the commissioner.

Articles of en-
gagement.

12. The headquarters of the force, at which shall be the offices of the commissioner, shall be at such place in the North-west Territories as the Governor in Council from time to time appoints.

Headquarters
of the force.

13. It shall be the duty of members of the force, subject to the orders of the commissioner,—

Duties of the
force.

(a.) To perform all duties which now are or hereafter shall be assigned to constables in relation to the preservation of the peace, the prevention of crime, and of offences against the laws and ordinances in force in the North-west Territories and the

Preservation
of the peace,
etc.

criminal and other laws of Canada, and the apprehension of criminals and offenders, and others who may be lawfully taken into custody ;

Attendance on magistrate and execution of process.

(b.) To attend upon any judge, stipendiary magistrate or justice of the peace when specially required, and to execute all warrants and perform all duties and services in relation thereto, which may, under this Act or the laws and ordinances in force in the North-west Territories, or the criminal or other laws of Canada, be lawfully performed by constables ;

Escort of prisoners and lunatics.

(c.) To perform all duties which may be lawfully performed by constables in relation to the escort and conveyance of convicts and other prisoners and lunatics to or from any courts, places of punishment or confinement, asylums or other places ;

Searching for, seizing and destroying intoxicants.

(d.) Upon information, or upon reasonable grounds of suspicion, and without the necessity of any intervention or process of law, to enter any shop, store, hut, tent, wigwam, dwelling or building, or place or inclosure,—and also to enter, and for such purpose stop and detain while travelling, any vessel, canoe, carriage, wagon, cart, sleigh, or other vehicle or means of conveyance of any description, and to search all parts thereof, and any kegs, barrels, cases, boxes, or packages or receptacles of any kind, for spirits, strong waters, spirituous liquors, wines, or fermented or compounded liquors, or intoxicating drink of any kind,—and to break and destroy any such kegs, barrels, cases, boxes, or packages or other receptacles of any kind found containing the same,—and to pour out and destroy all spirits, strong waters, spirituous liquors, wines, or fermented or compounded liquors or intoxicating drink ; but no constable shall so enter any hut, tent, wigwam or dwelling, unless accompanied by or under the order of a commissioned officer ; and it shall not be necessary in order to a constable's lawful entry into or search of any place in this subsection mentioned, or to his right of seizure and destruction of such liquors or intoxicating drink as aforesaid, that he shall, before such entry or such seizure, see any such liquor or intoxicating drink, or have any visible indication or evidence that liquor of any kind may be contained in or about the premises : Provided, that this paragraph shall not apply to intoxicating liquors imported or brought into the North-west Territories under a special permission, as provided in section ninety-two of *The North-west Territories Act* : Provided always, that it shall apply only to those portions of the North-west Territories in which the provisions of the sections of the said Act relating to the prohibition of intoxicants remain in force.

Proviso.

Proviso.

Protection of the force.

2. The force shall, for such purposes, and the performance of the duties assigned to them by or under the authority of this Act, in addition to the powers and duties conferred or imposed by this Act, have all the powers, authority, protection and privileges which any constable has by law.

No duties under municipal by-laws.

3. The force shall not be charged with any duties under or in connection with any municipal by-laws.

PAY OF FORCE.

14. The Governor in Council may, from time to time, fix the sums to be paid to the members of the force, regard being had to the number of constables actually organized and enrolled, and the consequent responsibility attaching to their offices respectively, and to the nature of the duty or service and amount of labour devolving upon them; but such sums shall not exceed the amounts following, that is to say:—

Commissioner of police, per annum.....	\$2,600	00
Assistant commissioner, per annum.....	1,600	00
Each superintendent, per annum.....	1,400	00
Each inspector per annum	1,000	00
Each surgeon or assistant surgeon, per annum.....	1,400	00
Each veterinary surgeon, per annum.	1,000	00
Four staff sergeants, each, per diem.....	2	00
Other do do	1	50
Other non-commissioned officers, per diem.....	1	00
Constables do	0	75
Buglers, under eighteen years of age do	0	40
Working pay to artizans do	0	50

REGULATIONS.

15. The Governor in Council may regulate and prescribe the amounts to be paid for the purchase of horses, vehicles, harness, saddlery, clothing, arms and accoutrements, or articles necessary for the force; and also the expenses of travelling, and of rations, or of boarding or billeting the force, and of forage for the horses.

16. The Governor in Council may make regulations for the quartering, billeting and cantoning of the force, or any portions or detachments thereof, and for the furnishing of boats, carriages, vehicles of transport, horses and other conveyances for transport and use, and for giving adequate compensation therefor; and may, by such regulations, impose fines, not exceeding two hundred dollars, for the violation of any such regulation, or for refusing to billet any of the force, or to furnish transport as herein mentioned; but no such regulations shall authorize the quartering or billeting of any of the force in any nunnery or convent, or upon any religious order of females.

17. The Governor in Council may establish the precedence and rank in the force of the several commissioned officers, and make rules and regulations for any of the following purposes, that is to say:—to regulate and prescribe the clothing, arms, training and discipline of the force,—to regulate and prescribe the duties and authorities of the commissioner and the other members of the force, and the several places at or near which they, or the force, or any portions thereof, may be stationed,

—and generally for such matters and things, concerning the government, discipline and guidance of the force, as are not inconsistent with this Act.

OFFENCES.

Certain offences by members other than commissioned officers.

18. Every member of the force, other than a commissioned officer, who is charged with any of the following offences—

- (a.) Disobeying or refusing to obey the lawful command of or striking his superior;
- (b.) Oppressive or tyrannical conduct towards his inferior;
- (c.) Intoxication, however slight;
- (d.) Having intoxicating liquor illegally in his possession, or concealed;
- (e.) Directly or indirectly receiving any gratuity, without the commissioner's sanction, or any bribe;
- (f.) Wearing any party emblem;
- (g.) Otherwise manifesting political partisanship;
- (h.) Overholding any complaint;
- (i.) Mutinous or insubordinate conduct;
- (j.) Unduly overholding any allowances or any other public money intrusted to him;
- (k.) Misapplying or improperly withholding any money or goods levied under any warrant or taken from any prisoner;
- (l.) Divulging any matter or thing which it is his duty to keep secret;
- (m.) Making any anonymous complaint to the government or the commissioner;
- (n.) Communicating, without the commissioner's authority, either directly or indirectly, to the public press, any matter or thing touching the force;
- (o.) Wilfully, or through negligence or connivance, allowing any prisoner to escape;
- (p.) Using any cruel, harsh or unnecessary violence towards any prisoner or other person;
- (q.) Leaving any post on which he has been placed as sentry or on other duty;
- (r.) Deserting or absenting himself from his duties or quarters without leave;
- (s.) Scandalous or infamous behaviour;
- (t.) Disgraceful, profane or grossly immoral conduct;
- (u.) Violating any standing order, rule or regulation, or any order, rule or regulation hereafter made; or—
- (v.) Any disorder or neglect to the prejudice of morality or discipline, although not specified in this Act or in any rule or regulation,—

May be forthwith placed under arrest and detained in custody, to be dealt with under the provisions of this Act.

2. The commissioner, the assistant commissioner, or the superintendent or other commissioned officer commanding at any post or in any district, may, forthwith, on a charge, in writing, of any one or more of the foregoing offences being

Arrest therefor.

Trial and punishment.

preferred against any member of the force, other than a commissioned officer, cause the person so charged to be brought before him, and he shall then and there, in a summary way, investigate the said charge, and if proved, on oath, to his satisfaction, shall thereof convict the offender,—who shall be liable to a penalty not exceeding one month's pay, or to imprisonment, with hard labour, for a term not exceeding one year, or to both fine and imprisonment, and also, if a non-commissioned officer, to reduction in rank, in addition in any case to any punishment to which the offender is liable, with respect to such offence, under any law in force in the North-west Territories, or in the province in which the offence is committed.

Liability to further punishment.

3. All fines and sentences of imprisonment, together with the record of investigation, shall be forthwith reported to the commissioner (or, in case of his absence from the Territories, to the assistant commissioner), by whom they may be mitigated or reversed, in his discretion.

Report to commissioner.

19. All pecuniary penalties imposed under the next preceding section and all pay due to deserters at the time of their desertion, shall form a fund to be managed by the commissioner, with the approval of the minister, and be applicable to the payment of rewards for good conduct or meritorious services, to the establishment of libraries and recreation rooms, and such other objects, for the benefit of the members of the force, as the minister approves of.

Application of penalties.

20. In all cases of imprisonment under sentence, the pay of the offender shall be forfeited during the period of imprisonment suffered.

Forfeiture of pay during imprisonment.

2. Whenever, during his engagement, any member of the force has been imprisoned for more than one month for any offence, or has been absent through desertion, the period of his imprisonment or desertion shall not be reckoned as service; and upon the expiry of the term for which he had engaged to serve in the force he shall continue to serve for a period equal to the period of such imprisonment or desertion, or both.

Period of imprisonment or desertion not reckoned as service.

3. Whenever, during his engagement, a member of the force has been imprisoned for any offence, such term of imprisonment shall not be deemed to be abridged or to cease in consequence of the expiry, pending such term of imprisonment, of the term during which the offender had engaged to serve in the force.

Expiry of term of service not to abridge imprisonment.

21. Every commissioned officer who is charged with any of the offences enumerated in section eighteen, may be placed under arrest, and the commissioner may, on receipt of the charge in writing, order an investigation under section twenty-two of this Act.

Offences by commissioned officers.

22. Whenever the commissioner deems it advisable to make or cause to be made any special inquiry into the conduct of

Attendance and examination of witnesses on oath.

of any member of the force, or into any complaint against any of them, he or the commissioned officer or officers whom he appoints for that purpose may examine any person on oath or affirmation, and may compel the attendance of any necessary witnesses, in the same manner as if the proceedings were before justices, under Part LVIII. of *The Criminal Code*, 1892.

Refusal of discharged member to deliver up clothing, etc.

23. Every member of the force who, if discharged or dismissed, refuses or neglects to forthwith deliver up to the commissioner or to a commissioned officer, or to a constable authorized to receive them, his clothing, arms, accoutrements and all property of the Crown in his possession as a member of the force or used for police purposes, shall, on summary conviction, incur a penalty of fifty dollars in addition to the value of the articles not delivered up.

Personating member, inducing him to forego his duty, etc.

24. Every person who unlawfully puts on or assumes the dress, name, designation or description of any member of the force, or who gives or offers or promises to give to any member of the force any bribe, pecuniary or otherwise, or who makes any agreement with any member of the force to induce him in any way to forego his duty, or who conceals or connives at any act whereby any rule, order or regulation of the Governor in Council in relation to the force may be evaded, shall, on summary conviction, on the complaint of any member of the force, be liable to a fine not exceeding eighty dollars, or to imprisonment, with or without hard labour, for a term not exceeding six months, or to both fine and imprisonment.

Unlawfully buying or selling clothing, arms, etc.

25. Every person who unlawfully disposes of, receives, buys or sells, or has in his possession without lawful cause, or refuses to deliver up when thereunto lawfully required, any horse, vehicle, harness, arms, accoutrements, clothing or other thing used for police purposes, shall, on summary conviction, be liable to a penalty of double the value thereof, and to a further penalty not exceeding twenty-five dollars, and in default of payment forthwith to imprisonment for a term not exceeding three months.

Desertion, absence without leave, refusal to do duty.

26. Every member of the force who, having deserted, absented himself from his duties without leave, or refused to do duty therein, is found in any part of Canada other than the North-west Territories, whether the term for which he engaged to serve has or has not expired at the time of his being so found, shall, on summary conviction, be liable to a fine not exceeding two hundred dollars and not less than one hundred dollars, and in default of payment of such fine to imprisonment for a term not exceeding eight months, unless such fine is sooner paid,—or to imprisonment with hard labour for a term not exceeding twelve months,—or to both fine and imprisonment; or he may be delivered into the custody of a

member of the force and taken back in custody to the headquarters thereof to be dealt with in accordance with the provisions of section eighteen of this Act.

Offender may be taken back to headquarters.

2. Upon the trial of any offender under this section it shall not be necessary to produce or give in evidence the original engagement or agreement to serve in the force signed by such offender, but such engagement may be proved by parol evidence or by a certificate purporting to be signed by the commissioner, assistant commissioner or any superintendent or inspector of the force, giving the date and term of such engagement; and such certificate shall be *primâ facie* evidence of such engagement.

Evidence in such case.

3. Any complaint may be made or information laid under this section, and proceedings may be had thereon, at any time during the period of the engagement of such offender and for twelve months thereafter, and if such offender has left Canada after the offence and within either of the said periods, then for twelve months after his return.

When complaint or information may be laid.

27. Every person who, by concealing the fact of his having been dismissed from the force, or by false or forged certificates or false representations, obtains admission into the force, or obtains any pay, gratuity or pension, shall, on summary conviction, be liable to a fine not exceeding eighty dollars, or to imprisonment, with or without hard labour, for any term not exceeding six months, or to both fine and imprisonment.

Fraudulently obtaining admission into force or obtaining pay etc.

GENERAL PROVISIONS.

28. *The Civil Service Superannuation Act* shall apply to all commissioned officers of the force.

R. S. C., c. 18.

29. All regulations made under this Act shall be published in the *Canada Gazette*, and shall have the force of law from the date of their publication, or from such later date as is therein appointed for their coming into force.

Publication of regulations.

30. All sums of money required to defray any expense authorized by this Act may be paid out of the Consolidated Revenue Fund of Canada.

Expenses payable out of Con. Rev. Fund.

31. A separate account shall be kept of all moneys expended under this Act, and a detailed statement thereof shall be laid before Parliament at each session thereof.

Separate account to be kept.

SPECIAL APPLICATION.

32. This Act shall be in force in the district of Keewatin and shall apply thereto; and the Lieutenant-Governor of the said district shall, subject to any order in that behalf from the Governor General, have the local disposition of the force in such numbers and to such extent as the Governor General

Application of Act to Keewatin.

directs, and may exercise such power in aid of the administration of civil and criminal justice, and for the general peace, order and good government of the said district, and for and in aid of the performance of all duties assigned by the laws in force in the said district to any constables or officers therein.

Employment
of the force by
provincial
governments.

33. The Governor in Council may, from time to time, enter into arrangements with the government of any province of Canada for the use or employment of the force, or any portion thereof, in aiding the administration of justice in such province, and in carrying into effect the laws of the legislature thereof; and may, in any such arrangement, agree upon and determine the amount of money which shall be paid by the province for such services of the force.

Repeal.

34. Chapter forty-five of the Revised Statutes, intituled *An Act respecting the North-west Mounted Police Force*, as amended by chapter twenty-five of the Statutes of 1889, is hereby repealed.

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



57-58 VICTORIA.

CHAP. 28.

An Act to consolidate and amend the Acts respecting
Land in the Territories.

[Assented to 23rd July, 1894.]

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

1. This Act may be cited as *The Land Titles Act, 1894.* Short title.

2. (a.) The expression “land” means lands, messuages, Interpretation
tenements and hereditaments, corporeal and incorporeal, of “Land.”
every nature and description, and every estate or interest
therein and whether such estate or interest is legal or equit-
able, together with all paths, passages, ways, watercourses,
liberties, privileges, easements, mines, minerals and quarries
appertaining thereto, and all trees and timber thereon and
thereunder lying or being, unless any such are specially
excepted.

(b.) The expression “owner” means any person or body “Owner.”
corporate entitled to any freehold or other estate or interest
in land, at law or in equity, in possession, in futurity or
expectancy.

(c.) The expression “transfer” means the passing of any “Transfer.”
estate or interest in land under this Act, whether for valu-
able consideration or otherwise.

(d.) The expression “transferrer” means the person by “Trans-
ferrer.”
whom any interest or estate in land is transferred, whether
for value or otherwise, and the expression “transferee”
means the person to whom any interest or estate in land is
transferred, whether for value or otherwise.

(e.) The expression “mortgage” means any charge on “Mortgage.”
land created merely for securing a debt, or a loan.

(f.) The expression “mortgagee” means the owner of a “Mortgagee.”
mortgage; and the expression “mortgagor” means the
owner or transferee of land, or of any estate or interest in
land pledged as security for a debt, or a loan.

(g.) The expression “encumbrance” means any charge “Encum-
brance.”
on land created or effected for any purpose whatever, in-
clusive

clusive of mortgage, mechanics' liens when authorized by statute or ordinance, and executions against lands, unless expressly distinguished.

"Encumbrancer."

(h.) The expression "encumbrancer" means the owner of any land or of any estate or interest in land subject to any encumbrance; and the expression "encumbrancee" means the owner of an encumbrance.

"Lunatic."

(i.) The expression "lunatic" means any person found by any competent tribunal or commission *de lunatico inquirendo*, to be a lunatic.

"Person of unsound mind."

(j.) The expression "person of unsound mind" means any person not an infant, who not having been found to be a lunatic, has been found on like inquiry to be incapable, from infirmity of mind, of managing his own affairs.

"Instrument."

(k.) The expression "instrument" means any grant, certificate of title, conveyance, assurance, deed, map, plan, will, probate or exemplification of will, letters of administration or an exemplification thereof, mortgage or encumbrance, or any other document in writing relating to the transfer of or other dealing with land or evidencing title thereto.

"Register."

(l.) The expression "register" means the register of titles to land kept in accordance with this Act.

"Registration."

(m.) The expression "registration" means, (1), the bringing of lands under the provisions of this Act; and, (2), the entering upon the certificate of title of a memorandum authorized by this Act, of any document; and "filing" means the entering in the day-book of any instrument.

"Filing."

"Memorandum."

(n.) The expression "memorandum" means the endorsement upon the certificate of title and on the duplicate copy thereof of the particulars of any instrument presented for registration.

"Certificate of title."

(o.) "Certificate of title" means the certificate (form E) granted by the registrar and entered and kept in the register;

"Duplicate."

"duplicate" or "duplicate certificate" means the duplicate, delivered or issued to the person entitled thereto, of the certificate of title in the register.

"Registrar."

(p.) The expression "registrar" means a registrar of titles, or any deputy registrar or inspector of titles when acting as registrar.

"Territories."

(q.) The expression "Territories" means the North-west Territories, the district of Keewatin and all other territories of Canada.

"Court."

(r.) The expression "court" means any court authorized to adjudicate in the Territories in civil matters in which the title to real estate is in question.

"Court of Appeal."

(s.) The expression "Court of Appeal" means the Court of Appeal herein constituted.

"Judge."

(t.) The expression "judge" means an official authorized in the Territories to adjudicate in civil matters in which the title to real estate is in question.

"Transmission."

(u.) The expression "transmission" applies to change of ownership consequent upon death, lunacy, sale under execu-

tion, order of court, or other act of law, sale for arrears of taxes or upon any settlement or any legal succession in case of intestacy.

(v.) The expression "grant" means any grant of Crown land, whether in fee or for years, and whether direct from Her Majesty or pursuant to the provisions of any statute. "Grant."

(w.) The expressions "endorsed," and "endorsement" apply to anything written upon any instrument or upon any paper attached thereto by the registrar. "Endorsed."
"Endorsement."

(x.) The expression "possession" when applied to persons claiming title to land, means also alternatively the reception of the rents and profits thereof. "Possession."

(y.) The expression "affidavit" includes an affirmation when made by a person entitled to affirm. "Affidavit."

DESCENT OF LAND.

3. Land in the Territories shall go to the personal representatives of the deceased owner thereof in the same manner as personal estate now goes, and be dealt with and distributed as personal estate. Land to be considered personal estate.

4. No words of limitation are necessary in any transfer of any land in order to transfer all or any title therein, but every instrument transferring land shall operate as an absolute transfer of all such right and title as the transferrer has therein at the time of its execution, unless a contrary intention is expressed in the transfer; but nothing herein contained shall preclude any transfer from operating by way of estoppel; and hereafter the introduction of any words of limitation into any transfer or devise of any land, shall have the like force and meaning, as the same words of limitation would have if used by way of limitation of any personal estate, and no other. Effect of transfer.
Effect of words of limitation.

5. No devise shall be valid or effectual as against the personal representative of the testator, until the land affected thereby is transferred to the devisee thereof, by the personal representative of the deviser, saving and excepting such devises as are made by the testator to his personal representative, either in his representative capacity or for his own use. Devisee to take from personal representative.

6. No widow whose husband died on or after the first day of January, one thousand eight hundred and eighty-seven, shall be entitled to dower in the land of her deceased husband; but she shall have the same right in such land as if it were personal property. Dower abolished.
Widow's right.

7. No husband whose wife died on or after the first day of January, one thousand eight hundred and eighty-seven, shall be entitled to any estate by the courtesy in the land Tenancy by the courtesy abolished.

Husband's
right.

of his deceased wife ; but he shall have the same right therein as a wife has in the personal property of her deceased husband.

Transfer of
land to man
and wife.

8. Whenever land is transferred to a man and his wife the transferees shall take according to the tenor of the transfer, and they shall not take by entireties unless it is so expressed in the transfer.

Transfers be-
tween con-
sorts.

9. A man may make a valid transfer of land to his wife, and a woman may make a valid transfer of land to her husband, without in either case, the intervention of a trustee.

Estate tail
abolished ; fee
simple or
other estate
substituted.

Fee-simple
not change-
able into lim-
ited estate.

10. Any devise or limitation, which heretofore would have created an estate tail, shall transfer the absolute ownership, or the greatest estate that the devisor or transferrer had in the land ; and no estate in fee-simple shall be changed into any limited fee or fee-tail, but the land, whatever form of words is used in any transfer or transmission or dealing, shall, except as hereinafter otherwise provided, be and remain an absolute estate in the owner for the time being.

Married
woman to be
as if *feme sole*.

11. A married woman shall, in respect of land acquired by her on or after the first day of January, one thousand eight hundred and eighty-seven, have all the rights and be subject to all the liabilities of a *feme sole*, and may, in all respects, deal with land as if she were unmarried.

Adultery by
wife.

12. If a wife has left her husband, and has lived in adultery after leaving him, she shall take no part of the land of her husband.

Adultery by
husband.

13. If a husband has left his wife, and has lived in adultery after leaving her, he shall take no part of her land.

Illegitimate
children in-
herit from
mother.

14. Illegitimate children shall inherit from the mother as if they were legitimate, and through the mother, if dead, any land which she would, if living, have taken by purchase, gift, devise, or descent from any other person.

Illegitimate
child dying
intestate.

15. When an illegitimate child dies intestate, without issue, the mother of such child shall inherit any land which the said child was the owner of at the time of his death.

Land registra-
tion districts.

16. For the purposes of this Act there shall be in the North-west Territories five land registration districts, respectively known and described as follows:—(1) "Assiniboia Land Registration District," being composed of the provisional district of Assiniboia, as defined by an Order

Assiniboia.

in Council, dated the eighth day of May, one thousand eight hundred and eighty-two; (2) the "South Alberta Land Registration District," being composed of so much of the provisional district of Alberta as lies to the south of the ninth correction line; (3) the "North Alberta Land Registration District," being composed of so much of the said provisional district of Alberta as lies to the north of the said ninth correction line; (4) the "West Saskatchewan Land Registration District," being composed of so much of the provisional district of Saskatchewan, as lies to the west of the dividing line between the tenth and eleventh ranges, west of the third principal meridian; and (5) the "East Saskatchewan Land Registration District," being composed of so much of the said provisional district of Saskatchewan as lies to the east of the said dividing line between the tenth and eleventh ranges west of the third principal meridian.

South Al-
berta.North Al-
berta.West Saskat-
chewan.East Saskat-
chewan.

17. The Governor in Council may, from time to time, by proclamation, as the settlement of the country and the exigencies of the public service require, constitute any other portion of the Territories a land registration district, and declare by what local name the same shall be known and designated, and may also change the boundaries of existing districts.

Provision for
further regis-
tration dis-
tricts.

18. The Governor in Council may provide in each registration district at the public expense, and may thereafter maintain, in a proper state of repair, a building of stone or brick, or partly of brick and partly of stone, to serve as the office of the registrar and as the place of deposit and preservation of registers and other record books, certificates, instruments and documents connected with the registration of titles; and may fit up the said office with such fire-proof safes and other secure places as are necessary.

Construction,
etc., of regis-
tration offices

19. In each registration district at such place as the Governor in Council determines there shall be an office to be called the "land titles office."

Land titles
offices.

20. The Governor in Council may, from time to time, appoint an inspector of land titles offices whose duties shall be, under instructions from the Minister of the Interior, to inspect the books and records of the several land titles offices, and to perform such other duties as he may be directed by the Minister of the Interior to perform; and the said inspector may, in the discretion of such minister, be directed to perform any duty which any registrar is empowered by this Act to perform; but no person shall be appointed inspector of land titles offices unless he is when appointed a barrister, solicitor or advocate of at least three years' standing of one of the provinces of Canada.

Inspector of
land titles
offices.

Registrars
and their
assistants.

21. The business of each land titles office shall be conducted by an officer to be called "the registrar" appointed by the Governor in Council, with such assistants and clerks as are necessary and as the Governor in Council from time to time appoints.

Their appoint-
ment.

2. Every registrar now acting in the Territories or hereafter to be appointed shall hold office during pleasure; but

Qualification.

hereafter no person shall be appointed a registrar unless he is a barrister, solicitor or advocate of at least three years' standing of one of the provinces of Canada.

Deputy regis-
trars.

22. Whenever occasion requires, the Governor in Council may, from time to time, appoint a deputy registrar to assist a registrar under instructions from the latter; and such deputy registrar may perform in the event of the illness or absence from office of the registrar all the duties required by this Act to be done by the registrar; and in case of the death, resignation or removal from office of the registrar the deputy registrar shall do and perform all the duties of a registrar under this Act until another registrar is appointed.

Duties.

2. No person shall be appointed a deputy registrar unless he is a barrister, solicitor or advocate of one of the provinces of Canada.

Qualification.
These func-
tionaries at-
tached to
Department
of the In-
terior.

Salaries, etc.

23. The inspector of land titles offices, the registrars, deputy registrars, and other necessary officers shall be attached to the Department of the Interior and be under the control of the Minister of the Interior; and their salaries, and such incidental expenses of carrying on this Act as are sanctioned by this Act or by the Governor in Council, shall be paid out of moneys provided by Parliament for that purpose.

Oath of office.

24. The inspector of land titles offices and every registrar and deputy registrar, before he enters upon the execution of his office, shall take, before some judge or stipendiary magistrate in the Territories, the oath of office in the form "A" in the schedule to this Act.

Security to be
furnished.

25. Before the inspector of land titles offices, or any registrar or deputy registrar is sworn into office he shall furnish to Her Majesty security in a penal sum of not less than one thousand dollars for the true and faithful performance by the said inspector of land titles offices, registrar or deputy registrar of his duty in respect of all things directed to be done by or required of the said inspector of land titles offices, registrar or deputy registrar, respectively, by this Act or any law in that behalf; and the said security shall, in the discretion of the Minister of the Interior, be either a joint and several bond of the inspector of land titles offices, registrar or deputy registrar, as the case may be, and of two sureties, or a guarantee bond of a guarantee company duly approved by the Governor in Council.

2. Such bond or guarantee bond shall be in duplicate and shall be subject to the approval of the Governor in Council. Bond to be in duplicate.

26. When the security to be so furnished is the joint and several bond of the inspector of land titles offices, registrar or deputy registrar, as the case may be, and two sureties, the same shall be executed under the hands and seals of the obligors in the form "B" in the schedule to this Act, and the sureties shall justify under oath in the form "C" in the said schedule; and the execution of the said bond shall be duly verified by the affidavit of a subscribing witness in the form "D" in the said schedule; and one of the duplicates, with the affidavits appended, shall then be forthwith transmitted to the Secretary of State to be filed in the office of the Lieutenant-Governor of the Territories. Form of bond.
Oath of sureties.
Deposit of duplicates.

27. The inspector of land titles offices, and any registrar or deputy registrar shall, when required, by the Minister of the Interior, furnish such further or other security as is deemed expedient. Further security may be required.

28. Each registrar shall have a seal of office, approved by the Governor in Council, with which he shall seal all certificates of title, and he shall stamp all instruments which are presented to him for registration, showing the day, hour and minute of receiving the same. Seal of office.

29. The inspector of land titles offices, or any registrar or deputy registrar within the district to which he is appointed, may administer any oath or take any affirmation or declaration in lieu of an oath respecting titles to land, from any one entitled by law to affirm or declare. Administration of oaths respecting titles to land.

30. Every registrar shall, when required, furnish under seal exemplifications, copies and abstracts of any instruments affecting lands which are deposited, filed or registered in his office, and every such exemplification or certified copy shall be received as evidence in the same manner and with the same effect as if the original was produced. Copies and abstracts of instruments.

31. Neither the inspector of land titles offices, nor any registrar, deputy registrar or clerk in any land titles office shall, directly or indirectly, act as the agent of any person investing money and taking securities on land within any registration district, nor shall the inspector of land titles offices, nor any registrar, deputy registrar or clerk advise, for any fee or reward or otherwise, upon titles to land, nor practise as a conveyancer, nor shall he carry on or transact, within the land titles office, any business or occupation whatever, other than his duties as such inspector, registrar, deputy registrar or clerk. Officers and clerks not to be agents.
Nor carry on any other business at their office.

Office days
and hours.

32. Every land titles office shall be kept open on all days (except Sundays and legal holidays) between the hours of ten o'clock in the forenoon and four o'clock in the afternoon, except on Saturdays, when the said offices shall be closed at one o'clock in the afternoon, during which times, either the registrar or his deputy registrar shall be in attendance.

Keeping of
"day-book."

33. The registrar shall keep a book or books which shall be called the "day-book," and in which shall be entered by a short description every instrument relating to lands for which a certificate of title has issued or been applied for which is given in for registration, with the day, hour and minute of its so being given in; and for purposes of priority between mortgagees, transferees and others, the time so entered shall be taken as the time of registration; and the registrar, in entering memoranda upon the certificate of title embodied in the register and in endorsing a memorandum upon the duplicate shall take the time from the day-book as the time of registration.

Duplicate of
instruments
to be pro-
duced.

2. The registrar shall not receive or enter in the day-book any instrument, except executions against lands, caveats, mechanics' liens, transfers by a sheriff or municipal officer or by order of a court or judge, and except a mortgage before issue of grant pursuant to section seventy-three, subsection two, unless required by the order of a court or judge, until the duplicate for the land affected by such instrument is produced therewith to him so as to enable him to enter the proper memorandum thereon.

Keeping of
"register."

34. The registrar shall also keep a book or books, which shall be called "the register," and shall enter therein all certificates of title; and each certificate of title, which shall be in the form "E," shall constitute a separate folio of such book; and the registrar shall record therein the particulars of all instruments, dealings and other matters by this Act required to be registered or entered in the register and affecting the land included in such certificate of title.

When regis-
tration shall
be deemed to
be effected.

35. Every grant shall be deemed and taken to be registered under the provisions and for the purposes of this Act so soon as the same has been marked by the registrar with the folio and volume on and in which it is embodied in the register, and every other instrument shall be deemed to be registered as soon as a memorandum of it has been entered in the register upon the folio constituted by the existing grant or certificate of title of such land.

Priority of
registered in-
struments.

36. Instruments registered in respect of or affecting the same land shall be entitled to priority the one over the other according to the time of registration and not according to the date of execution; and the registrar, upon registration thereof, shall retain the same in his office; and so soon as

registered, every instrument shall become operative according to the tenor and intent thereof, and shall thereupon create, transfer, surrender, charge or discharge, as the case may be, the land or the estate or interest therein mentioned in the instrument.

Operation of registered instruments.

37. Every memorandum entered in the register shall state the nature of the instrument to which such memorandum relates, the day, the hour and the minute of its registration, and the names of the parties thereto, and shall refer by number or symbol to such instrument, and shall be signed by the registrar.

Details to be stated in memorandum.

38. Whenever a memorandum has been entered in the register the registrar shall make a like memorandum upon the duplicate when the same is presented to him for the purpose, and the registrar shall sign and seal such memorandum, which shall be received in all courts of law as conclusive evidence of its contents and that the instrument of which it is a memorandum has been duly registered under the provisions of this Act.

Memorandum to be made on duplicate also.

39. Whenever any land is granted in the Territories by the Crown, the letters patent therefor, when issued, shall be forwarded from the office whence the same are issued to the registrar of the registration district in which the land so granted is situated, and the registrar shall retain the letters patent in his office; and a certificate of title, as provided by this Act, with any necessary qualification, shall be granted to the patentee.

Registration of grants made by letters patent.

Certificate of title.

2. A duplicate of such certificate of title shall be issued to the patentee free of all fees and charges by this Act provided to be paid, if at the time of the issue thereof there are no encumbrances or other instruments, affecting the land, registered in the land titles office; but if there are any instruments registered which encumber or affect the title, upon the payment of such fees as are fixed or may be from time to time fixed by the Governor in Council.

What fees and charges may be demanded on delivery of certificate.

3. The notification to the Hudson's Bay Company by the Minister of the Interior under the provisions of *The Dominion Lands Act* of the survey and confirmation of the survey of any township or part of a township shall be accepted by a registrar as equivalent to, and dealt with by him in all respects in the same manner as if the said notification were letters patent to and in favour of the said company granting to the said company, in fee simple, the sections or portions of sections to which they are entitled in such townships or parts of townships under the provisions of *The Dominion Lands Act*.

Hudson's Bay Company lands.

Official notification to the company equivalent to letters patent.

4. Such notifications, except any notification which issued prior to the twenty-second day of May, one thousand eight hundred and eighty-eight, and which may be registered by

To be in duplicate. Exception.

the Company with the registrar of the district within which the land affected thereby is situated, shall be issued in duplicate, one to be sent to the said company, and one to the registrar of the district.

Official notifications to certain railway companies to be dealt with as if letters patent.

5. A notification to the registrar from the Minister of the Interior that the land described therein has been granted to the Canadian Pacific Railway Company, or to any other railway company entitled to Dominion lands under the authority of an Act of Parliament, shall be accepted by the registrar and dealt with by him in all respects as if the same were letters patent in favour of such company. The notification shall state the nature of the grant and shall specify any mines, minerals, easements or rights which are excepted from the grant.

Registration of title to land already granted.

40. The owner of any estate or interest in any land, whether legal or equitable, letters patent for which issued from the Crown before the first day of January, one thousand eight hundred and eighty-seven, or which otherwise had prior to that date passed from the Crown, may apply to have his title registered under the provisions of this Act.

Fees.

2. If at the time of the grant of the certificate of title, there are no registered encumbrances or conveyances affecting such land, the certificate may be granted to the patentee upon payment of such fees as are fixed in that behalf by tariff made from time to time by the Governor in Council, but no fees shall be payable therefor under the provisions of section one hundred and fifteen of this Act.

Application for registration form.

41. The application therefor shall be made in writing in the form "F" in the schedule to this Act, to the registrar of the registration district in which the land is situated; shall be verified by the affidavit, in the form "G" in the schedule to this Act, of the applicant, or some one on his behalf; and shall be accompanied by:—

Documents to be produced.

(a.) All deeds in possession of the applicant, if any;
(b.) A certificate showing all registrations affecting the title, down to the time when such application is filed, with copies of any registered documents, the original whereof he is unable to produce;

(c.) A certificate from the sheriff showing that there is no execution in his hands against the applicant's lands;

(d.) A certificate from the treasurer of the municipality, if organized, within which the land lies, and if not within an organized municipality, then from the proper officer of the school district in which the land lies, showing that at the date of the filing of the application the land is not chargeable with any arrears of municipal taxes, rates or assessments.

Cases in which documents need not be produced.

2. But in no case shall it be necessary for any applicant to produce copies of any documents under the foregoing provisions of this section if the originals of such documents

are of record at the time when the application is made, in the office of the registrar to whom the application is made; and in case the land is not within any organized municipality or school district and a certificate of taxes cannot therefore be produced, such fact must be set forth in the application; provided that it shall not be necessary for the Hudson's Bay Company, in the case of any lands the title to which has passed to that Company before the first day of January, one thousand eight hundred and eighty-seven, either by notification made under the provisions of sub-clause seven of clause twenty-two of *The Dominion Lands Act*, or by letters patent issued thereunder prior to that date, to produce to the registrar any of the certificates mentioned in this section, if the application is accompanied by an affidavit, to be made by any officer of the Company approved by the Minister of the Interior in the form "H" in the schedule to this Act.

Proviso: Hudson's Bay Company lands.

42. Upon the filing of such application, if the applicant is the original grantee of the Crown of the land, and no deed, transfer, mortgage or other encumbrance or instrument or caveat affecting the title thereto appears to have been recorded; or if not the original grantee, all the original title deeds are produced, and no person other than the applicant is in actual possession of the land, and no caveat has been registered, the registrar, if he entertains no doubt as to the title of the applicant, shall grant a certificate of title as hereinafter provided.

Delivery of certificate of title when applicant is the original grantee.

2. If there is any mortgage or encumbrance against the land at the date of the said application, the filing with the registrar of the original mortgage or the instrument creating the encumbrance, or a copy of such mortgage or instrument, having endorsed thereon or attached thereto a receipt for the payment of the amount thereby secured signed by the mortgagee or encumbrancee, attested by an affidavit of the witness, shall operate as a discharge of the security created by such mortgage or encumbrance.

Discharge of mortgage or encumbrance.

3. Such receipt may be in the form "I" in the schedule to this Act.

Form of receipt.

4. If any person other than the applicant is admitted or appears to be interested in the land, then, if such interest is by virtue of a mortgage, encumbrance, lease, or charge created by any other instrument and the instrument is at the time of the application of record in the office of the registrar to whom the application is made, or, if not of record, the instrument is produced to the registrar, and if the applicant desires to have his title registered, subject to the interest of such other person, the registrar, if he entertains no doubt as to the extent and nature of such interest, or of the title of the applicant, may register the title and grant a certificate of title and issue a duplicate certificate of title subject to such interest.

Conditions requisite for delivery of certificate of title, if any other person than the applicant is interested.

When the interested party consents.

5. In any case where the person who is admitted or appears to be interested in land is a consenting party to an application, the registrar may, if he entertains no doubt as to the title of the applicant, grant a certificate of title subject to the terms of the consent, provided that the consent shall be in writing signed by the consenting party in presence of a witness, and attested in the manner provided for by this Act.

Other cases to be referred to judge.

43. In all cases other than those provided for in the last preceding section, the registrar shall forthwith, having given the applicant a certificate of the filing of his application, transmit the application, with all evidence supplied, to the judge to be dealt with as hereinafter mentioned.

Judge to examine documents and hear the parties.

44. The judge shall examine, without delay, all titles which are submitted to him, and for such purpose shall, when necessary, hear all persons interested, or claiming to be interested, and shall hear and consider the claims as against the applicant, of any person who is in possession of the land; and he shall have and exercise all the powers for compelling the attendance of persons and the production of documents, which usually appertain to courts of civil justice and the judges thereof in civil actions brought therein.

Judge's powers.

Filing of adverse claims.

45. Any person having an adverse claim, or a claim not recognized in the application for registration may, at any time before the judge has approved of the applicant's title, file with the registrar a short statement of his claim, verified by affidavit, and shall serve a copy thereof on the applicant, or his advocate or his agent.

Their examination.

46. If any adverse claim is filed, the judge shall proceed to examine into and adjudicate thereon, and no certificate of title shall be granted until such adverse claim has been disposed of.

Judge may direct publication of notice of application.

47. In any case before him, the judge may direct that notice of the application be published in some newspaper or newspapers in such form and for such period as the judge thinks expedient, and no order for registration shall be granted by him until after the expiration of at least four weeks from the first publication of the notice, if he has directed the same to be published.

Delay.

Registration to be ordered if title sufficient.

48. The judge, if satisfied with the applicant's title, shall thereupon make an order directing the registrar, after the expiration of four weeks from the date thereof, unless in the meantime the order is appealed from, to register the same.

Duplicate to be delivered to owner.

49. After registration of a title the registrar, upon application by the owner or his duly authorized agent, shall make

out, sign, officially seal and deliver to him a duplicate of the certificate of title in the register on which shall be entered all memoranda endorsed on or attached to the certificate of title.

50. Upon every transfer of the land mentioned in a certificate of title, the certificate of title to be granted shall be granted by the registrar, and a duplicate shall be issued to the transferee on application.

Certificate of every subsequent transfer.

51. Every owner or mortgagee of any land for which a certificate of title has been granted shall deliver to the registrar a memorandum in writing of some post office address within the Territories, to which it shall be sufficient to mail all notices that under this Act are required to be sent to an owner or mortgagee; and every owner or mortgagee shall, from time to time, in like manner, notify the registrar of any change in his post office address; and every owner shall, if required by the registrar so to do, before the delivery of any duplicate sign a receipt therefor in his own handwriting, or otherwise furnish the registrar with his signature, so as to prevent personation as far as possible: Provided, that the registrar may proceed without such memorandum of address.

Owner or mortgagee to give post office address to registrar.

Receipt to be given by owner.

Proviso.

52. Every certificate of title shall be made on a separate folio of the register, and upon every transfer of ownership the certificate of title of the transferor and the duplicate thereof shall be cancelled, and the certificate of title of the transferee shall thereupon be entered upon a new folio in the register; and the registrar shall note upon the folio of the title of the transferor the number of the folio of the transferee's title, and upon that of the transferee the number of the folio of the transferor, so that reference can be readily made from one to the other, as occasion requires.

How entry of certificate is to be made in the register.

EFFECT OF REGISTRATION.

53. In every instrument transferring, encumbering or charging any land for which a certificate of title has been granted, there shall be implied the following covenant by the transferor or encumbrancer, that is to say: That the transferor or encumbrancer will do such acts and execute such instruments as, in accordance with the provisions of this Act, are necessary to give effect to all covenants, conditions and purposes expressly set forth in such instrument, or by this Act declared to be implied against such person in instruments of a like nature.

Covenants implied in instruments relating to land.

54. After a certificate of title has been granted for any land, no instrument, until registered under this Act, shall be effectual to pass any estate or interest in any land (except

Unregistered instruments ineffectual transfers.

Effect of registration. a leasehold interest for three years or for a less period), or render such land liable as security for the payment of money; but upon the registration of any instrument in manner hereinbefore prescribed, the estate or interest specified therein shall pass, or, as the case may be, the land shall become liable as security, in manner and subject to the covenants, conditions and contingencies set forth and specified in such instrument, or by this Act declared to be implied in instruments of a like nature.

Land affected only by obligations notified on certificate. **55.** The owner of land for which a certificate of title has been granted, shall hold the same subject (in addition to the incidents implied by virtue of this Act) to such encumbrances, liens, estates or interests, as are notified on the folio of the register which constitutes the certificate of title, absolutely free from all other encumbrances, liens, estates or interests whatsoever, except in case of fraud wherein he has participated or colluded, and except the estate or interest of an owner claiming the same land under a prior certificate of title granted under the provisions of this Act.

Exceptions.

Computation of priority.

2. Such priority shall, in favour of any person in possession of land, be computed with reference to the grant or earliest certificate of title under which he or any person through whom he derives title, has held such possession.

Implied conditions.

56. The land mentioned in any certificate of title granted under this Act shall, by implication, and without any special mention therein, unless the contrary is expressly declared, be subject to:—

Reservations.

(a.) Any subsisting reservations or exceptions contained in the original grant of the land from the Crown;

Municipal taxes, etc.

(b.) Any municipal charges, rates or assessments on the land for the year current at the date of the certificate of title, or which are thereafter imposed on the land, or which have theretofore been imposed for local improvements and which are not then due and payable, and any charges, rates or assessments in respect of which the right of the municipality to have recourse against the land is not matured, not exceeding three years' charges, rates or assessments in the whole;

Public easements.

(c.) Any public highway or right of way or other public easement, howsoever created upon, over or in respect of the land;

Leases under three years.

(d.) Any subsisting lease or agreement for a lease for a period not exceeding three years, where there is actual occupation of the land under the same;

Registered decrees, etc.

(e.) Any decrees, orders or executions against or affecting the interest of the owner in the land, which have been registered and maintained in force against the owner;

Right of expropriation.

(f.) Any right of expropriation which may, by statute or ordinance, be vested in any person, body corporate, or Her Majesty.

57. Every certificate of title granted under this Act shall (except in case of fraud, wherein the owner has participated or colluded), so long as the same remains in force and uncanceled under this Act, be conclusive evidence in all courts as against Her Majesty and all persons whomsoever, that the person named therein is entitled to the land included in the same, for the estate or interest therein specified, subject to the exceptions and reservations mentioned in the next preceding section, except so far as regards any portion of land, by wrong description of boundaries or parcels included in such certificate of title, and except as against any person claiming under a prior certificate of title granted under this Act in respect of the same land; and for the purpose of this section that person shall be deemed to claim under a prior certificate of title who is holder of, or whose claim is derived directly or indirectly from the person who was the holder of the earliest certificate of title granted, notwithstanding that such certificate of title has been surrendered and a new certificate of title has been granted upon any transfer or other instrument.

Certificate to be conclusive evidence of title.

Exceptions.

Holders of prior certificate.

58. A purchaser, mortgagee or encumbrancee for valuable consideration shall not be affected by the omission to send any notice by this Act directed to be given or by the non-receipt thereof.

Omission to send notice.

59. After the certificate of title for any land has been granted no instrument shall be effectual to pass any interest therein or to render the land liable as security for the payment of money as against any *bonâ fide* transferee of the land under this Act, unless such instrument is executed in accordance with the provisions of this Act; and is duly registered thereunder: and the registrar shall have power to decide whether any instrument which is presented to him for registration is substantially in conformity with the proper form in the schedule to this Act, or not, and to reject any instrument which he may decide to be unfit for registration.

Instruments to be effectual must be in conformity with this Act.

60. No memorandum or entry shall be made upon a certificate of title or upon the duplicate thereof of any notice of trusts, whether expressed, implied, or constructive; but the registrar shall treat any instrument containing any such notice as if there was no trust; and the trustee or trustees therein named shall be deemed to be the absolute and beneficial owners of the land for the purposes of this Act.

No trusts to be registered.

TRANSFERS.

61. When land for which a certificate of title has been granted, is intended to be transferred, or any right of way or other easement is intended to be created or transferred, the owner

Form of transfer.

Tenor of transfer.

owner may execute a transfer in the form "J" in the schedule to this Act, which transfer shall, for description of the land intended to be dealt with, refer to the certificate of title of the land, or shall give such description as is sufficient to identify the same, and shall contain an accurate statement of the estate, interest or easement intended to be transferred or created, and a memorandum of each lease, mortgage and other encumbrance to which the land is subject.

Easements to be mentioned on the certificate.

62. Whenever any easement or any incorporeal right in or over any land for which a certificate of title has been granted is created for the purpose of being annexed to or used and enjoyed together with other land for which a certificate of title has also been granted, the registrar shall make a memorandum of the instrument creating such easement or incorporeal right upon the folio of the register which constitutes the existing certificate of title of such other land and upon the duplicate thereof.

Delivery and total or partial cancellation of certificate.

63. If a transfer purports to transfer the transferrer's interest in the whole or part of the land mentioned in any certificate of title, the transferrer shall deliver up the duplicate certificate of title of the land, and the registrar shall make a memorandum thereon and upon the certificate of title in the register cancelling the same, either wholly or partially, according as the transfer purports to transfer the whole or part only of the interest of the transferrer in the said land, and setting forth the particulars of the transfer.

Issue of new certificate.

64. The registrar, upon cancelling any certificate of title, either wholly or partially, pursuant to any transfer, shall grant to the transferee a certificate of title of the land mentioned in the transfer and issue to the transferee a duplicate thereof; and the registrar shall retain every transfer and cancelled duplicate certificate of title; but in the case of a partially cancelled certificate of title, the registrar shall return the duplicate to the transferrer after the memorandum partially cancelling the same has been made thereon and upon the certificate of title in the register; or may, whenever required thereto by the owner of an unsold portion of land in any partially cancelled certificate of title, or where such a course appears to the registrar more expedient, grant to such owner a certificate of title for such portion, of which he is the owner, upon the delivery of the partially cancelled duplicate certificate of title to the registrar, to be cancelled and retained.

Registrar to retain cancelled certificate.

Partially cancelled certificates.

Covenants implied in transfers.

65. In every instrument transferring land, for which a certificate of title has been granted, subject to mortgage or encumbrance, there shall be implied the following covenant by the transferee, that is to say: That the transferee will pay the principal money, interest, annuity or rent

charge secured by the mortgage or encumbrance, after the rate and at the time specified in the instrument creating the same, and will indemnify and keep harmless the transferrer from and against the principal sum or other moneys secured by such instrument, and from and against the liability in respect of any of the covenants therein contained or under this Act implied, on the part of the transferrer.

66. The registrar may require the owner of any land within his registration district desiring to transfer or otherwise to deal with the same under the provisions of this Act, to furnish the registrar with a map or plan of the land, having the several measurements marked thereon, certified by a Dominion land surveyor, and prepared upon one of the following scales:—

(a.) If the land proposed to be transferred or dealt with is of less area than one acre, then the map or plan shall be on a scale not less than one inch to two chains; Plans of land.
Scales of plans.
For area less than one acre.

(b.) If the land is of greater area than five acres, but not exceeding five acres, then the map or plan shall be on a scale not less than one inch to five chains; From 1 to 5 acres.

(c.) If the land is of greater area than five acres, but not exceeding eighty acres, then the map or plan shall be on a scale not less than one inch to ten chains; From 5 to 80 acres.

2. The owner shall sign the plan and attest the accuracy of the same in the manner hereinafter provided for the attestation of all instruments: Attestation.

3. If the owner neglects or refuses to comply with the requirements aforesaid, the registrar shall not proceed with the registration of the transfer or dealing until the requirements are complied with: Refusal of owner to comply.

4. Subsequent subdivisions of the same land may be delineated upon a duplicate of the map or plan of the same so furnished, if such map is upon a sufficient scale, in accordance with the provisions herein contained; and the correctness of the delineation of each such subdivision shall be attested in the manner prescribed for the attestation of an original map: Subsequent subdivisions.

5. Where parts of different legal subdivisions are included in the same transfer, the map shall represent the whole of the legal subdivisions, and shall indicate the location of the land to be transferred: Provided always that this shall not be necessary in the case of lots in a city, town or village, the plan of which has been registered. Plan to show whole of subdivisions.

LEASES.

67. When any land for which a certificate of title has been granted is intended to be leased or demised for a life or lives, or for a term of more than three years, the owner shall execute a lease in the form "K" in the schedule to this Act, and every such instrument shall, for description Form of lease for more than 3 years.

of the land intended to be dealt with, refer to the certificate of title of the land, or shall give such other description as is necessary to identify the land; and a right for the lessee to purchase the land therein described may be stipulated in the instrument; and in case the lessee pays the purchase money stipulated, and otherwise observes his covenants expressed and implied in the instrument, the lessor shall be bound to execute a transfer to such lessee of the land, and to perform all necessary acts by this Act prescribed for the purpose of transferring the land to the purchaser: Provided always, that no lease of mortgaged or encumbered land shall be valid and binding against the mortgagee or encumbrancee, unless the mortgagee or encumbrancee has consented to the lease prior to the same being registered. or subsequently adopts the same.

Stipulation of right to purchase.

Obligation of lessor in such case.

Proviso: as to lease of mortgaged land.

Covenants implied in lease.

68. In every lease, unless a contrary intention appears therein, there shall be implied the following covenants by the lessee, that is to say:—

Payment of rent and taxes.

(a.) That he will pay the rent thereby reserved at the times therein mentioned, and all rates and taxes which may be payable in respect of the demised land during the continuance of the lease;

Maintenance and repairs.

(b.) That he will, at all times during the continuance of the lease, keep and, at the termination thereof, yield up the demised land in good and tenantable repair, accidents and damage to buildings from fire, storm and tempest or other casualty, and reasonable wear and tear excepted.

Implied powers of lessor.

69. In every lease, unless a different intention appears therein, there shall also be implied the following powers in the lessor, that is to say:

Entry and view.

(a.) That he may, by himself or his agents, enter upon the demised land and view the state of repair thereof, and may serve upon the lessee, or leave at his last or usual place of abode, or upon the demised land, a notice in writing of any defect, requiring him within a reasonable time, to be therein mentioned, to repair the same, in so far as the tenant is bound to do so;

Re-entry in default of payment of rent, etc.

(b.) That in case the rent or any part thereof is in arrear for the space of two calendar months, or in case default is made in the fulfilment of any covenant, whether expressed or implied in such lease, on the part of the lessee, and is continued for the space of two calendar months, or in case the repairs required by such notice, as aforesaid, are not completed within the time therein specified, the lessor may enter upon and take possession of the demised land.

Registrar's duty in case of re-entry.

70. In any such case the registrar, upon proof to his satisfaction of lawful re-entry and recovery of possession by a lessor, or his transferee by a legal proceeding, shall make a memorandum of the same upon the certificate of title, and

upon the duplicate thereof when presented to him for that purpose, and the estate of the lessee in such land shall thereupon determine, but without releasing the lessee from his liability in respect of the breach of any covenant in the lease, expressed or implied; and the registrar shall cancel the lease, if delivered up to him for that purpose.

Cancellation of lease.

71. Whenever, in any lease made under this Act, the forms of words in column one of the form "L" in the schedule to this Act, and distinguished by any number therein, are used, the lease shall be taken to have the same effect, and be construed as if there had been inserted therein the form of words contained in column two of the said form and distinguished by the same number; and every such form shall be deemed a covenant by the covenantor with the covenantee and his transferees, binding the former and his heirs, executors, administrators and transferees; but it shall not be necessary in any such lease to insert any such number; and there may be introduced into or annexed to any of the forms in the first column any expressed exceptions from the same or expressed qualifications thereof respectively, and the like exceptions or qualifications shall be taken to be made from or in corresponding forms in the second column.

Covenants implied in lease under this Act.

Forms may be modified.

72. Whenever any lease or demise which is required to be registered by this Act is intended to be surrendered, and the surrender thereof is effected otherwise than through the operation of a surrender in law, upon the production of the surrender, in the form "M" in the schedule to this Act, to the registrar, he shall make a memorandum of the surrender upon the certificate of title in the register and upon the duplicate certificate; and when the memorandum has been so made, the estate or interest of the lessee in the land shall vest in the lessor or in the person in whom, having regard to intervening circumstances, if any, the land would have vested if the lease had never been executed: Provided, that no lease subject to mortgage or encumbrance shall be surrendered without the consent of the mortgagee or encumbrancee.

Case of surrender effected otherwise than by operation of law.

Registrar's duty in such case.

Effect of memorandum.

Proviso: as to mortgagee.

MORTGAGES AND ENCUMBRANCES.

73. Whenever any land, for which a certificate of title has been granted, is intended to be charged or made security in favour of any mortgagee, the mortgagor shall execute a mortgage in the form "N" in the schedule to this Act, or to the like effect; and whenever any such land is intended to be charged with or made security for the payment of an annuity, rent, charge, or sum of money, in favour of any encumbrancee, the encumbrancer shall execute an encumbrance in the form "O" in the schedule to this Act, or to the like effect; and every such instrument shall contain an

Form of mortgage.

Form of Encumbrance.

Statement
necessary.

accurate statement of the estate or interest intended to be mortgaged or encumbered, and shall, for description of the land intended to be dealt with, refer to the certificate of title on which the estate or interest is held, or shall give such other description as is necessary to identify the land, together with all mortgages or encumbrances affecting the same, if any; and a memorandum of the mortgage or encumbrance shall be made upon the certificate of title in the register and upon the duplicate certificate.

Memorandum
to be made on
certificate.

Registration
of charges
created before
issue of grant.

2. Provided that any mortgage or other encumbrance created by any party rightfully in possession of land prior to the issue of the grant may be filed in the office of the registrar, who shall, on registering such grant, enter in the register and endorse upon the duplicate certificate of title before issuing the same to the applicant owner thereof, a memorandum of such mortgage, or encumbrance; and when so entered and endorsed, the said mortgage or encumbrance shall be as valid as if made subsequent to the issue of the grant; and if more than one mortgage or encumbrance are filed they shall be registered in the order of time in which they have been filed in the said office.

Effect of crea-
tion of mort-
gage or en-
cumbrance.

74. A mortgage or encumbrance under this Act shall have effect as security, but shall not operate as a transfer of the land thereby charged; and if default is made in payment of the principal sum, interest, annuity or rent-charge, or any part thereof thereby secured, or in the observance of any covenant expressed in any mortgage or encumbrance registered under this Act, or that is herein declared to be implied in such instrument, and such default is continued for the space of one calendar month, or for such longer period of time as is expressly limited for that purpose in such instrument, the mortgagee or encumbrancee may, by direction of the judge, give to the mortgagor or encumbrancer notice in writing to pay, within a time to be specified in the notice, the money then due or owing on the mortgage or encumbrance, or to observe the covenants therein expressed or implied, as the case may be, and that all competent rights and powers will be resorted to unless such default is remedied, or, where the mortgagor or encumbrancer cannot be found, may give the notice in that behalf to the mortgagor or encumbrancer in such manner as the judge, on summary application *ex parte*, directs.

Notice by
mortgagee in
case of non-
payment.

Mortgagee
authorized to
sell, etc.

75. In default of compliance with the terms of such notice the mortgagee or encumbrancee, under and subject to the direction of the judge, may sell the land so mortgaged or encumbered, or any part thereof, and all the estate or interest therein of the mortgagor or encumbrancer, and, either altogether or in lots, by public auction or by private contract, or by both modes of sale, and subject to such conditions as the judge directs, and to make and execute all

instruments as are necessary for effecting the sale thereof; and all sales, contracts, matters and things hereby authorized shall be as valid and effectual as if the mortgagor or encumbrancer had made, done or executed the same; and the receipt or receipts in writing of the mortgagee or encumbrancee shall be a sufficient discharge to the purchaser of the land, estate or interest, or of any portion thereof, for so much of his purchase money as is thereby expressed to be received: and no purchaser shall be answerable for the loss, misapplication or non-application, or be obliged to see to the application, of the purchase money by him paid, nor shall he be concerned to inquire as to the fact of any default having been made or notice having been given as aforesaid; and before a certificate of title shall be granted to the purchaser, the purchase money arising from the sale of the land, shall be paid into court by the purchaser, and shall be, by order of the judge, applied: first, in payment of the expenses occasioned by the sale and such costs as may be ordered to be paid by the judge; secondly, in payment of the moneys which are then due or owing to the mortgagee or encumbrancee; thirdly, in payment of subsequent mortgages or encumbrances, if any, in the order of their priority; and the surplus, if any, shall be paid to the mortgagor or encumbrancer, as the case may be; and thereupon such sale shall be confirmed by the judge.

Purchaser not responsible for application of price of sale.

Application of price of sale.

Confirmation of sale.

76. Upon the registration of any transfer executed by a mortgagee or encumbrancee, pursuant to such sale as aforesaid, the estate or interest of the mortgagor or encumbrancer, at the time of making such mortgage or encumbrance, shall pass to and vest in the purchaser, freed and discharged from all liability on account of the mortgage or encumbrance or of any mortgage or encumbrance registered subsequent thereto; and the purchaser shall be entitled to registration as an ordinary transferee.

Rights of purchaser upon registration.

Certificate.

77. When default for six calendar months has been made in the payment of the interest or principal sum secured by a mortgage, the mortgagee may make application in writing to the judge for an order for foreclosure; and the application shall state that the default has been made as aforesaid, and that the land mortgaged has been offered for sale at public auction after proper notice given to the mortgagor, as in this Act provided, and that the amount of the highest bid at the sale was not sufficient to satisfy the money secured by the mortgage, together with the costs and expenses occasioned by the sale, and that notice in writing of the intention of the mortgagee to make such application has been given to the mortgagor, either personally or by leaving the same with an adult at his usual or last known place of abode, or in case no adult can be found at the mortgagor's usual or last known place of abode, or the mortgagor has no

Application for foreclosure.

Contents.

Notice.

Auctioneer's
certificate.

such place of abode, then by posting the notice upon the mortgaged premises; and the application shall be accompanied by a certificate of the licensed auctioneer by whom the land was put up for sale, and by such other proof of the matters stated in the application as the judge requires; and the statements made in the application shall be verified by the oath of the applicant, or of some one who is cognizant of the facts.

Notice by
judge of sale
of land.

78. Upon hearing the application the judge shall direct notice to be published in one or more newspapers at least once in each of three successive weeks offering the land for sale, in which notice shall be given a date, not less than one month from the last publication of the notice, upon or after which an absolute order of foreclosure may be applied for and made; and upon such latter application, upon proof of the publication of the notice aforesaid, and that no sale of the land has been made by which the amount secured by the mortgage has been realized, and that the amount so secured, or any part thereof, is still outstanding and unpaid, the judge may grant an absolute order of foreclosure, which order together with the mortgage and all other material used in the proceeding to foreclose shall be delivered to the registrar, who shall on receipt make any entry in the day-book relating to the same; and the registrar on application, after the expiration of four weeks from such receipt, unless meanwhile restrained by order of the court or a judge, shall register the said order, which registration shall have the effect of vesting in the mortgagee all the estate and interest of the mortgagor in the land mentioned in the order, free from all right and equity of redemption on the part of the mortgagor or of any person claiming through or under him, whereupon a new certificate of title shall be granted to the mortgagee and a duplicate certificate issued to him.

Registration
of discharge
of land.

79. Upon the production of any mortgage or encumbrance, having endorsed thereon or attached thereto a receipt or acknowledgment in the form "I" in the schedule to this Act, signed by the mortgagee or encumbrancee, and proved by the affidavit of an attesting witness, discharging the whole or any part of the land comprised in such instrument from the whole or any part of the principal sum or annuity secured thereby, or upon proof being made to the satisfaction of a judge of the payment of all or part of the moneys due on any mortgage or encumbrance, and the production to the registrar of a certificate signed by the judge to that effect, the registrar shall thereupon make an entry on the certificate of title noting that such mortgage or encumbrance is discharged, wholly or partially, or that part of the land is discharged, as aforesaid, as the case requires; and upon such entry being so made, the land, or the estate

Entry by
registrar.

Its effect.

or interest in the land or the portion of the land mentioned or referred to in such endorsement as aforesaid, shall cease to be subject to or liable for such principal sum or annuity, or, as the case may be, for the part thereof mentioned in such entry as discharged.

80. Upon proof of the death of the annuitant, or of the occurrence of the event or circumstance upon which, in accordance with the provisions of any encumbrance, the annuity or sum of money thereby secured ceases to be payable, and upon proof that all arrears of the said annuity and interest or money have been paid, satisfied, or discharged, the registrar shall, upon the order of a judge, make a memorandum upon the certificate of title in the register, that such annuity or sum of money is satisfied and discharged, and shall cancel such instrument, and upon such memorandum being made the land shall cease to be subject to or liable for such annuity or sum of money, and the registrar shall, in any or either such case as aforesaid, endorse on the duplicate certificate of title a similar memorandum whenever such duplicate certificate of title is presented to him for that purpose.

Extinction of an annuity, etc.

Proof.

Cancellation.

81. If any mortgagor becomes entitled to pay off the mortgage money, and the registered mortgagee is absent from the Territories and there is no person authorized by registered power of attorney to give a receipt to the mortgagor for the mortgage money after the date appointed for the redemption of any mortgage, the judge, on application to him and proof of the facts and of the amount due for principal and interest upon the mortgage, may direct the payment into a chartered bank having a branch or agency in the district, or, if not in the district, in the Territories, of the mortgage money, with all arrears of interest then due thereon, to the credit of the mortgagee or other person entitled thereto; and thereupon the interest upon the mortgage shall cease to run or accrue.

Order for payment into a chartered bank in case of absence, etc., of mortgagee.

Cessation of the interest.

2. The registrar shall, upon presentation of the judge's order and of the receipt of the manager or agent of the bank for the amount of the said mortgage money and interest, make a memorandum upon the certificate of title in the register discharging such mortgage, stating the day, hour and minute on which such memorandum is made.

Memorandum by registrar.

3. Such memorandum shall be a valid discharge of the mortgage.

Effect.

4. The registrar shall, when such order and receipt are presented to him, send a notice of the fact to the mortgagee by letter addressed by mail to his last known place of abode.

Notice to mortgagee.

5. The registrar shall endorse on the duplicate certificate of title and also on the mortgage whenever those instruments are produced to him, the several particulars to be endorsed upon each of such instruments respectively.

Endorsements by registrar.

Payment to be full discharge.

6. After payment as aforesaid of any mortgage money and interest, the mortgagee entitled thereto shall not recover any further sum in respect of such mortgage than the amount so paid.

Form, registration and priority of transfers of mortgage.

82. Mortgages, encumbrances and leases of land for which a certificate of title has been granted may be transferred by a transfer executed in the form "P" in the schedule to this Act, and the transfer shall be registered in the same manner as mortgages, encumbrances and leases are registered; and transferees shall have priority according to the time of registration.

Partial transfer of sum secured.

2. Any mortgagee may transfer a part of the sum secured by the mortgage by a transfer executed in the form "Q" in the schedule to this Act, and the part so transferred shall continue to be secured by the mortgage, and may be given priority over the remaining part, or may be deferred, or may continue to rank equally with it under the security of the original mortgage, as stated in the transfer; and the registrar shall enter on the certificate of title a memorandum of the amount of the mortgage so transferred, the name of the transferee, and how the sum so transferred is to rank, and shall notify the mortgagor of the facts.

Effect of registration of transfer.

83. Upon the registration of a transfer of any mortgage, encumbrance or lease, the estate or interest of the transferrer, as set forth in such instrument, with all rights, powers and privileges thereto belonging or appertaining, shall pass to the transferee, and such transferee shall thereupon become subject to and liable for all and every the same requirements and liabilities to which he would have been subject and liable if named in such instrument.

Rights of transferee.

84. By virtue of every such transfer the right to sue upon any mortgage or other instrument, and to recover any debt, sum of money, annuity or damage thereunder, and all interest at the time of such transfer in any such debt, sum of money, annuity or damages, shall be transferred so as to vest the same in law in the transferee thereof: Provided always, that nothing herein contained shall prevent the court from giving effect to any trusts affecting the said debt, sum of money, annuity or damages, in case the said transferee shall hold the same as trustee for any other person.

Proviso: as to trusts.

Implied covenants as to repairs and entry.

85. In every mortgage there shall be implied against the mortgagor remaining in possession, a covenant that he will repair and keep in repair all buildings or other improvements erected and made upon the land, and that the mortgagee may at all convenient times, until the mortgage is redeemed, be at liberty, with or without surveyors or others, to enter into or upon the land to view and inspect the state of repair of the buildings or improvements.

86. Whenever, in a mortgage made under this Act, the forms of words in column one of the form "R" in the said schedule to this Act, and distinguished by any number therein, are used, such mortgage shall be taken to have the same effect, and be construed as if there had been inserted therein the form of words contained in column two of the said form and distinguished by the same number; and every such form shall be deemed a covenant by the covenantor with the covenantee and his transferees, binding the former and his heirs, executors, administrators and transferees; but it shall not be necessary in any such mortgage to insert any such number; and there may be introduced into or annexed to any of the forms in the first column any expressed exceptions from the same or expressed qualifications thereof respectively, and the like exceptions or qualifications shall be taken to be made from or in the corresponding forms in the second column.

Covenants implied in mortgages passed under this Act.

POWERS OF ATTORNEY.

87. The owner of any land, for which a certificate of title has been granted, may authorize and appoint any person to act for him or on his behalf in respect of the transfer or other dealing with the land, in accordance with the provisions of this Act, by executing a power of attorney, in the form "S" in the schedule to this Act, or as near thereto as circumstances permit, which power of attorney shall be registered; and the registrar shall make a memorandum upon the certificate of title and upon the duplicate certificate, of the particulars therein contained and of the time of its registration; and until such power of attorney is revoked in the manner provided by the next following section, the right of the owner to transfer or to otherwise deal with the land shall be suspended.

Form of power of attorney.

Registration.

Owner's powers suspended until revocation.

88. Any such power of attorney may be revoked by a revocation in the form "T" in the schedule to this Act; and the registrar shall not give effect to any transfer or other instrument, signed pursuant to such power of attorney after the registration of a revocation of such power, unless under any registration abstract outstanding at the time.

Form of revocation.

TRANSMISSION.

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

Land of deceased owner passes to his personal representative.

Mode of registration.

Probate. 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 or letters of administration granted by the proper court of any province of the Dominion of Canada or an exemplification thereof shall be sufficient.

If certificate has not been granted. 2. If the certificate of title for the land has not been granted to the deceased owner the personal representatives before being entitled to be registered under this section shall bring the land under this Act in the ordinary way.

Executor or administrator to be deemed owner. 3. Upon such memorandum being made, the executor or administrator, as the case may be, shall be deemed to be the owner of the land; and the registrar shall note the fact of the registration by a memorandum under his hand on the probate of the will, letters of administration, order or other instrument as aforesaid.

From what time. 4. The title of the executor or administrator to the land shall relate back and take effect as from the date of the death of the deceased owner.

Delivery of new certificate. 5. The duplicate certificate of the title issued to the deceased owner at the time of the making of the application shall be delivered up to be cancelled or be proved to have been lost or destroyed, and the registrar shall grant to the executor or administrator as such a new certificate of title, and issue to him a duplicate certificate.

Mortgage, etc., transmitted by will or intestacy. **90.** Whenever any mortgage, encumbrance or lease affecting land, for which a certificate of title has been granted, is transmitted in consequence of the will or intestacy of the owner thereof, the probate of the will of the deceased owner, or letters of administration, or the order of the court authorizing a person as aforesaid to administer the estate of the deceased owner, or an office copy of the said probate, letters of administration, or order, as the case may be, accompanied by an application in writing from the executor or administrator, or such other person as aforesaid, claiming to be registered as owner in respect of such estate or interest, shall be produced to the registrar, who shall thereupon make a memorandum upon the certificate of title and upon the duplicate thereof of the date of the will and of the probate, or of the letters of administration, or order of the court as aforesaid, the date, hour and minute of the production of the same to him, with such other particulars as he deems necessary.

Mode of registration. Memorandum to be made. Effect of registration. 2. Upon such memorandum being made, the executor, or administrator, or such other person, as the case may be, shall be deemed to be the owner of the mortgage, encumbrance or lease; and the registrar shall note the fact of the registration by memorandum under his hand on the letters of administration, probate or order as aforesaid.

91. Any person registered in place of a deceased owner, shall hold the land in respect of which he is registered upon the trusts and for the purposes to which the same is applicable by this Act or by law, and subject to any trusts and equities upon which the deceased owner held the same; but, for the purpose of any registered dealings with such land, he shall be deemed to be the absolute and beneficial owner thereof.

Land subject to trusts, how held.

2. Any person beneficially interested in any such land, may apply to a court or judge having jurisdiction, to have the same taken out of the hands of the trustee having charge by law of such land, and transferred to some other person or persons; and the court or judge, upon reasonable cause being shown, shall name some suitable person or persons as owner of the land; and upon the person or persons so named accepting the ownership and giving approved security for the due fulfilment of the trusts, the court or a judge may order the registrar to cancel the certificate of title to the trustee, and to grant a new certificate of title to the person or persons so named.

Court may change trustees.

Security to be given by them.

3. The registrar, upon the production of the order, shall cancel the certificate of title to the trustee after making thereon and upon the duplicate thereof a memorandum of the appointment by order of the court or judge of such person or persons as owners, and shall grant a new certificate of title to such new trustee and issue to him a duplicate certificate of title.

Cancellation of old certificate; delivery of new one.

EXECUTIONS.

92. The sheriff, or other duly qualified officer, after the delivery to him of any execution or other writ affecting land, if a copy of such writ has not already been delivered or transmitted to the registrar, shall, on payment to him of fifty cents by the execution creditor named therein, provided the said writ is in force, forthwith deliver or transmit by registered letter to the registrar a copy of the writ and of all endorsements thereon certified under his hand and seal of office, if any; and no land shall be bound by any such writ until the receipt by the registrar for the registration district in which such land is situated, of a copy thereof, either prior to this Act, under the law then in force or subsequent hereto; but from and after the receipt by him of such copy no certificate of title shall be granted and no transfer, mortgage, encumbrance, lease or other instrument executed by the execution debtor of such land, shall be effectual except subject to the rights of the execution creditor under the writ while the same is legally in force; and the registrar on granting a certificate of title and on registering any transfer, mortgage, or other instrument executed by the execution debtor affecting such land, shall by memoranda upon the certificate of title in the

Duties of sheriff in case of seizure of land.

register and on the duplicate issued by him express that such certificate, transfer, mortgage, or other instrument is subject to such rights.

Register to be kept of sheriff's writs.

2. The registrar shall keep a book in convenient form in which shall be entered according to the dates when respectively received a record of all copies of writs received by him from the sheriff or other officer as aforesaid whether so received prior to this Act or subsequent thereto; and such book shall be kept indexed, showing, in alphabetical order, the names of the persons whose lands are affected by such writs with the day and hour and minute of such receipt.

Satisfaction of writ, etc.

93. Upon the production and delivery to the registrar of a certificate by the sheriff or other officer under his official seal, if any, or a judge's order, showing the expiration or 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 from thenceforth such land or portion of land shall be deemed to be absolutely released and discharged from the writ.

Memorandum to be made on certificate of title, or in book of sheriff's writs.

Discharge of land.

SHERIFF'S SALES.

Confirmation of sheriff's sale by court.

94. No sale by a sheriff or other officer as aforesaid, under process of law, of any land, for which a certificate of title has been granted, shall be of any effect until the same has been confirmed by the court or a judge; but when any such land is sold under process of law, the registrar, upon the production to him of the transfer of the same in the form "U" in the schedule to this Act, with proof of the due execution thereof, and with an order of the confirmation of such sale endorsed upon the transfer or attached thereto, shall, after the expiration of four weeks after receiving the same, register the transfer, cancel the existing certificate of title wholly, or in part if less than the whole of the land comprised therein be sold, grant a certificate of title to the transferee, and issue to him a duplicate certificate in the prescribed form, unless such registration is in the meantime stayed by the order of the court or judge, and in such case the registration shall not be made except according to the order and direction of the said court or judge.

Registrar's duties.

Issue of new certificate.

Unless stayed by the court.

Registration of transfer of land sold by sheriff.

95. A transfer of such land so sold under process of law or for arrears of taxes as hereinafter provided shall be registered within a period of two months of the date of the order of confirmation, unless in the meantime this period

be extended by order filed with the registrar of the court or a judge; and shall cease to be valid as against the owner of the land so sold, and any person or persons claiming by, from or through him, if not registered within that period, or within the time fixed by such order.

96. The application for confirmation of a sale of such land so made under any process of law, may be made by the sheriff or other officer making the sale, or by any person interested in the sale, on notice to the owner, unless the judge to whom the application is made, dispenses with such notice; and if the sale is confirmed the costs of confirmation shall be borne and paid out of the purchase money, or as the judge directs; but in case the sale is not confirmed, the purchase money paid by him shall be refunded to the purchaser; and the judge may make such order as to the costs of all parties to the sale and of the application for its confirmation as he thinks just.

Application
for confirma-
tion of sale.

Costs.

If sale is not
confirmed.

SALE FOR TAXES.

97. When any land for which a certificate of title has been granted, is sold for taxes, the purchaser may at any time after the sale lodge a caveat against the transfer of the land; and upon the completion of the time allowed by law for redemption, and upon the production of the transfer of the land in the prescribed form for tax-sales in the form "U" in the schedule to this Act with proof of the due execution thereof by the proper officer, and a judge's order confirming such sale, the procedure for obtaining which shall be the same as hereinbefore provided in case of a sheriff's sale, the registrar shall, after the expiration of four weeks from the delivery to him of the transfer and judge's order of confirmation, register the transferee as absolute owner of the land so sold, and shall cancel the certificate of title in whole or in part, as the case requires, grant a new certificate of title to the transferee, and shall issue to the purchaser a duplicate certificate, unless the registration has in the meantime been stopped by order of a judge.

Transfer of
land sold for
taxes.

MARRIAGE OF FEMALE OWNER.

98. Upon production to the registrar of a duplicate certificate of title issued to a female, accompanied with a statement in writing of her marriage subsequent to the issue thereof giving the date of such marriage, the place where solemnized, and her husband's full name with his residence and occupation, verified by oath or affirmation and the production of a certificate of the marriage by the person who solemnized the same, and such further evidence as the registrar may require, and on an application to the registrar to grant a new certificate

Registration
in conse-
quence of mar-
riage of a
female owner.

of title, he shall file the same and at once cancel the existing certificate of title, as also the duplicate, and shall make a memorandum of each of the facts; and the registrar shall thereupon grant a new certificate of title to the applicant owner in her newly acquired surname in which her husband's full name, residence and occupation shall be given and shall issue to her a duplicate certificate.

CAVEATS.

Who may lodge caveats and for what purposes.

99. Any person claiming to be interested under any will, settlement, or trust deed, or any instrument of transfer or transmission, or under any unregistered instrument, or under an execution where the execution creditor seeks to affect land in which the execution debtor is interested beneficially but the title to which is registered in the name of some other person, or otherwise howsoever in any land, may lodge a caveat with the registrar to the effect that no disposition of, or certificate of title to, such land be made either absolutely, or in such manner and to such extent only as in such caveat is expressed, or until notice has been served on the caveator, or unless the instrument of disposition or certificate of title be expressed to be subject to the claim of the caveator, as claimed in the caveat, or to any lawful conditions expressed therein; or, (in case the title has not been registered under this Act) that the title of any person other than the caveator be not registered.

Form

2. A caveat shall be in the form "V" in the schedule to this Act, and shall be verified by the oath of the caveator or his agent, and shall contain an address within the registration district at which notices may be served.

Verification.

Registrar's duty upon receipt.

3. Upon the receipt of a caveat, the registrar shall enter the same in the day-book, and shall make a memorandum thereof upon the certificate of title of the land affected by such caveat and shall forthwith send a notice of the caveat through the post office or otherwise to the person against whose title the caveat has been lodged: but in the case of a caveat before registration of a title under this Act the registrar shall on receipt thereof enter the same in the day-book.

Effect of caveat.

4. So long as any caveat remains in force the registrar shall not enter in the register any memorandum of any transfer or other instrument purporting to transfer, encumber, or otherwise deal with or affect the land in respect to which such caveat is lodged except subject to the claim of the caveator.

Contestation of caveat.

5. The owner or other person claiming the land may, by summons, call upon the caveator to attend before a judge to show cause why the caveat should not be withdrawn; and the said judge may, upon proof that such last-mentioned person has been summoned, and upon such evidence as the judge requires, make such order in the premises, either *ex parte* or otherwise, as to the said judge seems fit.

6. Such caveat shall lapse unless, before the expiration of three months from the receipt thereof by the registrar, proper proceedings in a court of competent jurisdiction have been taken to establish the caveator's title to the estate or interest specified in the caveat, and an injunction or order has been granted, restraining the registrar from granting a certificate of title or otherwise dealing with the land.

Lapse of caveat.

7. The caveator may, by notice in writing to the registrar, withdraw his caveat at any time; but notwithstanding such withdrawal the court or judge may order the payment by the caveator of the costs of the caveatee incurred prior to such withdrawal.

Withdrawal.

Costs.

8. A memorandum shall be made by the registrar, upon the certificate of title and upon the duplicate certificate, of the withdrawal, lapse or removal of any caveat or of any order made by the court or a judge in connection therewith; and, after such withdrawal, lapse or removal, it shall not be lawful for the same person or for any one on his behalf to lodge a further caveat in relation to the same matter, unless by leave of the judge.

Memorandum of withdrawal, etc.

Consequences.

9. Any person lodging or continuing any caveat wrongfully and without reasonable cause, shall be liable to make compensation to any person who has sustained damage thereby, and such compensation, with costs, may be recovered by proceedings at law if the caveator has withdrawn such caveat and no proceedings have been taken by the caveatee, as herein provided; but if proceedings have been taken by the caveatee, then the compensation and costs shall be determined by the court or judge acting in the same proceedings.

Damages in case of wrongful or unreasonable caveat.

Costs.

10. The judge, on application for that purpose, on behalf of any person who is under the disability of infancy, lunacy, unsoundness of mind or absence from the Territories, may, by order directed to the registrar, prohibit the transfer of or dealing with any land belonging to any such person, and the dealing with any land in any case in which it appears to him that an error has been made by misdescription of such land or otherwise in any certificate of title or other instrument, or for the prevention of any other improper dealing.

Prohibition by judge of transfer of land of person under disability.

ATTESTATION OF INSTRUMENTS.

100. Every instrument executed within the limits of the Territories, other than instruments under the seal of any corporation, caveats, orders of a court or judge, executions, or certificates of any judicial proceedings, attested as such, requiring to be registered under this Act, shall be witnessed by one person who shall sign his name to the instrument as a witness, and who shall appear before the inspector of land titles offices or the registrar or deputy registrar of the registration district in which the land is situated, or before

Attestation within the N. W. Territories.

Witness.

Form of affidavit.

a judge, stipendiary magistrate, notary public, commissioner for taking affidavits, or a justice of the peace in or for the Territories, and make an affidavit in the form "W" in the schedule to this Act.

Attestation outside the N. W. Territories.

101. Every instrument, executed without the limits of the Territories other than grants from the Crown, Orders in Council, instruments under the seal of any corporation, or caveats required to be registered under the provisions of this Act, shall be witnessed by one person who shall sign his name to the instrument as a witness, and who shall appear before one of the following persons; and make an affidavit in the said form "W":—

Witness.
Form.

In Canada.

(a.) If made in any province of Canada, before a judge of any court of record, any commissioner authorized to take affidavits in such province for use in any court of record in the Territories, or before any notary public under his official seal; or

In Great Britain or Ireland.

(b.) If made in Great Britain or Ireland, before a judge of the Supreme Court of Judicature in England or Ireland, or of the Court of Sessions or of the Judiciary Court in Scotland, or a judge of any of the county courts within his county, or the mayor of any city or incorporated town under the common seal of such city or town, or before any commissioner in Great Britain or Ireland, authorized to take affidavits therein, for use in any court of record in the Territories, or a notary public under his official seal; or

In British colonies.

(c.) If made in any British colony or possession out of Canada, before a judge of any court of record, the mayor of any city or incorporated town under the common seal of such city or town, or notary public under his official seal; or

In a foreign country.

(d.) If made in any foreign country, before the mayor of any city or incorporated town, under the common seal of any such city or town, or before the British consul, vice-consul or consular agent residing therein, or before any judge of any court of record, or a notary public under his official seal.

REMEDIAL PROCEEDING.

Ejectment.

Protection against ejectment.
Exceptions.

102. No action of ejectment or other action for the recovery of any land for which a certificate of title has been granted shall lie or be sustained against the owner, under this Act in respect thereof, except in any of the following cases, that is to say:—

Mortgagor in default.

(a.) The case of a mortgagee as against a mortgagor in default;

Encumbrancer in default.

(b.) The case of an encumbrancee as against an encumbrancer in default;

Lessee in default.

(c.) The case of a lessor as against a lessee in default;

Fraud.

(d.) The case of a person deprived of any land by fraud as against the owner of such land through fraud, or as against

a person deriving otherwise than as a transferee *bonâ fide* for value, from or through such owner through fraud ;

(e.) The case of a person deprived of or claiming any land included in any grant or certificate of title of other land by misdescription of such other land or of its boundaries, as against the owner of such other land ;

Misdescription.

(f.) The case of an owner claiming under an instrument of title prior in date of registration under this Act, in any case in which two or more grants, or two or more certificates of title, or a grant and certificate of title, are registered under this Act in respect to the same land.

Double registration.

2. In any case, other than as aforesaid, the production of the certificate of title or a certified copy thereof shall be an absolute bar and estoppel to any such action against the person named in such certificate of title as owner or lessee of the land therein described.

In other cases certificate absolute bar to action.

103. After a certificate of title has been granted therefor any person deprived of any land, in consequence of fraud, or by the registration of any other person as owner of such land, or in consequence of any fraud, error, omission or misdescription in any certificate of title or in any memorandum thereon or upon the duplicate thereof, may, in any case in which the land has been included in two or more grants from the Crown, bring and prosecute an action at law for the recovery of damages against such person as a judge appoints, and in any other case against the person upon whose application the erroneous registration was made, or who acquired title to the land in question through such fraud, error, omission, or misdescription : Provided always, that except in the case of fraud or error occasioned by any omission, misrepresentation, or misdescription in the application of such person to be registered as owner of such land, or in any instrument executed by him, such person shall, upon a transfer of such land *bonâ fide* for value, cease to be liable for the payment of any damages which, but for the transfer, might have been recovered from him under the provisions hereinbefore contained, and such damages, with costs, may, in such last-mentioned case, be recovered out of the assurance fund hereinafter provided for, by action against the registrar as nominal defendant.

Indemnification of person deprived of land by fraud, etc.

Action of damages.

Proviso : except in case of fraud, etc., defendant not liable for damages.

104. Nothing in this Act contained shall be so interpreted as to leave subject to action for recovery of damages as aforesaid, or to action of ejectment, or to deprivation of land in respect to which he is registered as owner, any purchaser or mortgagee *bonâ fide* for valuable consideration of land under this Act, on the plea that his transferror or mortgagor has been registered as owner through fraud or error, or has derived from or through a person registered as owner through fraud or error, except in the case of misdescription, as mentioned in section one hundred and two.

Protection of *bonâ fide* purchasers or mortgagees.

Exception.

Action against registrar as nominal defendant in certain cases.

105. If the person against whom the action for damages is directed to be brought as aforesaid, is dead, or cannot be found within the Territories, an action for damages may be brought against the registrar as nominal defendant, for the purpose of recovering the amount of the said damages and costs against the said assurance fund; and in any such case, if final judgment is recovered, and also in any case in which damages are awarded in any action as aforesaid, and the sheriff makes a return of *nulla bona*, or certifies that any portion thereof, with costs awarded, cannot be recovered from such person, the Minister of Finance and Receiver General, upon receipt of a certificate of the judge before whom the said action was tried, shall pay the amount of such damages and costs as are awarded, or the unrecovered balance thereof as the case may be, and shall charge the same to the account of the said assurance fund.

Recovery of damages from assurance fund.

Action of damages against registrar as nominal defendant, for loss through omissions, &c., of officers.

106. Any person sustaining loss or damage through any omission, mistake or misfeasance of the inspector of land titles offices, or a registrar, or any of his officers or clerks, in the execution of their respective duties under the provisions of this Act, and any person deprived of any land, by the registration of any other person as owner thereof, or by any error, omission or misdescription in any certificate of title, or in any memorandum upon the same or upon the duplicate certificate thereof, and who, by the provisions of this Act, is barred from bringing an action of ejectment or other action for the recovery of the land, may, in any case in which remedy by action for recovery of damages, hereinbefore provided, is barred, bring an action against the registrar as nominal defendant, for recovery of damages; and if the plaintiff recovers final judgment against such nominal defendant, the judge before whom such action is tried shall certify to the fact of such judgment and the amount of the damages and costs recovered, and the Minister of Finance and Receiver General shall pay the amount thereof out of the assurance fund aforesaid to the person entitled on production of an exemplification or certified copy of the judgment rendered: Provided always, that notice in writing of every such action, and the cause thereof, shall be served upon the Attorney General of Canada, and also upon the registrar, at least three calendar months before the commencement of such action.

Recovery of damages from assurance fund.

Proviso: Notice to be given to Attorney General and to registrar.

When costs are given to nominal defendant.

107. If in any such action, judgment is given in favour of the nominal defendant, or the plaintiff discontinues or becomes non-suited, the plaintiff shall be liable to pay the full costs of defending the action; and the same, when taxed, shall be levied in the name of the nominal defendant, by the like process of execution as in ordinary civil cases.

108. No action for recovery of damages sustained through deprivation of land, shall lie or be sustained against the registrar, or against the assurance fund aforesaid, unless the same is commenced within the period of six years from the date of such deprivation: Provided nevertheless, that any person under the disability of infancy, lunacy or unsoundness of mind, may bring the action within six years from the date on which the disability ceased; and the plaintiff in the action within six years from the date on which such disability ceased, and the plaintiff in any such action at whatever time it is brought, and the plaintiff in any action for the recovery of land, shall be non-suited in any case in which it appears to the satisfaction of the judge before whom such action is tried, that the plaintiff or the person through or under whom he claims title had notice by personal service, or otherwise was aware of such delay, and wilfully or collusively omitted to lodge a caveat or allowed the caveat to lapse.

Prescription of action against registrar or assurance fund.

Proviso: Case of disability.

Case of neglect to lodge caveat.

109. Whenever any amount has been paid out of the said assurance fund on account of any person, the amount may be recovered from him, or if dead, from the estate of such person, by action against his personal representatives, in the name of the registrar; and a certificate signed by the Minister of Finance and Receiver General of the payment out of the said assurance fund, shall be sufficient proof of such debt; and whenever any amount has been paid out of the assurance fund aforesaid on account of any person who has absconded, or who cannot be found within the Territories, and has left any real or personal estate within the same, a judge, upon the application of the registrar, and upon the production of a certificate signed by the Minister of Finance and Receiver General that the amount has been paid in satisfaction of a judgment against the registrar as nominal defendant, and proof of service of the writ in any of the modes provided by the ordinary procedure in the Territories, may allow the registrar to sign judgment against such person forthwith for the amount so paid out of the said assurance fund, together with the costs of the application; and such judgment shall be final, subject only to the right to have such judgment opened up, as may be provided in relation to ordinary procedure in the Territories, in cases of judgment by default; and the judgment shall be signed in like manner as a final judgment by default in an adverse suit, and execution may issue immediately; and if the person has not left real or personal estate within the Territories sufficient to satisfy the amount for which execution has issued as aforesaid, the registrar may recover such amount, or the unrecovered balance thereof, by information against such person at any time thereafter in the Exchequer Court of Canada at the suit of the Attorney General of Canada.

Recovery of money paid out of assurance fund.

Proof of debt.

If debtor is not in the Territories.

Judgment by default.

And to be final.

Execution.

Appeal to judge from acts of registrar.

Judge's powers.

Costs.

Registrar may refer questions to judge for decision.

Form.

Judge's powers.

In case of error, fraud, etc., the registrar may demand delivery of the duplicate certificate of title, etc.

Form

110. If any person is dissatisfied with any act, omission, refusal, decision, direction or order of a registrar, such person may require the registrar to set forth, in writing under his hand, the grounds of such act, omission, refusal, decision, direction or order, and such person may then apply to the judge by petition, setting forth the grounds of his dissatisfaction; and the judge, having caused the registrar to be served with a copy of the petition, shall have jurisdiction to hear the said petition, and to make such order in the premises, and as to the costs of the parties appearing upon the petition, as the circumstances of the case require.

111. Whenever a question arises with regard to the performance of any duty, or the exercise of any function by this Act conferred or imposed upon a registrar, or whenever in the exercise of any duty of a registrar, a question arises as to the true construction or legal validity or effect of any instrument, or as to the persons entitled, or as to the extent or nature of the estate, right or interest, power or authority of any person or class of persons, or as to the mode in which any entry or memorandum ought to be made in the day-book, or register, or upon any certificate of title or duplicate thereof, or as to any doubtful or uncertain right or interest stated, or claimed to be dealt with by a registrar, he may refer the same in the form "X" in the schedule to this Act, to the judge, who may allow any of the parties interested to appear before him and summon any other of such persons to appear and show cause, either personally or by counsel, attorney-at-law or advocate, in relation thereto; and the judge, having regard to the persons appearing before him, whether summoned or not, shall decide the question, or direct any proceedings to be instituted for that purpose, and direct the particular form of entry or memorandum to be made as under the circumstances appears to be just.

112. If it appears to the satisfaction of a registrar that any duplicate certificate or other instrument has been issued in error, or contains any misdescription of land, or boundaries, or that any entry, memorandum or endorsement has been made in error on or omitted from any duplicate certificate, or other instrument, or that any such duplicate certificate, instrument, entry, memorandum or endorsement has been fraudulently or wrongfully obtained, or that any such duplicate certificate or instrument is fraudulently or wrongfully retained, or if under any of the provisions of this Act the registrar requires a duplicate certificate for the purpose of making any memorandum thereon, or for the purpose of wholly or partially cancelling the same, he may, by written demand, in the form "Y" in the schedule to this Act, to be served upon such person or to be mailed to his last known post office address within the Territories, require the person

to whom such duplicate certificate or instrument has been so issued, or by whom it has been so obtained or is retained, to deliver up the same, for the purpose of being cancelled, corrected or completed, as the case requires; and in case such person refuses or neglects to comply with such requisition, or cannot be found, the registrar may apply to a judge to issue a summons for such person to appear before him and show cause why such duplicate certificate or other instrument should not be delivered up to be cancelled, corrected or completed as aforesaid, and if such person, when served personally or in the mode directed in such summons with the summons, neglects or refuses to attend before the judge at the time therein appointed, the judge may issue a warrant authorizing and directing the person so summoned to be apprehended and brought before the said judge for examination.

Intervention
of judge in
such case.

Warrant of
arrest.

113. Upon the appearance before a judge of any person summoned or brought up by virtue of a warrant as aforesaid, the judge may examine such person upon oath, and in case it appears right so to do, may order such person to deliver up the duplicate certificate or other instrument as aforesaid; and upon refusal or neglect by such person to deliver up the same, pursuant to the order, or to be put under oath, or to be examined, or to answer any question touching the matter after being sworn, may commit such person to the nearest common jail for any period not exceeding six months, unless the duplicate certificate or other instrument is sooner delivered up, or sufficient explanation is made why the same cannot be done, and in such case, or in case such person has absconded so that summons cannot be served upon him as hereinbefore directed, or in case a period of three months from the time of mailing the said demand to such person has elapsed before the duplicate certificate or other instrument has been returned to the registrar, the judge may direct the registrar to cancel or correct or complete the duplicate certificate or other instrument in his possession, or any memorandum thereon relating to the land, and to substitute and issue if necessary a duplicate certificate or other instrument or make such memorandum as the circumstances of the case require, and the registrar shall obey such order.

Examination
by judge.

When judge
may order im-
prisonment.

Cancellation
or correction
of instrument
by judge's
order.

114. In any proceeding respecting land or in respect of any transaction or contract relating thereto, or in respect of any instrument, caveat, memorandum or entry affecting land, the judge, by decree or order, may direct the registrar to cancel, correct, substitute or issue any duplicate certificate, or make any memorandum or entry thereon or on the certificate of title, and otherwise to do every act necessary to give effect to the decree or order.

Other powers
of judge.

General Provisions.

ASSURANCE FUND AND FEES.

Fees payable
in advance.

Amount exi-
gible for assur-
ance fund.

Valuation of
land.

Accounting
for moneys re-
ceived.

Continuation
of assurance
fund.

Cases when
assurance
fund is not
liable for da-
mages.

115. Before the registrar shall perform any duty to be by him performed under any of the provisions of this Act he shall, except as herein otherwise provided, demand and receive the proper fee or fees therefor as fixed and settled by tariff made from time to time by the Governor in Council; and demand and receive for the assurance fund upon the registration of every grant of encumbered land, and upon every absolute transfer of land after the issue of the first certificate of title therefor, where the land was not encumbered at the time of registering the grant, one-fifth of one per cent of the value of the land transferred if such value amounts to or is less than five thousand dollars, and one-tenth of one per cent on the additional value, when such value exceeds five thousand dollars; and upon every subsequent transfer he shall demand and receive upon the increase of value since the granting of the last certificate of title one-fifth of one per cent if the increase is not more than five thousand dollars, and one-tenth of one per cent on any excess over such five thousand dollars:

2. The value shall be ascertained by the oath or affirmation of the applicant, owner or person acquiring such land; and if the registrar is not satisfied as to the correctness of the value so sworn to or affirmed, he may require such applicant, owner or person acquiring the land to produce a certificate of the value, under the hand of a sworn valuator appointed by a judge, which certificate shall be received as conclusive evidence of the value for the purpose aforesaid.

116. Each registrar shall keep a correct account of all sums of money received by him in accordance with the provisions of this Act, and shall pay the same to the Minister of Finance and Receiver General, at such times and in such manner as are directed by the Governor in Council.

117. The assurance fund, as formed under *The Territories Real Property Act* and now existing shall be continued as the assurance fund, and hereafter the said minister shall enhance such fund by investing from time to time in Canadian Government securities for the purpose of an assurance fund, all moneys so received and returned by all the registrars, together with all interest and profits accruing on the funds so enhanced.

118. The assurance fund shall not, under any circumstances, be liable for compensation for any loss, damage or deprivation occasioned by the breach by any owner of any trust, whether expressed, implied or constructive; nor in any case in which the same land has been included in two or

more grants from the Crown ; nor shall the assurance fund be liable in any case in which loss, damage or deprivation has been occasioned by any land being included in the same certificate of title with other land, through misdescription of the boundaries or parcels of any land, unless, in the case last aforesaid, it is proved that the person liable for compensation and damages is dead, or has absconded from the Territories, or has been adjudged insolvent, or the sheriff has certified that he is not able to realize the full amount and costs awarded in any action for such compensation ; and the said fund shall be liable for such amounts only as the sheriff fails to recover from the person liable as aforesaid.

Exceptions.

Amount of liability.

119. Upon the application of an owner of several parcels of land held under separate certificates of title, or under one certificate of title, and the delivery up of the duplicate certificates therefor to him, the registrar may cancel the existing certificate or certificates of title granted, as also the duplicate certificates so delivered up, and grant to the owner a single certificate of title for all the parcels of land, or several certificates of title each applying to one or more of the parcels, in accordance with the application ; upon which certificates of title respectively shall be entered a memorandum of each and every encumbrance, lien, charge, mortgage or other instrument affecting such parcel or parcels of land, setting forth the occasion of the cancellation and referring to the certificate of title so granted ; and thereupon the registrar shall issue to the applicant one or more duplicate certificates as the case requires.

Registrar may in certain cases substitute one certificate for several.

120. Upon production to the registrar of satisfactory proof by statutory declaration by the person to whom a duplicate certificate has been issued or by some one having knowledge of the facts, of the accidental loss or destruction of the duplicate certificate so issued, the registrar, having, in the newspaper published nearest to the land described in the register, or if more newspapers than one are published in the same locality then in one of such newspapers, and in a conspicuous place in the land titles office, for four weeks, published a notice of his intention to do so, may, having entered in the register the facts as proven, issue a fresh duplicate certificate in lieu of the one so lost or destroyed, noting upon the same why it is so issued.

Case when the duplicate certificate of title is lost or destroyed.

121. Any owner subdividing land, for which a certificate of title has been granted, and laying the same out as a town-plot, for the purpose of selling the same in allotments, shall deposit with the registrar a map of such town-plot, which map shall be on a scale of not less than one inch to four chains, and shall show the number of the section, township and range, or the number of the river lot, or the name of the district or reservation, as the case may be, in which the

In case of subdivision of land into town lots, owner must deposit plan.

What plan must show

land lies; also the number of the meridian west of which the said range, river lot, district or reservation is situated, as well as all boundary lines of the section or sections, river lot, district or reservation, within the limits of the land shown on the said map, and shall also exhibit distinctly all roads, streets, passages, thoroughfares, squares or reservations, appropriated or set apart for public use, with the courses and widths thereof, respectively, the length and width of all lots, and the courses of all division lines between the respective lots within the same; and the lots shall be marked with distinct numbers or symbols; and the map shall further show the courses of all streams or waters within the limits of the land included in the map; and every such map shall be signed by the owner or his agent, and certified in the form "Z" in the schedule to this Act by a Dominion land surveyor, whose respective signatures shall be duly witnessed and attested in the manner hereinbefore provided for the attestation of instruments to be registered under this Act.

Attestation of
plan.
Form.

Plans and
surveys, and
the correc-
tion thereof.

2. In no case shall any plan or survey, although filed and registered, be binding on the person so filing or registering the same, or upon any other person, unless a sale, mortgage, encumbrance or lease has been made according to such plan or survey; and in all cases amendments or alterations of any such plan or survey may be ordered to be made, at the instance of the person filing or registering the same or of any person deriving title through him of any land shown on such plan or survey, by a judge, if on application for the purpose duly made, and upon hearing all parties concerned, it be thought fit and just so to order, and upon such terms and conditions as to costs and otherwise as may be deemed expedient.

Implied cov-
enants may be
negatived or
modified.

Their effect.

They bind the
parties sever-
ally, not
jointly.

122. Every covenant and power declared to be implied in any instrument by virtue of this Act may be negatived or modified by express declaration in the instrument; and in any action for a supposed breach of any such covenant, the covenant alleged to be broken may be set forth, and it shall be lawful to allege that the party against whom the action is brought did so covenant, precisely in the same manner as if the covenant had been expressed in words in the transfer or other instrument, any law or practice to the contrary notwithstanding; and every such implied covenant shall have the same force and effect, and be enforced in the same manner as if it had been set out at length in the transfer or other instrument; and when any transfer or other instrument in accordance with this Act, is executed by more parties than one, such covenants as are by this Act to be implied in instruments of a like nature, shall be construed to be several and not to bind the parties jointly.

123. The owner of any land, for which a certificate of title has been granted, or of any lease, mortgage or charge affecting the same, shall, on application of any beneficiary or person interested therein, be bound to allow his name to be used by such beneficiary or person in any action, suit or proceeding, which it may be necessary or proper to bring or institute in the name of such owner, concerning such land, lease, mortgage or charge, or for the protection or benefit of the title vested in such owner, or of the interest of any such beneficiary or person; but nevertheless such owner shall, in any case, be entitled to be indemnified in like manner as, if being a trustee, he would, before the passing of this Act, have been entitled to be indemnified in a similar case of his name being used in any such action, suit or proceeding by his *cestui que* trust.

Owner must in certain cases allow beneficiary, etc., to use his name.

But shall then be indemnified.

124. Whenever any person, who, if not under disability, might have made any application, given any consent, done any act, or been party to any proceeding under this Act, is a minor, idiot or lunatic, the guardian or committee of the estate, respectively, of such a person may make such application, give such consent, do such act, and be party to such proceeding as such person if free from disability might have made, given, done and been party to, and shall otherwise represent such person for the purposes of this Act; and whenever there is no guardian or committee of the estate of any such person aforesaid being infant, idiot or lunatic, or whenever any person, the committee of whose estate if he were idiot, or lunatic would be authorized to act for and represent such person under this Act, is of unsound mind and incapable of managing his affairs, but has not been found an idiot or lunatic under inquisition, a court or a judge may appoint a guardian of such person for the purpose of any proceedings under this Act, and from time to time change such guardian. And whenever the court or a judge sees fit, it or he may appoint a person to act as the next friend of a married woman for the purpose of any proceeding under this Act, and from time to time remove or change such next friend.

Guardian or committee may act for person under disability.

If no guardian, etc., the court may appoint one and remove him.

Next friend of married woman.

125. Whenever in any action, suit or other proceeding affecting land, for which a certificate of title has been granted, it becomes necessary to determine the fact whether the transferee, mortgagee, encumbrancee, or lessee, is a purchaser or transferee, mortgagee, encumbrancee, or lessee, for valuable consideration or not, any person who is a party to the action, suit or other proceeding, may give in evidence any transfer, mortgage, encumbrance, lease or other instrument affecting the land in dispute, although the same is not referred to in the certificate of title, or has been cancelled by the registrar.

How purchase, etc., for valuable consideration may be proved in an action.

126. Except in the case of fraud, no person, contracting or dealing with, or taking or proposing to take, a transfer, mortgage,

Person dealing with registered owner is

not bound to inquire into the circumstances, etc., of acquisition by owner.

mortgage, encumbrance or lease, from the owner of any land, for which a certificate of title has been granted, shall be bound or concerned to inquire into or ascertain the circumstances in, or the consideration for which the owner or any previous owner of the land is or was registered, or to see to the application of the purchase money or of any part thereof, nor shall he be affected by notice direct, implied or constructive, of any trust or unregistered interest in the land, any rule of law or equity to the contrary notwithstanding; and the knowledge that any trust or unregistered interest is in existence, shall not of itself be imputed as fraud.

Effect of duplicate certificate of title as evidence in suit by the owner for specific performance.

127. In any suit for specific performance brought by an owner of any land, for which a certificate of title has been granted, against a person who has contracted to purchase the land, not having notice of any fraud or other circumstances which according to this Act, would affect the right of the transferrer, the duplicate certificate of title of the owner shall be evidence that the owner has a good and valid title to the land, for the estate or interest therein, mentioned or described.

Trustees and joint owners.

128. Upon the transfer of any land, for which a certificate of title has been granted, to two or more persons as joint owners, to be held by them as trustees, it shall be lawful for the transferrer to insert in the transfer or other instrument the words "no survivorship"; and the registrar shall, in such case, include such words in the duplicate certificate issued to such joint owners pursuant to the transfer and in the certificate of title; and any two or more persons so registered as joint owners of any land held by them as trustees, may, by writing under their hand, authorize the registrar to enter the words "no survivorship" upon the duplicate certificate and also upon the certificate of title; and after such entry has been made and signed by the registrar in either such case as aforesaid, it shall not be lawful for any less number of joint owners than the number so entered to transfer or otherwise deal with the land, without obtaining the sanction of the court or of a judge, by an order on motion or petition.

Insertion of words "no survivorship" in transfers, etc.

Effect of these words.

Order of court.

Notice of said order.

Powers of court after notice given.

Memorandum to be made.

129. Before making any order as aforesaid, the court or judge shall, if it seems requisite, cause notice of intention so to do to be properly advertised, and in such case appoint a period of time within which any person interested may show cause why the order should not be made; and thereupon the said court or judge may order the transfer of the land to any new owner or owners, solely or jointly with or in the place of any existing owner or owners, or may make such order in the premises as the court or a judge thinks just, for the protection of the persons beneficially interested in the land or in the proceeds thereof; and upon such order

being deposited with the registrar, he shall make a memorandum thereof upon the certificate of title and upon the duplicate certificate when the same is produced to him; and upon such memorandum being made, the person or persons named in the order shall be the owner or owners of the land. Effect.

130. Nothing contained in this Act shall take away or affect the jurisdiction of any competent court on the ground of actual fraud, or over contracts for the sale or other disposition of land for which a certificate of title has been granted. Jurisdiction of courts in cases of fraud, etc.

131. The Governor in Council shall, from time to time, provide the necessary books, forms, and other office requisites, and shall make such rules and regulations as are necessary to carry out the provisions of this Act; and shall also make such rules and regulations as to him appear necessary for giving effect to this Act, in cases unprovided for, according to its true intent and purpose. Governor in Council to furnish books, etc., and make regulations.

132. Proceedings under this Act shall not abate or be suspended by any death, transmission or change of interest, but in any such event a judge may make such order for carrying on, discontinuing or suspending the proceedings, upon the application of any person interested, as under the circumstances he thinks just, and may for such purpose require the production of such evidence, and such notices to be given, as he thinks necessary. Proceedings not to abate in case of death, etc.
Judge's powers in such case.

133. No petition, order, affidavit, certificate, registration or other proceeding under this Act shall be invalid by reason of any informality or technical irregularity therein, or of any mistake not affecting the substantial justice of the proceedings. Defects of form not to invalidate proceedings

2. Affidavits for use in applications to register title, or in any matter other than the execution of instruments, may be made before any person authorized to take affidavits for use in the Supreme Court of the North-west Territories; and in all matters before a judge or the court where proof is required the same may be taken by affidavit sworn as aforesaid or by *visu voce* evidence as may be ordered by the judge or court. Affidavits, before whom to be made.
Proof, how to be taken.

3. Affidavits shall be subject to the practice governing affidavits in the Supreme Court of the North-west Territories. Affidavits, practice to be observed.

134. The inspector of land titles offices shall not, nor shall any registrar, deputy registrar, or any person acting under authority of a registrar, be liable to any action or proceeding for or in respect of any act *bona fide* done or omitted to be done in the exercise or supposed exercise of Protection of officers, etc.

the powers given by this Act, or any order or general rule made in pursuance of this Act.

Notice to be given to interested parties in certain cases.

135. Whenever any matter is, under this Act, submitted to a judge by a registrar or by any other person or authority and the judge deems it advisable that parties interested should be notified of the time and place when and where a hearing of the matter so submitted should be held, and no special provisions are made therefor in this Act, or if there are any such special provisions and the judge shall be of opinion that the notice required thereby to be given is not sufficient, he may direct notice of such time and place to be given and he may direct that such notice be served personally upon such persons as he may direct, or be left at their usual place of abode, or he may direct that such notice shall be posted at such place or places and for such periods as he may name, or he may direct that such notice be published in such newspaper or newspapers as he may designate and for such time as he may direct, and he may direct that such notice may be given in any one or more or in all the methods above specified.

When the interested parties are absent.

2. Whenever this Act directs that persons interested shall be heard or shall receive notice and such parties are not within the jurisdiction or cannot be found so as to be personally served, the judge may direct that any party without the jurisdiction may be served personally, or in either case may direct substitutional services within or without the jurisdiction to be made in such manner as he may direct, or he may direct that publication of notice in such manner as he may direct may be sufficient service.

Mode of service.

Mortgagor entitled to possession of the duplicate certificate.

136. A mortgagor shall be entitled to the possession of the duplicate certificate after the registrar has entered thereon a memorandum of the mortgage, but upon the sale under the mortgage or foreclosure under this Act he shall forthwith deliver it up to the registrar to be dealt with under this Act.

Mortgagee entitled to certified copy.

2. The registrar shall, if desired, furnish to the mortgagee or his assignee a certified copy of the certificate of title.

Proof of age of contracting party.

137. The registrar shall, in all cases of transfers, mortgages, encumbrances or leases, be entitled to require satisfactory evidence that the person making such instruments is of the full age of twenty-one years.

Proof of matters of inquiry by judge.

138. Whenever by virtue of this Act a judge is required or authorized to hold an inquiry, proof of the matters relevant to the inquiry may be made before him by affidavit, which may be sworn before any of the officers mentioned in subsection twenty-nine of section seven of *The Interpretation Act*: Provided always that the judge may, whenever he deems it expedient so to do, require the personal

R. S. C., c. 1.
Proviso:
powers of judge in such cases.

sonal attendance of any person before him to testify as to the matters of any such inquiry or that any deponent to any affidavit shall attend in person before him to be cross-examined upon his affidavit.

2. Whenever the judge so requires any person or deponent to appear before him in person he may issue a summons under his hand and seal requiring such person or deponent to appear before him at a time and place to be specified to testify as to what he may know concerning the matters in question, or to be cross-examined as the case may be; and if such person or deponent fails to attend at the time and place specified, upon due proof under oath that such person or deponent has been duly served with the said summons and that proper conduct money has been paid or tendered to him, (which conduct money shall be according to the tariff of fees provided for the attendance of witnesses at trials in civil causes in the Supreme Court of the North-west Territories and any law in force in the Territories) the judge may issue his warrant directed to the sheriff of any judicial district, directing him to apprehend such person or deponent and bring him before the said judge for examination and to keep him in his custody until he is so examined; and such sheriff shall obey the said warrant according to the tenor thereof. And the sheriff shall be entitled to the same fees for executing such warrant as he would be entitled to for executing a process issued out of the said Supreme Court.

Powers of judge to compel appearance to testify.

Duty of sheriff.

Sheriff's fees.

3. The costs incidental to any such inquiry shall be in the discretion of the judge, and shall be taxed by the clerk of the district court in which the inquiry was held as nearly as may be according to the tariff provided for civil causes in the said court; and judgment shall be signed in such court for such costs in favour of the party to whom they are awarded by the judge, and execution may be issued for the recovery thereof out of the said court as upon an ordinary judgment therein.

Costs of inquiry.

Recovery of costs.

APPEAL.

139. An appeal shall lie by the inspector of land titles offices, a registrar, or person directly interested therein, from any order or decision of a judge made or given under the provisions of this Act to the Supreme Court of the North-west Territories sitting *in banc*, within the prescribed time, in the same manner and with the same incidents in and with which judgments and orders of that court by a single judge may be appealed from; and the practice and proceedings relating to appeals in the said court including costs and payment thereof and the enforcement of judgments on appeal, shall, adapted to the circumstances, apply

Appeal from judge's decision.

Judge may refer matters to court *in banc*.

140. If, in any matter before a judge under this Act, the judge considers proper, he may refer the same to the court *in banc*, and such court may either dispose of the matter or refer it back to the judge with such direction as the court *in banc* may think fit.

Payment of costs.

141. The court or judge may order costs to be paid by or to any person party to any proceeding under this Act, regard being had to the following provisions:—

Responsibility for costs.

That any applicant under this Act is liable *prima facie* to pay all costs, charges and expenses incurred by or in consequence of his application, except in a case where parties object whose rights are sufficiently secured without their appearance, or when any costs, charges or expenses are incurred unnecessarily or improperly.

Enforcement of orders of court.

142. Any order of the court or a judge may be enforced in the same manner and by the same officials and process as orders are usually enforced by the procedure and practice of the Supreme Court of the North-west Territories, and shall be obeyed by every registrar and acting registrar when directed to him.

Tariff of costs.

143. The said court sitting as the Court of Appeal may, by order of court, provide (and from time to time change) a tariff of costs payable for all services and proceedings under this Act; but, unless and until so provided for, the tariff of costs relating to actions in the Supreme Court of the North-west Territories where the title to lands is in question shall apply, adapted to the circumstances.

Definitions.

144. The "lands titles office" shall, in so far as railways and the expropriation of lands by the Government of Canada are concerned, represent the "office of the registrar of deeds," and "the registrar" and the "registrar of deeds," under *The Railway Act*, and *The Expropriation Act*; and the said Acts respectively shall, as applied to the Territories, be read as if the land titles office and registrar under this Act were enacted therein in lieu of the registry office of deeds, and the registrar of deeds.

1888, c. 29,
1889, c. 13.

Governor in Council may vary forms, or in certain cases prescribe new ones.

145. The Governor in Council may from time to time, whenever it is necessary so to do, add to or otherwise vary any of the forms in the schedule to this Act, or may cause to be adopted any other form or forms which he considers applicable to any special case or class of cases for which a form has not been provided in the schedule to this Act.

Repeal. R.S. C. c. 51; 1887, c. 30; 1888, c. 20.

146. Chapter fifty-one of the Revised Statutes of Canada, intituled *An Act respecting Real Property in the Territories*, the Act passed in the session held in the fiftieth and fifty-first years of Her Majesty's reign, chapter thirty, in

amendment thereof, and the Act passed in the fifty-first year of Her Majesty's reign, chapter twenty, in further amendment thereof, are hereby repealed.

147. This Act shall come into force on the first day of January, one thousand eight hundred and ninety-five. Coming into force of this Act.

SCHEDULE.

FORM A.

FORM OF INSPECTOR'S, REGISTRAR'S AND DEPUTY REGISTRAR'S
OATH OF OFFICE.

North-west Territories } I (*name and describe deponent,*)
of Canada. } having been appointed to the office
District of . } of inspector of land titles office (*or*
To WIT: } registrar *or* deputy registrar) in and
for the (*name of registration district, &c.*), do swear (*or affirm*
as the case may be) that I will well, truly and faithfully
perform and execute all duties required of me, relating to
the said office, so long as I continue therein, and that I
have not given, directly or indirectly, nor authorized any
person to give, any money, gratuity or reward whatsoever
for procuring the said office for me.

Sworn before me at the }
of }
in the } of (*Signature of inspector, registrar*
the } *or deputy registrar.*)
day of A.D. 18 . }

FORM B.

FORM OF BOND OF INSPECTOR, REGISTRAR AND DEPUTY
REGISTRAR.

North-west Territories } Know all men by these presents
of Canada. } that I (*insert name and addition of*
District of . } *the principal*), of the
To WIT: } of
North-west Territories of the Dominion of Canada, herein-
after called "the principal", and we (*insert names and ad-*
ditions of the sureties) of the of
, in the of
and , of the
of , in the
hereinafter called "the sureties." are respectively held and
firmly bound unto our Sovereign Lady the Queen, her
heirs and successors, in the respective penal sums follow-
ing,

FORM D.

AFFIDAVIT OF ATTESTATION OF BOND.

North-west Territories of) I,
 Canada.) of the of , in
 District of) the of ,
 To WIT :

make oath and say, that I was personally present, and did see (one of, or as the case may be) the obligors in the above (or within) bond or obligation named, duly execute the said instrument by signing, sealing, and, as (his act and deed or their respective acts and deeds, as the case may be), delivering the same; and that I am a subscribing witness to such execution.

Sworn before me, at the)
 of , in the)
 of , this day) (Signature.)
 of A.D. 18 .

A separate affidavit in this form will be made by a witness to the execution by such obligor, if the same person does not witness the execution by all of them.

FORM E.

CERTIFICATE OF TITLE.

CANADA—TERRITORIES,
 DISTRICT.

REGISTRATION

This is to certify that A B., of is now the owner of an estate (describe the estate) of and in (describe the property), subject to the encumbrances, liens and interests notified by memorandum underwritten or endorsed hereon, or which may hereafter be made in the register.

In witness whereof I have hereunto subscribed my name and affixed my official seal this day of , A.D. 18 .

And if subject to a mortgage, say :

The title of A.B. is subject to mortgage, dated the day of , made by A.B. to W.B., to secure (here state the amount secured, the rate of interest per cent per annum and the respective dates from which the principal and interest are secured) payable as therein mentioned. (If mortgage is discharged, say : The above mortgage No. , is discharged this day of , A.D. here state the distinguishing letter or number of the register and the number of the folio therein).

And if subject to a lease, say :

The title of A.B. is subject to a lease, dated the day of , made by A.B. to Y.Z., for the term of years.

When the transfer is absolute, say :

This certificate of title is cancelled and a new certificate of title No. , issued this day of A.D. 18 .

(Signature).

FORM

FORM F.

APPLICATION TO BRING LAND UNDER THE OPERATION OF
"THE LAND TITLES ACT, 1894."

To the registrar of _____ registration district:

I (*insert name and addition*), hereby apply to have the land hereinafter described brought under the operation of "The Land Titles Act, 1894." And I declare:—

1. That I am the owner (*or agent for* _____, the owner) of an estate in fee-simple in possession (*or of an estate of freehold in possession for my life, or otherwise as the case may require*) in ALL THAT piece of land, being (*here describe the land*).

2. That such land, including all buildings and other improvements thereon, is of the value of _____ dollars, and no more.

3. That there are no documents or evidences of title affecting such land in my possession, or under my control, other than those included in the schedule hereto.

4. That I am not aware of any mortgage or encumbrance affecting the said land, or that any other person has any estate or interest therein at law or in equity, in possession, remainder, reversion or expectancy (*if there be any add: other than as follows, and set the same forth*).

5. That the said land is now occupied (*if unoccupied, prefix un to occupied; if occupied, add by whom, and state the name and addition of the occupant and the nature of his occupancy*).

6. That the names and addresses, so far as known to me, of the occupants of all lands contiguous to the said land, are as follows:—

7. That the names and addresses, so far as known to me, of the owners of all lands contiguous to the said land, are as follows:—

(*If the certificate of title is not to be granted to the applicant, add: And I direct the certificate of title to be granted in the name of (insert name and addition)*).

Dated this _____ day of _____, 18 .

Made and subscribed at _____ }
in the presence of _____ } (*Signature.*)

FORM G.

SCHEDULE OF DOCUMENTS REFERRED TO.

AFFIDAVIT.

North-west Territories } I,
of Canada. }
District of . } make oath and say:--
To WIT :

1. That I am the applicant named in the application hereto, annexed.
2. That the several statements contained in the said application are true, to the best of my knowledge and belief.

Sworn before me at the of }
in the of this } (Signature.)
day of , A.D. 18 . }

FORM H.

AFFIDAVIT CONCERNING THE HUDSON'S BAY COMPANY'S LANDS.

North-west Territories } I
of Canada. } of the
District of . } of
To WIT : } the of , in
make oath and say:--

1. I am an officer of the Hudson's Bay Company, entitled to make this affidavit by the authority and under the approval of the Minister of the Interior of Canada.
2. Title to the lands mentioned in the accompanying application now produced and shown to me, and marked with the letter "A," passed to the said company by notification under the provisions of subclause 7 of clause 22 of "The Dominion Lands Act" (or by letters patent issued on--stating date - as the case may be).
3. The said company are, at the date of this affidavit, absolutely entitled to the said lands in fee-simple and have not encumbered the same in any way whatsoever.
4. And the said lands are not subject to any execution, and are not chargeable with any arrears of municipal taxes, rates or assessments.

Sworn before me at the }
of , in the }
or this } (Signature.)
day of A.D. 18 . }

FORM I.

RECEIPT OR ACKNOWLEDGMENT OF PAYMENT OF MORTGAGE
OR OTHER ENCUMBRANCE.

I, C. D., the mortgagee (encumbrancee or assignee as the case may be) do acknowledge to have received all the moneys due or to become due under the within written mortgage (or encumbrance, as the case may be) and that the same is wholly discharged.

In witness whereof I have hereunto subscribed my name
this day of , 18 .

Signed by the above named C.D., } (Signature.)
in the presence of

FORM J.

TRANSFER.

I, A.B., being registered owner of an estate (*state the nature of estate*), subject, however, to such encumbrances, liens and interests as are notified by memorandum underwritten (or endorsed hereon), in all that certain tract of land containing acres, more or less, and being (part of) section, township , range , in the (or as the case may be), (*here state rights of way, privileges, easements, if any, intended to be conveyed along with the land, and if the land dealt with contains all included in the original grant refer thereto for descriptions of parcels and diagrams; otherwise set forth the boundaries and accompany the description by a diagram*), do hereby, in consideration of the sum of dollars paid to me by E.F., the receipt of which sum I hereby acknowledge, transfer to the said E.F., all my estate and interest in the said piece of land. (*When a lesser estate describe such lesser estate.*)

In witness whereof, I have hereunto subscribed my name
this day of , 18 .

Signed by said A.B., in the } (Signature.)
presence of

FORM K.

LEASE.

I, A.B., being registered as owner, subject, however, to such mortgages and encumbrances as are notified by memorandum underwritten (or endorsed hereon), of that piece of land (*describe it*), part of , section , township , range , (*or as the case may be*), containing acres, more or less (*here state rights of way,*

way, privileges, easements, if any, intended to be conveyed along with the land, and if the land dealt with contains all included in the original grant or certificate of title or lease, refer thereto for description and diagram, otherwise set forth the boundaries by metes and bounds) do hereby lease to E.F., of (here insert description), all the said land, to be held by him, the said E. F. as tenant, for the space of _____ years, from (here state the date and term), at the yearly rental of _____ dollars, payable (here insert terms of payment of rent), subject to the covenants and powers implied (also set forth any special covenants or modifications of implied covenants).

I, E.F., of (here insert description), do hereby accept this lease of the above described land, to be held by me as tenant, and subject to the conditions, restrictions and covenants above set forth.

Dated this _____ day of _____ .

Signed by above-named A. B., }
 as lessor, and E. F., as lessee, } (Signature of lessor.)
 in presence of _____ } (Signature of lessee.)

(Here insert memorandum of mortgages and encumbrances.)

FORM L.

SHORT COVENANTS IN LEASE.

COLUMN ONE.

COLUMN TWO.

1. Will not, without leave, assign or sublet.

1. The covenantor, his executors, administrators, or transferees, will not, during the said term, transfer, assign or sublet the land and premises hereby leased, or any part thereof, or otherwise by any act or deed procure the said land and premises, or any part thereof, to be transferred or sublet, without the consent in writing of the lessor or his transferees first had and obtained.

2. Will fence.

2. The covenantor, his executors, administrators, or transferees, will during the continuance of the said term, erect and put upon the boundaries of the said land, or on those boundaries on which no substantial fence now exists, a good and substantial fence.

3. Will cultivate.

3. The covenantor, his executors, administrators, or transferees, will, at all times during the said term, cultivate, use and manage in a proper husbandlike manner, all such parts of the land as are now or shall hereafter, with the consent in writing of the said lessor or his transferees, be broken up or converted into tillage, and will not impoverish or waste the same.

4. Will not cut timber.

4. The covenantor, his executors, administrators, or transferees, will not cut down, fell, injure or destroy any living timber or timberlike tree standing and being upon the said land, without the consent in writing of the said lessor or his transferees.

5. Will not carry on offensive trade. 5. The covenantor, his executors, administrators, or transferees, will not, at any time during the said term, use, exercise, or carry on, or permit or suffer to be used, exercised or carried on, in or upon the said premises, or any part thereof any noxious, noisome or offensive art, trade, business, occupation or calling; and no act, matter or thing whatsoever shall, at any time during the said term, be done in or upon the said premises, or any part thereof, which shall or may be or grow to the annoyance, nuisance, grievance, damage or any disturbance of the occupiers or owners of the adjoining lands and properties.

FORM M.

In consideration of dollars to me paid by (lessee or his assigns) (*as the case may be*) I do hereby surrender and yield up from the day of the date hereof unto the lease (*describe the lease fully*) and the term therein created.

Dated the day of A.D. 18 .

Signed by the above named }
in the presence of . }

FORM N.

MORTGAGE.

I, A. B., being registered as owner of an estate (*here state nature of interest*), subject, however, to such encumbrances, liens and interests as are notified by memorandum underwritten (*or endorsed hereon*) of that piece of land (*description*), part of section , township , range , (*or as the case may be*) containing acres, be the same more or less (*here state rights of way, privileges, easements, if any, intended to be conveyed along with the land, and if the land dealt with contains all included in the original grants, refer thereto for description of parcels and diagrams; otherwise set forth the boundaries and accompany the description by a diagram*), in consideration of the sum of dollars lent to me by E. F., (*here insert description*), the receipt of which sum I do hereby acknowledge, covenant with the said E. F. :—

Firstly. That I will pay to him, the said E. F., the above sum of dollars, on the day of .

Secondly. That I will pay interest on the said sum at the rate of on the dollar, in the year, by equal payments on the day of , and on the day of in every year.

Thirdly. (*Here set forth special covenants, if any.*)

And for the better securing of the said E. F. the repayment, in manner aforesaid, of the principal sum and interest, I hereby mortgage to the said E. F. my estate and interest in the land above described.

FORM P.

TRANSFER OF MORTGAGE, ENCUMBRANCE, OR LEASE.

I, C.D., the mortgagee, (encumbrancee or lessee as the case may be), in consideration of _____ dollars this day paid to me by X.Y., of _____, the receipt of which sum I do hereby acknowledge, hereby transfer to him the mortgage (encumbrance or lease, as the case may be, describe the instrument fully), together with all my rights, powers, title, and interest therein.

In witness whereof, I have hereunto subscribed my name this _____ day of _____, 18 _____.

Signed by the said _____
of _____ in presence } C. D., *Transferror.*
Accepted, X. Y., *Transferee.*

FORM Q.

TRANSFER OF PART OF MORTGAGE OR ENCUMBRANCE.

I, C.D., the mortgagee (or encumbrancee, or as the case may be), in consideration of _____ dollars this day paid to me by X. Y., of _____, the receipt of which sum I do hereby acknowledge, hereby transfer to him _____ dollars of the mortgage (or encumbrance, as the case may be, describe the instrument fully), together with all my rights, powers, title, and interest therein, and the sum so transferred shall be preferred (or deferred or rank equally, as the case may be) to the remaining sum secured by the mortgage (or encumbrance).

In witness whereof, I have hereunto subscribed my name this _____ day of _____, 18 _____.

Signed by the said _____
of _____ in presence } C. D., *Transferror.*
Accepted, X. Y., *Transferee.*

FORM R.

SHORT COVENANTS IN MORTGAGE.

COLUMN ONE.

COLUMN TWO.

1. Has a good title to the said land. 1. And also, that the said mortgagor, at the time of the sealing and delivery hereof, is, and stands solely, rightfully and lawfully seised of a good, sure, perfect, absolute and indefeasible estate of inheritance, in fee-simple, of and in the lands, tenements, hereditaments and all and singular other

the premises hereinbefore described, with their and every part of their appurtenances, and of and in every part and parcel thereof, without any manner of trusts, reservations, limitations, provisos or conditions, except those contained in the original grant thereof from the Crown, or any other matter or thing to alter, charge, change, encumber or defeat the same.

2. Has the right to mortgage the land.

2. And also, that the said mortgagor now hath in himself good right, full power and lawful and absolute authority to convey the said lands, tenements, hereditaments, and all and singular other the premises hereby conveyed or hereinbefore mentioned or intended so to be, with their and every of their appurtenances unto the said mortgagee, his heirs, executors, administrators and assigns in manner aforesaid, and according to the true intent and meaning of these presents.

3. And that on default the (*mortgagee*) shall have quiet possession of the land.

3. And also, that from and after default shall happen to be made of or in the payment of the said sum of money, in the said above proviso mentioned, or the interest thereof, or any part thereof, or of or in the doing, observing, performing, fulfilling or keeping of some one or more of the provisions, agreements or stipulations in the said above proviso particularly set forth, contrary to the true intent and meaning of these presents, and of the said proviso, then, and in every such case, it shall and may be lawful to and for the said mortgagee, his heirs, executors, administrators, and assigns, peaceably and quietly to enter into, have, hold, use, occupy, possess, and enjoy the aforesaid lands, tenements, hereditaments and premises, hereby conveyed or mentioned or intended so to be, with their appurtenances, without the let, suit, hindrance, interruption or denial of him the said mortgagor, his heirs, or assigns, or any other person or persons whomsoever.

4. Free from all encumbrances.

4. And that free and clear and freely and clearly acquitted, exonerated and discharged of and from all arrears of taxes and assessments whatsoever due or payable upon or in respect of the said lands, tenements, hereditaments and premises, or any part thereof, and of and from all former conveyances, mortgages, rights, annuities, debts, judgments, executions and recognizances, and of and from all manner of other charges or encumbrances whatsoever.

5. Will execute such further assurances of the land as may be requisite.

5. And also, that from and after default shall happen to be made of or in the payment of the said sum of money in the said proviso mentioned, or the interest thereof, or any part of such money or interest or of or in the doing, observing, performing, fulfilling or keeping of some one or more of the provisions, agreements or stipulations in the said above proviso particularly set forth, contrary to the true intent and meaning of these presents and of the said proviso, then and in every such case the said mortgagor, his heirs and assigns, and all and every other person or persons whatsoever having, or lawfully claiming, or who shall or may have or lawfully claim any estate,

right, title, interest or trust of, in, to or out of the lands, tenements, hereditaments, and premises hereby conveyed or mentioned or intended so to be, with the appurtenances or any part thereof, by, from, under or in trust for him the said mortgagor, shall and will, from time to time, and at all times thereafter, at the proper costs and charges of the said mortgagee, his heirs, executors, administrators and assigns make, do, suffer and execute, or cause or procure to be made, done, suffered and executed, all and every such further and other reasonable act or acts, deed or deeds, devices, conveyances and assurances in the law for the further, better and more perfectly and absolutely conveying the said lands, tenements, hereditaments and premises, with the appurtenances, unto the said mortgagee, his heirs, executors, administrators and assigns, as by the said mortgagee his heirs, executors or his or their counsel learned in the law, shall or may be lawfully and reasonably devised, advised or required, so as no person who shall be required to make or execute such assurances shall be compelled, for the making or executing thereof, to go or travel from his usual place of abode.

6. Has done no act to encumber the land.

6. And also that the said mortgagor hath not at any time heretofore made, done, committed, executed or wilfully or knowingly suffered any act, deed, matter or thing whatsoever whereby or by means whereof the said lands, tenements, hereditaments and premises hereby conveyed or mentioned or intended so to be, or any part or parcel thereof, are, is or shall or may be in any wise impeached, charged, affected or encumbered in title, estate, or otherwise howsoever.

FORM S.

POWER OF ATTORNEY.

I, A. B., being registered owner of an estate (*here state nature of the estate or interest*), subject, however, to such encumbrances, liens and interests as are notified by memorandum underwritten (or endorsed hereon), (*here refer to schedule for description and contents of the several parcels of land intended to be affected, which schedule must contain reference to the existing certificate of title or lease of each parcel*) do hereby appoint C. D. attorney on my behalf to (*here state the nature and extent of the powers intended to be conferred, as to sell, lease, mortgage, etc.*), the land in the said schedule described, and to execute all such instruments, and do all such acts, matters and things as may be necessary for carrying out the powers hereby given and for the recovery of all rents and sums of money that may become or are now due, or owing to me in respect of the said lands, and for the enforcement of all contracts, covenants or conditions

ditions binding upon any lessee or occupier of the said lands, or upon any other person in respect of the same, and for the taking and maintaining possession of the said lands, and for protecting the same from waste, damage or trespass.

In witness whereof, I have hereunto subscribed my name this day of , 18 .

Signed by the above named A. B. }
in the presence of . (Signature.)

FORM T.

REVOCATION OF POWER OF ATTORNEY.

I, A. B., of , hereby revoke the power of attorney, given by me to , dated the day of .

In witness whereof, I have hereunto subscribed my name this day of , 18 .

Signed by the above named A. B. }
in the presence of . (Signature.)

FORM U.

TRANSFER OF LAND UNDER PROCESS OF LAW.

I, , of , the person appointed to execute the process hereinafter mentioned, in pursuance of a writ dated the day of , one thousand eight hundred and , and issued out of (*insert name of court*), a court of competent jurisdiction, in an action wherein is the plaintiff, and the defendant, which said

is registered as the owner of the land hereinafter described, subject to the mortgages and encumbrances notified hereunder, do hereby, in consideration of the sum of paid to me, as aforesaid, by E. F. (*insert addition*) TRANSFER to the said E. F. all that piece of land (*here insert a sufficient description of the land, and refer to the debtor's certificate of title or grant*).

Dated the day of one thousand eight hundred and .

Signed by the above named }
of , in presence } (Signature with official seal.)

Mortgages and encumbrances referred to. (*State them.*)

Or

FORM U.

TRANSFER OF LAND ON SALE FOR TAXES.

I, _____, of _____, by virtue of authority vested in me to sell lands for arrears of taxes by _____ do hereby in consideration of the sum of _____ paid to me by E. F. (*insert addition*) TRANSFER to the said E. F. all that piece of land being (*here insert a sufficient description of the land, and refer to the certificate of title.*)

Dated the _____ day of _____, one thousand eight hundred and _____.

Signed by the above named _____ }
 of _____, in presence _____ } (*Signature with official seal.*)

Or

FORM U.

TRANSFER OF LEASE, MORTGAGE, OR ENCUMBRANCE UNDER PROCESS OF LAW.

I, _____, of _____, the person appointed to execute the writ hereinafter mentioned (*or otherwise, as the case may be*), in pursuance of a writ of *feri facias*, tested the _____ day of _____ one thousand eight hundred and _____, and issued out of (*insert name of court*) a court of competent jurisdiction, in an action wherein _____ is the plaintiff and _____ the defendant, which said _____ is registered as the owner of a lease (*mortgage or encumbrance, as the case may be*) numbered _____ of (*or upon*) the land hereinafter described, subject to the mortgages or encumbrances notified hereunder, do hereby, in consideration of the sum of _____ paid to me as _____ aforesaid, by E. F. (*insert addition*) TRANSFER to the said E. F. the lease (*mortgage or encumbrance*) granted by _____ to and in favour of _____, dated the _____ day of _____, to, in and over (*here describe the land according to the description in the lease, mortgage or encumbrance, and refer to the registered instrument.*)

Dated the _____ day of _____, one thousand eight hundred and _____.

Signed by the above named _____ }
 of _____, in presence _____ } (*Signature with official seal.*)

FORM V.

FORM OF CAVEAT FORBIDDING REGISTRATION OR DEALING
WITH LANDS.

To the registrar _____ district:
 Take notice that I, A. B., of (*insert description*), claiming
 (*here state the nature of the estate or interest claimed, and the
 grounds upon which such claim is founded*) in (*here describe
 land and refer to certificate of title*), forbid the registration
 of any transfer or other instrument until this caveat is with-
 drawn by the caveator or by the order of a court of competent
 jurisdiction, or a judge thereof, or unless such dealing is
 subject to the claim of the caveator, or until after the lapse
 of _____ days from the date of the service of notice on
 the caveator at the following address: (*Insert it.*)

Dated this _____ day of _____, 18 .

Signed by the above named } (*Signature of caveator or*
 in the presence } *his agent.*)
 of _____

I, the above named A. B. (*or C. D.*, agent for the above
 A. B.,) of (*residence and description*) make oath (*or affirm, as
 the case may be*) and say, that all allegations in the above
 caveat are true in substance and in fact (*and if no personal
 knowledge, add, as I have been informed and verily believe.*)
 Sworn, etc.

(*Signature.*)

FORM W.

AFFIDAVIT OF ATTESTATION OF AN INSTRUMENT.

I, (A. B.), of _____, in the _____, make oath and
 say:—

1. I was personally present and did see
 named in the (within *or* annexed) instrument, who is per-
 sonally known to me to be the person named therein, duly
 sign and execute the same for the purposes named therein;
2. That the same was executed at the _____, in the
 _____, and that I am the subscribing witness thereto;
3. That I _____ know the said _____ and he is
 in my belief of the full age of twenty-one years.

Sworn before me, at _____, in the _____ }
 of _____, this _____ day } (*Signature.*)
 of A.D. 18

FORM X.

REFERENCE BY REGISTRAR TO THE JUDGE.

(Place and date.)

In the matter of the registration of transfer *(or as the case may be)* A. B. to C. D.

The registrar, under section one hundred and eleven of "*The Land Titles Act, 1894,*" hereby refers the following matter to the judge, to wit: *(Here state briefly the difficulty which has arisen.)*

The parties interested, so far as the registrar knows or has been informed, are: *(Here give the names.)*

(Signature.)

[Official seal]

Registrar.

FORM Y

DEMAND TO RETURN CERTIFICATE OF TITLE.

To *(name of owner or whoever is custodian of certificate)*:

You are hereby required to forward to the land titles office, certificate of title, No. , in favour of *(insert owner's name)* for *(description of land)* as the same is required by me pursuant to the provisions of "*The Land Titles Act, 1894,*" for the purpose *(purpose for which certificate is required and whether or not by direction of a judge)*.

Your attention is called to the provisions of sections 112 and 113 of the said Act, and the penalty therein provided for neglect or refusal to comply with this demand

A. B.,

Registrar,

District.

FORM Z.

I, _____ Dominion land surveyor, do solemnly declare that this plan accurately shows the manner in which the land included therein has been surveyed and subdivided by me, and that the said plan is prepared in accordance with the provisions of "*The Land Titles Act, 1894.*"

Dated at _____ 18 .

Signed in the presence of }

A. B.,

Dominion land surveyor.



57-58 VICTORIA.

CHAP. 29.

An Act to repeal the Homestead Exemption Act.

[Assented to 23rd July, 1894.]

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

1. *The Homestead Exemption Act*, chapter fifty-two of the Revised Statutes, as amended by chapter nineteen of the Statutes of 1893, intituled *An Act to amend the Homestead Exemption Act*, is hereby repealed. Repeal of R.S.C., c. 52, and 1893, c. 19.

2. Any provisions which have been heretofore enacted by the Legislative Assembly of the North-west Territories and are not repealed, purporting to exempt real property in the North-west Territories from seizure by virtue of writs of execution, and the validity of which has been questioned or may be open to question by reason of their repugnancy to the provisions of the Act hereby repealed, shall hereafter be deemed to be valid and shall have force and effect as law. Validity of ordinances of Legislative Assembly of N. W. T.

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





57-58 VICTORIA.

CHAP. 30.

An Act respecting the utilization of the waters of the North-west Territories for Irrigation and other purposes.

[Assented to 23rd July, 1894.]

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 North-west Irrigation Act*. Short title.

2. In this Act, unless the context otherwise requires,—
- (a.) The expression “minister” means the Minister of the Interior; Interpretation.
“Minister.”
 - (b.) The expression “agent” means the registrar of the lands registration district in which the land or water is situated; “Agent.”
 - (c.) The expression “Dominion land surveyor” means a surveyor duly authorized, under the provisions of *The Dominion Lands Act*, to survey Dominion lands; “Dominion land surveyor.”
 - (d.) The expression “company” means any incorporated company, the objects and powers of which extend to or include the construction or operation of irrigation or other works under this Act or the carrying on thereunder of the business of the supply or the sale of water for irrigation or other purposes, and includes also any person who has been authorized or has applied for authority to construct and operate such works or carry on such business, or who has obtained a license under section eleven of this Act; “Company.”
 - (e.) The expression “works” means and includes any dykes, dams, weirs, flood-gates, breakwaters, drains, ditches, basins, reservoirs, canals, tunnels, bridges, culverts, cribs, embankments, headworks, flumes, aqueducts, pipes, pumps and any contrivance for carrying or conducting water or other works which are authorized to be constructed under the provisions of this Act; “Works.”
 - (f.) The expression “duty of water” means the area of land that a unit of water will irrigate, which unit is the discharge of one cubic foot of water per second. “Duty of water.”

3. This Act shall apply to and be in force throughout the North-west Territories. Application.

Right to use waters.

4. Until the contrary is proved, the right to the use of all water at any time in any river, stream, watercourse, lake, creek, ravine, cañon, lagoon, swamp, marsh or other body of water shall, for the purposes of this Act, in every case be deemed to be vested in the Crown ; and, save in the exercise of any legal right existing at the time of such diversion or use, no person shall divert or use any water from any river, stream, watercourse, lake, creek, ravine, cañon, lagoon, swamp, marsh or other body of water, otherwise than under the provisions of this Act.

As to rights already held.

Rights of grantee of Crown lands.

5. Except in pursuance of some agreement or undertaking existing at the time of the passing of this Act, no grant shall be hereafter made by the Crown of lands or of any estate, in such terms as to vest in the grantee any exclusive or other property or interest in or any exclusive right or privilege with respect to any lake, river, stream or other body of water, or in or with respect to the water contained or flowing therein, or the land forming the bed or shore thereof.

Right to use waters may be acquired only under this Act.

6. After the passing of this Act, no right to the permanent diversion or to the exclusive use of the water in any river, stream, watercourse, lake, creek, ravine, canon, lagoon, swamp, marsh or other body of water, shall be acquired by any riparian owner or any other person by length of use or otherwise than as it may be acquired or conferred under the provisions of this Act, unless it is acquired by a grant made in pursuance of some agreement or undertaking existing at the time of the passing of this Act.

Persons already holding rights must obtain license.

7. Any person who holds water rights of a class similar to those which may be acquired under this Act, or who, with or without authority, has constructed or is operating works for the utilization of water, shall obtain a license or authorization under this Act within twelve months from the date of the passing of this Act.

If license is not obtained within stated time.

2. If such license or authorization is obtained within the time limited, the exercise of such rights may thereafter be continued, and such works may be carried on under the provisions of this Act, otherwise such rights or works, and all the interest of such person therein, shall without any demand or proceeding be absolutely forfeited to Her Majesty and may be disposed of or dealt with as the Governor in Council sees fit.

Application for license.

3. The application for such license or authorization shall be made in the same manner as for other licenses or authorization under this Act, and the like proceedings shall be had thereon and the like information furnished in connection therewith.

Application for water rights which are vested in the Crown.

8. Any water the property in which is vested in the Crown may be acquired, for domestic, irrigation, or other purposes, upon application therefor as hereinafter provided ; and all applications made in accordance with the provisions of this Act shall

shall have precedence, except applications under section seven, according to the date of filing them with the agent, if for the same purpose, but not otherwise.

2. The purposes for which the right to water may be acquired are of three classes, namely : First, domestic purposes, which shall be taken to mean household and sanitary purposes and the watering of stock, and all purposes connected with the working of railways or factories by steam, but shall not include the sale or barter of water for such purposes ; second, irrigation purposes ; and, third, other purposes. Water rights classified.

3. Applications shall have precedence in this order irrespective of the date of filing, so that all applications for domestic purposes shall have precedence of all those for irrigation and other purposes, and all applications for irrigation purposes shall have precedence of all those for purposes within the third class. Ranking of applications.

9. No application for any purpose shall be granted where the proposed use of the water would deprive any person owning lands adjoining the river, stream, lake or other source of supply of whatever water he requires for domestic purposes. Rights of riparian proprietors.

10. When any person abandons or ceases to use any waters acquired by him for the purposes for which they were acquired, or wastes such waters, his right to use them shall cease. Water rights forfeited by non-user or waste.

11. Any person contemplating or projecting any works under this Act, may, upon submitting a general description of such works and upon payment of a fee of five dollars, obtain from the agent a license to do the necessary preliminary work in connection with the location of such works ; and after he obtains such license may, with such assistants as are necessary, enter into and upon any public or private lands to take levels, make surveys, and do other necessary work in connection with such location, doing no unnecessary damage. Preliminary work by licensee. Entering lands.

12. Any company applying for a license or authorization under this Act shall file with the minister and the agent a memorial setting forth the names of its shareholders and their places of residence, the date and manner of its incorporation, the names of its directors and officers and their places of residence, the amount of the company's subscribed capital and the amount of its paid-up capital, the proposed method of raising further funds, if needed, and the purposes for which the company is incorporated. Memorial and maps and plans to be filed by applicant for license.

2. If the applicant is not an incorporated company, the memorial shall set forth his name, residence and occupation, and such particulars as to his financial standing as shall establish to the satisfaction of the minister his ability to carry out the proposed undertaking. If not a company.

Certain details to be furnished.

3. The memorial shall also state the name of any river, stream or other source of supply from which water is to be diverted, the extent of settlement along or in the vicinity of such river, stream or other source of water supply; the probable quantity of water to be used, and the point of diversion; the works proposed to be constructed for the purposes of the undertaking, and the locality of the same, as near as may be; the purpose to which the said water is to be applied, and the proposed rate to be charged for it; the probable number of consumers; the probable quantity of land that may be beneficially irrigated; the character, description and value of such land in its present state, including improvements, and such other and further particulars as are needful to a full understanding of the scheme.

General map of country to be served.

4. Attached to the memorial shall be a general map or plan, on a scale of not less than one inch to half a mile, showing the tract to be served by such water, the location of all rivers, streams and other sources of water supply therein, and the probable location of the proposed works, also the position and area of all ponds, reservoirs or basins intended to be created for the purpose of storing water or which may have that effect.

Plans of bridges and other structures.

5. There shall also be filed with the memorial, plans in detail of all bridges or culverts necessary for road or farm crossings over or under the works of the company, also plans in detail of flumes, headworks, dams or other structures for the diversion or use of water, such plans to be on a scale of not less than one inch to four feet.

Additional plans in the case of certain canals.

6. In the case of all ditches or canals carrying more than twenty-five cubic feet of water per second, in addition to the above information the applicants shall furnish the following maps or plans:

(a.) A longitudinal profile of the ditch, showing the bottom and the proposed surface water line. The horizontal scale of this plan shall be not less than one inch to four hundred feet, and the vertical scale not less than one inch to twenty feet;

(b.) A plan showing cross-sections at a sufficient number of points to fully illustrate all the different forms which the ditch when constructed will take, particularly on side-hills or elsewhere where any portion of the water is to be conveyed in fill. When water is to be conveyed in cut there shall also be shown on this plan cross-sections at points where the shortest horizontal distance from either side of the bottom of the ditch to the surface of the ground is less than double the bottom width of the ditch at that point. The plan shall be drawn on a horizontal and vertical scale of one inch to twenty feet.

Plans of works in connection with reservoirs.

7. Plans of any dams, cribs, embankments or other works proposed to obstruct any river, stream, lake or other source of water supply, or in order to create a pond, reservoir or basin of water anywhere, or which may have that effect, shall be prepared on a longitudinal scale of not less than one inch to one hundred feet, and for cross-sections on a scale of not less than one inch to twenty feet, and shall show what material is intended

to be used and how placed in such works. The timber, brush, stone, brick or other material used in such works shall be shown in detail on a plan, the scale of which shall be not less than one inch to four feet.

8. Cross-section maps or plans showing the surface of the ground under such pond, reservoir or basin of water, and also the surface of the water proposed to be held therein; the horizontal scale of the said maps or plans shall be not less than one inch to one hundred feet; and the vertical scale shall be not less than one inch to twenty feet; and a sufficient number of lines of levels shall be shown, so that the contents of the pond, reservoir or basin of water may be accurately determined. If the maps or plans show the levels by contour lines, they shall be on a scale sufficiently large that the contour lines, showing a vertical distance between them not exceeding one foot, may be accurately delineated. The maps or plans shall have sufficient information to show clearly the property likely to be affected by the creation of such ponds, reservoirs or basins of water, and the manner in which affected, and shall show in detail such other particulars as the minister or the Governor in Council sees fit to order; and there shall also be furnished a plan, on a scale of not less than one inch to four feet, showing the proposed manner of controlling and drawing off the water from any such pond, reservoir, or basin.

Plans of ground under reservoirs.

13. The memorial and maps or plans shall be made in duplicate and signed by the applicant, or, if the applicant is a company, by the executive officers thereof,—such of the maps or plans as are intended to show the land to be affected by the works being also signed and certified correct by a Dominion land surveyor,—and shall be filed, one copy with the minister and the other copy with the agent, and the same or a true copy thereof shall be open for examination by the public at all times in the Department of the Interior at Ottawa, and at the office of the agent.

Filing of memorial and plans with minister and with agent.

2. In any case where he thinks proper, the minister may direct that a copy be also filed in such other place or with such other official or person as he names for that purpose, and such copy also shall be open to public inspection.

Filing elsewhere.

3. Public notice of such filing,—which notice shall contain a statement of the nature of the rights applied for and the general location and character of the proposed works,—shall forthwith be given by the applicant in the *Canada Gazette*, and not less than once a week in some newspaper published in the neighbourhood of the proposed works and to be named by the agent, for a period of not less than thirty days nor more than ninety days, as the minister determines,—within which time all objections to the proposed works shall be forwarded to the minister.

Notice of filing.

4. The minister shall consider all objections filed and report thereon to the Governor in Council, who may thereupon by

Proceedings thereupon.

Order in Council authorize the construction of the said works with such changes or variations as are deemed necessary.

Inspection of works.

14. Any works authorized under this Act shall, if the minister so determines, be constructed subject to inspection during construction from time to time, and on completion, and at any time thereafter, by an officer to be named by the minister; and the cost of such inspection or such portion thereof as the minister decides shall be borne by the company constructing such works.

Inspection on application of proprietor near works.

2. Should any person residing on or owning land in the neighbourhood of any works, either completed or in course of construction, apply to the minister in writing desiring an inspection of such works, the minister may order an inspection thereof.

Deposit to be made by applicant.

3. The minister may require the applicant for inspection to make a deposit of such sum of money as the minister thinks necessary to pay the expenses of an inspection, and in case the application appears to him not to have been justified may cause the whole or part of the expenses to be paid out of such deposit.

Enforcing payment of costs.

4. In case the application appears to the minister to have been justified, he may order the company to pay the whole or any part of the expenses of the inspection, and such payment may be enforced as a debt due to Her Majesty.

Works to be made secure.

5. Upon any inspection under the provisions of this section the minister may order the company to make any addition or alteration which he considers necessary for their security to or in any works of the company, and non-compliance with such order may be dealt with in the same manner as is provided with respect to an order of the minister under section thirty-four of this Act.

Public notice to be given before commencing works.

15. No work shall be commenced until the approval of the Governor in Council has been signified by public notice in the *Canada Gazette* and some newspaper published in the neighbourhood of the proposed works and named by the minister, which notice shall set forth the particulars mentioned in the memorial, with such changes or variations as the Governor in Council sees fit to order, and shall specify a time within which such works shall be completed. Such notice shall be published in not less than two successive issues of such newspaper, and shall be the authority for proceeding with the work. A copy of the notice shall also be recorded in a book specially kept for that purpose by the agent in the office for his district, and this record shall remain open for public inspection. If either the lands on which the water is to be applied or the waters to be used therefor are not confined to the territory assigned to any one agent, a record must be filed with each agent in whose territory any part thereof is situate.

Changes in plans to be filed.

2. Any changes and variations ordered by the Governor in Council regarding the plans of the proposed works must be

filed by the applicant in the office of the agent, and shall form a portion of the record open for public inspection.

3. No material deviation from the plans filed shall be made without permission, and any question arising as to whether any deviation is material or otherwise shall be decided by the minister or such officer as he designates. Deviation from plans.

16. The company, immediately after the last publication of such last mentioned notice, may proceed with the execution and construction of the works authorized, and for the purposes of such execution and construction shall have the powers conferred by *The Railway Act* upon railway companies so far as the same are applicable to the undertaking of the company and are not inconsistent with the provisions of this Act or with the authority given to the company, the provision conferring such powers being taken for this purpose to refer to any work of the company where in the said Act they refer to the railway. When works may be commenced. Powers under c. 29 of 1888.

17. The construction of any work authorized under this Act shall be commenced not later than two months after the last publication of such last-mentioned notice, unless such two months expire between the first day of November and the first day of May following, in which case the time of commencement shall not be later than the first day of May following, and shall proceed continuously until sufficiently completed to supply water to all applicants within the area described in the authorization, provided there is sufficient water available for that purpose; and the minister or such officer as he designates, shall be the sole arbiter as to whether the work is being prosecuted with sufficient vigour. Time for commencing works limited.

2. Should any unforeseen disaster intervene to prevent the construction or completion of the works within the time limited, or for any other reasons which he deems sufficient, the Governor in Council may authorize an extension of time for the commencement or completion of the works. Extension of time in case of disaster.

3. Upon the expiration of the time limited for the completion of the works, the rights granted to the company shall cease and determine, except in so far as they are necessary for effectually operating the works then completed; and any works at the date of such forfeiture constructed or acquired by it may be taken over and operated or disposed of by the Governor in Council in the manner and upon the terms hereinafter provided. Forfeiture of rights if works are not completed within time limited.

18. When any works for carrying water are not of sufficient capacity to carry the quantity of water acquired by their owner, his exclusive right shall be limited to the quantity which such ditch, flume or other contrivance is capable of carrying; and in case of dispute as to such quantity the minister may order an inspection of the works; Company's rights limited by capacity of works.

and the report and finding of the inspecting officer as to the capacity thereof shall, for the purposes of this section, be final and conclusive.

Priority of right.

19. Companies which acquire the right to use or divert water from any river or other source of supply shall, subject to the provisions of section eight, have priority among themselves according to the date of their licenses or authorizations, so that each company shall be entitled to receive the whole of the supply to which its license or authorization entitles it, or to the amount of water which its works will carry, or to the amount of water required by the land on which it is applied, whichever is the smaller amount, before any company whose license or authorization is of a later date has any claim to a supply; and should complaint be made to the minister, or to an officer authorized by him to receive such complaints, that any company is receiving water from such source of supply to which another company is entitled by virtue of priority of right, and that the company having such priority of right is not receiving the supply to which it is entitled, some officer to be named by the minister or the officer to whom complaint is so made, as the case may be, shall inquire into the circumstances of the case, and if he finds that there is ground for the complaint shall cause the head-gates of the ditch or other works of the company which is receiving an undue supply of water to be closed so that the supply to which the other company is entitled shall pass and flow to its works.

Settlement of disputes.

Information to be afforded to inspecting engineer.

20. Every company and the officers and directors thereof shall afford to any inspecting officer such information as is within their knowledge and power in all matters inquired into by him, and shall submit to such inspecting officer all plans, specifications, drawings and documents relating to the construction, repair or state of repairs of the works or any portion thereof.

Proof of his authority.

2. The production of instructions in writing signed by the minister or his deputy or the secretary of the Department of the Interior, shall be sufficient evidence of the authority of such inspecting officer.

Penalty for obstructing him.

3. Every person who wilfully obstructs an inspecting officer in the execution of his duty shall be liable, on summary conviction, to a penalty not exceeding twenty dollars, or to imprisonment for a term not exceeding two months, with or without hard labour, or to both.

Power to take and.

21. Lands required for the works of the company, as shown by the maps and plans filed, in whomsoever they are vested, whether in Her Majesty or in any company under this Act, or in any railway company, or in any other person whomsoever, or any interest in or right or privilege with regard to such land which is so required, may be taken and acquired by the company; and to this end all the provisions of *The*

Railway Act which and so far as they are applicable to such taking and acquisition, shall apply as if they were included in this Act, the Minister of the Interior and the Department of the Interior being substituted for the Minister of Railways and Canals and the Department of Railways and Canals, respectively, wherever in the provisions of the said Act the latter minister and department are referred to: Provided, that the Minister of the Interior may impose such terms and conditions as he thinks proper in the public interest in connection with the acquisition under this section of any lands which are vested in any company under this Act, or in any railway company, or of any interest in such lands or any right or privilege affecting such lands.

2. All the provisions of *The Railway Act* which are applicable shall in like manner apply to fixing the amount of and the payment of compensation for damages to lands arising out of the construction or maintenance of the works of the company or the exercise of any of the powers granted to the company under this Act. Compensation for damages.

22. All maps, plans and books of reference showing the lands required by the company for any purpose in connection with the construction or maintenance of its works must be signed and certified correct by a duly qualified Dominion land surveyor. Maps, etc., to be duly certified.

23. The minister or such officer as he designates shall, in case of dispute, be the sole arbiter as to the area of land which may be taken by the company without the consent of the owner for any purpose in the construction and maintenance of its works. Disputes as to lands taken.

24. Every person who interrupts, molests or hinders in his work any engineer or Dominion land surveyor engaged in making surveys or levels, or in other operations in connection with any work authorized under this Act, is guilty of an offence, and liable on summary conviction to a penalty not exceeding twenty dollars, or to imprisonment for a term not exceeding two months, or both. Penalty for obstructing engineer or surveyor.

25. No company authorized to divert the water of any river, stream, lake or other waters shall divert more water than the quantity actually required for the purpose authorized, and any company or officer or employee thereof so doing shall be guilty of an offence punishable on summary conviction by a fine not exceeding five dollars per day, or fraction of a day, for each unit or fraction of a unit of water so diverted. Penalty for improper diversion of water by company.

2. In case of dispute as to the quantity of water diverted, the minister may order an inspection of the works of the company by an officer named by him for that purpose; and for the purposes of this section the report and finding of such officer as to the quantity diverted shall be final and conclusive. Disputes as to quantity of water diverted.

Penalty for improper diversion by any person.

26. Every person who, without authority, takes or diverts any water from any river, stream, lake or other waters or from any works authorized under this Act, or who takes or diverts therefrom any greater quantity of water than he is entitled to, is guilty of an offence and liable upon summary conviction to a fine not exceeding five dollars per day or fraction of a day for each unit or fraction of a unit of water improperly diverted, or to imprisonment for a term not exceeding thirty days, or to both, and upon indictment to a fine not exceeding five dollars per day or fraction of a day for each unit or fraction of a unit of water improperly diverted, or to imprisonment for a term not exceeding thirty days, or to both.

Forfeiture of company's rights by waste or non-user.

27. When any company abandons or ceases to use any waters acquired by it for the purposes for which they were acquired, and any charge of such abandonment or ceasing to use water is made to the minister, such charge may be inquired into by him or by any person or officer appointed by him for that purpose ; and the minister shall submit his report upon such inquiry to the Governor in Council, and the Governor in Council may make such order in the premises as he deems just and proper ; and if the Governor in Council should, as he may, by such order declare a forfeiture of the right of the company offending to the use of the water authorized, the right so ordered or declared to be forfeited shall cease and determine.

Disposal of surplus water to applicants.

28. Any company having the right to the use of water for irrigation or other purposes shall dispose of any surplus water flowing in its works which is not being utilized or used for the purposes authorized, to any person applying therefor for irrigation purposes and tendering payment for one month in advance at the regular prices.

Payment by applicant.

2. Persons so applying shall pay an amount equal to the cost and expense of the works required to convey the surplus water to them, or shall themselves construct such works ; and until this is done the delivery of surplus water need not be made.

Quantity of water to which applicant is entitled.

3. When the necessary works have been constructed and the payment or tender herein provided for has been made, the applicant shall be entitled to the use of so much of the surplus water as such works have the capacity to carry.

Limitation.

4. Nothing in this section shall be construed to give to any person acquiring the right to use surplus water any right to the said surplus water when it is needed by the company for the purposes authorized, or to waste or sell or dispose thereof after being used by him, or shall prevent the original owners from retaking, selling or disposing thereof in the usual or customary manner after it has been so used as aforesaid.

No discrimination in prices after stated time.

29. No company undertaking to sell water conveyed by its works shall, subsequent to the first four years after the construction

construction of such works as are necessary to convey the water to the user, discriminate between the users of such water regarding the price thereof.

2. If from any cause the whole amount of water agreed to be supplied by a company is not available, then each user shall have furnished to him by the company so much water as shall bear to the available water the same proportion as his usual supply bears to the whole amount agreed to be furnished. If supply of water is insufficient.

3. Any company violating these provisions shall be guilty of an offence against this Act and liable upon summary conviction to a fine not exceeding one thousand dollars for each and every such offence, or to imprisonment for a period not exceeding two months, or to both. Penalty.

30. The minister may grant to any company the right to store for irrigation purposes during periods of floods or high water, or during those portions of the year when water is not required for irrigation purposes, any water not being used during such periods. Storage of water.

2. Should there be any works for the carriage of water which are not being utilized to their full capacity by their owner, and which can with advantage be utilized to carry the whole or any portion of the water desired to be stored any portion of the distance it is required to be so carried or conducted, without interfering with the use made of the said works by their owner, then the said works shall be placed at the disposal of the company desiring to so use it; and if the parties cannot agree to the compensation to be paid for such service, the minister may fix the rate to be paid therefor. Utilization for that purpose of existing works.

31. Any person or company constructing any works under the provisions of this Act, shall during such construction keep open for safe and convenient travel all public highways theretofore publicly travelled as such, when they are crossed by such works, and shall, before water is diverted into, conveyed or stored by any such works extending into or crossing any such highway, construct, to the satisfaction of the minister, a substantial bridge, not less than fourteen feet in breadth, with proper and sufficient approaches thereto, over such works; and every such bridge and the approaches thereto shall be always thereafter maintained by such person or company. Highway crossings.

32. Under this Act the discharge of one cubic foot of water per second shall be the unit of measurement of flowing water, and the cubic foot or acre foot, the unit of measurement of quantity. The acre foot is equivalent to forty-three thousand five hundred and sixty cubic feet. Unit of measurement.

33. Companies constructing and operating works under this Act shall, on or before the thirty-first day of January in each year, make a return to the minister, attested by the oath Annual return by company.

of its president and secretary, for the year ending the thirty-first day of December preceding, showing :

- The amount expended on construction ;
 - The amount expended on repairs ;
 - The amount received from shareholders ;
 - The amount of bonds issued ;
 - The amount received for water supplied for irrigation ;
 - The amount received from other sources ;
 - The amount of dividend declared and paid ;
 - The amount of capital stock authorized ;
 - The amount of capital stock subscribed ;
 - The amount of capital stock paid up to date ;
 - The amount of bonded indebtedness ;
 - The amount bonds sold for ;
 - The rate of interest bonds bear ;
 - The amount of indebtedness other than bonds, and the rate of interest such indebtedness is bearing ;
 - The cost of management ;
 - A statement of the works, and their extent and character ;
 - The number of miles of canals, ditches, etc ;
 - The number of users ;
 - The number of acres actually under irrigation ;
 - The number of acres of irrigable land in the system ;
 - The names of officers and employees ;
 - The proposed extensions during ensuing years and the acreage to be covered thereby ;
- Such other data as the Governor in Council sees fit to order.

Copy of by-laws.

2. Attached to such annual return shall be a copy of the by-laws of the company, showing all amendments thereto during the year covered by the said return.

Exception.

3. The returns required by this section may be waived by the minister in the case of a private person supplying water solely to himself.

Order by minister in case of complaint against company.

34. When a complaint, under oath of the complainant and of at least one witness, is made to the minister or the agent by a consumer of water who has paid his rates, that a company which has engaged or is under obligation to supply him with water is failing to do so, or is failing to keep its works in proper condition, the minister or some person or officer appointed by him for the purpose may make immediate inquiry and take all necessary steps to ascertain the truth of the complaint, and if he considers the complaint established may order and direct that the company shall take forthwith such action as he considers necessary in order as far as possible to remove the cause of complaint.

Reference to judge.

2. If the company fails to obey such order, the minister shall forthwith issue a certificate to that effect, reciting all the facts, which certificate being presented to the judge of the Supreme Court for the judicial district within which such works lie, the judge shall hear and determine the matter in a

summary manner, and shall order the company to proceed with all despatch to take such measures as he considers necessary in the premises; and refusal or neglect to obey any order made by a judge under this section may be treated and punished as contempt of court, and such other proceedings may be had and taken thereon as in the case of non-compliance with any other mandatory order of the said court or a judge thereof.

Refusal to obey order of judge.

35. The Governor in Council may authorize two or more companies whose works are contiguous, to unite and form one company with a view to providing increased water supply and extending their works, when he is satisfied that the holders of more than fifty per cent of the capital stock of each company are in favour of the union, that users dependant upon the water supply will not be injured, and that the companies to be united have the necessary financial means for carrying out the proposed undertaking,—the same particulars being furnished to the Governor in Council as are required to be furnished upon an application for authorization to construct works under this Act; and public notice of the authorization of the united companies and their proposed works shall be given in the manner prescribed in the case of an application under section fifteen.

Amalgamation of companies.

36. The minister or any one specially authorized by him may, when he deems it necessary for the satisfactory carrying out of the provisions of this Act or the regulations to be framed under it, summon before him any person by subpoena, examine such person under oath, and compel the production of papers and writings; and for neglect to obey such summons or refusal to give evidence, or to produce the papers or writings demanded of him, the minister or the person authorized may, by warrant under his hand, order the person in default to be imprisoned in the nearest common jail as for contempt of court, for a period not exceeding fourteen days.

Minister may issue summons.

Penalty for disobeying it.

37. All affidavits, oaths, solemn declarations or affirmations required to be taken under this Act or any regulations made thereunder, may be taken before any agent authorized under this Act, a Dominion lands agent or officer, or any persons specially authorized by the minister to take them, or any other persons authorized to take affidavits in the North-west Territories; and the minister may require any statement called for under this Act, or under any such regulation, to be verified by oath, affidavit, affirmation or declaration.

Before whom affidavits may be taken.

38. The Governor in Council may take such steps as he deems necessary at any time to secure a complete or partial survey of the sources of the water supply for irrigation and other purposes, with an estimate of the extent and location of irrigable lands, and of the site or sites suitable for ponds, basins and reservoirs for water storage, and may reserve lands forming such sites from general sale and settlement and dispose thereof

Governor in Council may order surveys, etc.

by sale or lease to be utilized for purposes within the purview of this Act. He may also take such steps as he thinks necessary to protect the sources of water supply and to prevent any act likely to diminish or injure the said supply.

High water marks, analysis of water, etc.

39. The Governor in Council may from time to time authorize the establishing in rivers, streams, lakes, and other waters, water gauges for computing the approximate volume and discharge of waters, the placing of high water marks on rivers and streams, lakes and other waters when in flood, the taking of steps for securing analyses of the water of rivers, streams, lakes and other waters, and the adopting of such other measures and proceedings for promoting the beneficial use of water, and for controlling and regulating the diversion and the application thereof as he finds necessary and expedient and as are consistent with the provisions of this Act.

Expropriation of works by Government.

40. The Governor in Council may, if in the public interest it is at any time deemed advisable so to do, take over and operate or otherwise dispose of the works of any company authorized under this Act: Provided, that compensation shall be paid for such works at their value,—such value to be ascertained by reference to the Exchequer Court, or by arbitration, one arbitrator to be appointed by the Governor in Council, the second by the owner of the works to be taken over, and the third by the two so appointed, or in case these cannot agree as to the third arbitrator, by the Exchequer Court,—and that in estimating such value the court or the arbitrators may take into account the expenditure of the company and interest on such expenditure, and the value of its property, works and business; Provided also, that no person who at such date is using the water of the said works, shall be deprived of the quantity of water he is entitled to: Provided further, that in any such case the Governor in Council shall have due regard to the claims to consideration of any persons who have prepared or have in course of preparation any land to be supplied with water by the works taken over.

Proviso.

Proviso.

Proviso.

By-laws of company.

41. The by-laws and regulations of companies operating under this Act shall not contain anything contrary to the true intent and meaning of this Act, and shall be subject to revision and approval by the Governor in Council; and no tariff of charges for water furnished by any company shall come into operation until it has been approved by the Governor in Council.

Issue of bonds by company.

42. Any company authorized under this Act may issue bonds, debentures or other securities to the amount of its subscribed capital, or double the amount of its paid-up capital, whichever is the smaller amount.

43. Any company authorized under this Act may acquire land by purchase or lease for improvement by irrigation, and shall dispose thereof within fifteen years after its acquisition, otherwise such land shall revert to the Crown. Acquisition of lands by company.

44. Any company authorized under this Act may for the purposes of its undertaking construct or acquire electric telegraph and telephone lines or any other contrivances for the transmission of messages through or along wires, rods, tubes or other appliances, and may acquire any land necessary for the construction and operation of such lines or contrivances, and the lands necessary to be taken and acquired for this purpose may be acquired under the provisions of section twenty-one of this Act. Company may construct telegraph and telephone lines, etc.

45. The Governor in Council may— General powers of Governor in Council.
Define the manner in which the measure of water shall be arrived at ;

Define the duty of water according to locality and soil ;

Define the portion of the year during which water shall be supplied for irrigation ;

Fix the license fee or charge to be paid by companies applying for registration of water rights or for authority to engage in irrigation or other works under this Act,—which fees or charges may be varied according to the capital employed or volume of water diverted ;

Regulate the extent of diversion from rivers, streams, lakes or other waters ;

Regulate the passage of logs, timber and other products of the forests through or over any dams or other works erected in rivers, streams, lakes and other water under the authority of this Act ;

Regulate from time to time the water rates which may be charged by companies, and the publication of tariffs of rates ;

Prescribe forms to be used in proceedings under this Act ;

Impose penalties for violations of any regulation made under the authority of this Act,—which penalties shall in no case exceed a fine of two hundred dollars or three months' imprisonment, or both ;

Regulate the manner in which water is to be supplied to persons entitled thereto, whether continuously or at stated intervals, or under both systems ;

Authorize some person or officer, whose decision shall be final and without appeal, to decide in cases of dispute as to what constitutes surplus water as mentioned in this Act ;

Make such orders as are deemed necessary, from time to time, to carry out the provisions of this Act according to their true intent, or to meet any cases which arise and for which no provision is made in this Act ; and further, make any regulations which are considered necessary to give the provisions of this Act full effect.

Publication of Orders in Council. **46.** All regulations made and forms prescribed by the Governor in Council under this Act shall be published in the *Canada Gazette* and shall be laid before both Houses of Parliament within the first fifteen days of the session next after the date thereof.

Application of Act to companies now existing. **47.** Any companies already formed to promote irrigation shall be subject to all the provisions of this Act, except so far as the powers mentioned in section forty-two of this Act are concerned.

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



57-58 VICTORIA.

CHAP. 31.

An Act for the preservation of game in the unorganized portions of the North-west Territories of Canada.

[Assented to 23rd July, 1894.]

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 Unorganized Territories' Game Preservation Act, 1894.* Short title.

2. This Act applies only to those portions of the North-west Territories of Canada which are not included within the provisional districts of Assiniboia, Alberta and Saskatchewan. It applies to the district of Keewatin. Application of Act.

3. The names by which the beasts and birds mentioned in this Act are therein described include their young and males and females. Interpretation.

2. The expression "game guardian" means a game guardian appointed under the subsequent provisions of this Act. "Game guardian."

3. The time fixed with respect to any beast or bird by sections four and five, or by the Governor in Council under section six of this Act, is called in this Act "the close season" for that beast or bird. "Close season."

4. Except as hereinafter provided, buffalo and bison shall not be hunted, taken, killed, shot at, wounded, injured, or molested in any way, at any time of the year until the first day of January, A.D. 1900. Buffalo not to be killed for five years.

5. Except as hereinafter provided, the following beasts and birds shall not be hunted, taken, killed, shot at, wounded, injured or molested in any way during the following times of year respectively:— Protection of certain beasts and birds.

(a.) Musk oxen, between the twentieth day of March and the fifteenth day of October; Musk oxen.

Elk, etc.

(b.) Elk or wapiti, moose, cariboo, deer, mountain sheep and mountain goats between the first day of April and the fifteenth day of July, and between the first day of October and the first day of December ;

Fur-bearing animals.

(c.) Minks, fishers and martens between the fifteenth day of March and the first day of November ;

(d.) Otters and beavers between the fifteenth day of May and the first day of October ;

(e.) Muskrats between the fifteenth day of May and the first day of October ;

Birds.

(f.) Grouse, partridges, pheasants and prairie chickens between the first day of January and the first day of September ;

(g.) Wild swans, wild ducks and wild geese between the fifteenth day of January and the first day of September.

Governor in Council may alter close season.

6. The Governor in Council may from time to time, when he deems it expedient or necessary so to do, alter any of the times fixed by sections four and five of this Act.

Eggs not to be taken.

7. Except as hereinafter provided, no eggs in the nest of any of the birds above mentioned, or in the nest of any other species of wild fowl, shall be taken, destroyed, injured or molested at any time of the year.

Exception made for certain persons.

8. Notwithstanding anything in sections four, five, six and seven of this Act, the beasts and birds mentioned in those sections may be lawfully hunted, taken or killed, and eggs of any of the birds or other wild fowl so mentioned may be lawfully taken,—

Indians and other inhabitants.

(a.) By Indians who are inhabitants of the country to which this Act applies, and by other inhabitants of the said country. But this exception does not apply to buffalo, bison, or musk oxen during the close seasons for those beasts ;

Explorers, etc.

(b.) By explorers, surveyors or travellers, who are engaged in any exploration, survey or other examination of the country, and are in actual need of the beasts, birds or eggs for food ;

Persons with permits.

(c.) By any person who has a permit to do so granted under the subsequent provisions of this Act.

Batteries, swivel guns, etc., forbidden.

9. None of the contrivances for taking or killing wild fowl, known as batteries, swivel guns or sunken punts, shall be used, at any time of year, to take, destroy or kill any of the birds mentioned in this Act, or any other species of wild fowl.

Poison forbidden.

10. None of the beasts and birds mentioned in this Act, shall be taken or killed, at any time of year, by the use of poison or poisonous substances.

Use of dogs.

11. No dogs shall be used, at any time of year, for hunting, taking, running, killing, injuring or in any way molesting

musk oxen, buffalo and bison, or, during the close season, any of the other beasts or any of the birds mentioned in this Act.

12. No one shall enter into any contract or agreement with or employ any Indian or other person, whether such Indian or person is an inhabitant of the country to which this Act applies or not, to hunt, kill or take, contrary to the provisions of this Act, any of the beasts or birds mentioned in this Act, or to take contrary to such provisions, any eggs.

No one employed to hunt, etc., contrary to Act.

13. Every one is guilty of an offence who violates any of the foregoing provisions of this Act, and is liable on summary conviction thereof, to a penalty as follows:—

Penalties for violation of preceding sections.

(a.) If the violation is of any provision with regard to musk oxen, buffalo or bison, a penalty of not more than two hundred dollars and not less than fifty dollars;

(b.) If the violation is of any other of the provisions of sections five, nine, ten, eleven and twelve, a penalty of not more than one hundred dollars and not less than twenty dollars;

(c.) If the violation is of any other provision, a penalty of not more than fifty dollars and not less than five dollars;

And he is also liable in every case to pay the costs of conviction.

Costs.

2. If the convicting authority is satisfied that any offence against this Act has been committed in ignorance of the law, and that because of the poverty of the offender the penalty to be imposed would be oppressive, he may sentence the offender to such lesser penalty as seems reasonable in the circumstances.

Penalty may be mitigated under certain circumstances.

14. The authority making the conviction may order that, in default of payment of the penalty and the costs of conviction, forthwith or within such time as he orders, either—

Levying of penalties.

(a.) The penalty and costs shall be levied by distress and sale of the goods and chattels of the person convicted, and that, if sufficient goods and chattels cannot be found, the person convicted shall be imprisoned for a period not less than five days nor more than three months, unless the penalty and costs are sooner paid, in which event he shall be set at liberty; or—

(b.) The person convicted shall be imprisoned for a period not less than five days nor more than three months, unless the penalty and costs are sooner paid, in which event he shall be set at liberty.

2. When because of the distance, or for want of means, conveyance or communication, or for any other cause, it is not practicable to confine such person in the nearest jail, or other place of confinement, the convicting authority shall have power to confine him in any suitable building which is more convenient to the place of trial, and to take all reasonable necessary precautions to prevent his escape therefrom during the term for which he has been committed.

Provision for imprisonment in certain cases.

Application of penalty.

15. Every fine or penalty recovered under this Act shall belong to Her Majesty, and shall be deposited to the credit of the Receiver General on account of this Act, and may be applied if necessary towards any expenses which may be incurred in carrying out its provisions.

Before whom offences may be tried.

16. Offences against this Act may be summarily tried by any of the following authorities:—

(a.) Any judge of the Supreme Court of the North-west Territories.

(b.) Any justice of the peace in and for the North-west Territories.

(c.) Any commissioned officer of the North-west Mounted Police.

(d.) Any game guardian appointed under this Act.

Confiscation and disposal of beasts, etc., subjects of offence.

17. Any beast, bird or eggs in respect of which, or of any part of which, any conviction has been made under this Act, shall be held to be thereby confiscated, and the authority who has made the conviction may make such disposal of them as he thinks fit. They may be kept for his own use but shall not be sold or exported.

Possession, when it is *prima facie* evidence of an offence.

18. Possession as follows, namely:—

(a.) Possession, at any time of year, of a buffalo or bison, dead or alive, or of any part of a buffalo or bison; or—

(b.) Possession, at any time of year, of eggs of any of the birds mentioned in section five, or of eggs of any other species of wild fowl; or—

(c.) Possession, during the close season, of any other beast mentioned in this Act, or of any part of any such beast, or of any bird mentioned in section five,—shall be deemed *prima facie* evidence of the killing or taking of the beast, bird or eggs, as the case may be, contrary to the provisions of this Act.

Game guardians may appoint constables.

19. Any game guardian may, when he considers it necessary so to do, appoint a constable or constables to apprehend any person who has done, or whom he has reason to believe has done, anything in contravention of any of the provisions of this Act; and any such constable shall upon apprehending such person, arrest him and bring him for trial before the nearest game guardian or justice of the peace, together with any beast or bird, or eggs, mentioned in this Act, or any part of any such beast or bird, found in the possession of such person at the time of his apprehension.

Duty of constables.

Search warrants.

20. Any game guardian who has reason to suspect that a breach of any of the provisions of this Act has been committed, or that any beast, bird or eggs in respect of which such a breach has been committed, or any part of any beast or bird, in respect of which such a breach has been committed, is likely to be in any tent or on any premises or on board any

vessel or in any conveyance, may by warrant under his hand authorize any constable to enter and search such tent, premises, vessel or conveyance, and if found to seize any such beast, bird or eggs or any such part of any beast or bird.

21. The Minister of the Interior, or any officer or person duly authorized by him, may issue a permit to any person or persons to take or kill, for scientific purposes, or to take, with a view to domestication, any number not exceeding four of each or of any of the said beasts or birds, except buffalo and bison, or to take eggs not exceeding twelve of each or of any of the said birds, or of any other species of wild fowl.

Permits may be issued to take or kill for scientific purposes.

2. Every such permit shall set forth in detail the name, address and calling of the person, and of each of the persons, to whom it is granted, the object for which it is granted, the number of each species of beasts or birds, and the number of each species of eggs, which it is intended such person or persons may kill or take, and the period of time during which the permit is to be in force.

What permits are to state.

22. The Governor in Council, or such person as he deposes for the purpose, may appoint game guardians for the purpose of carrying out the provisions of this Act. Every game guardian so appointed shall, for the purposes of this Act, after taking the oath of office prescribed by this Act, have within the district for which he is appointed game guardian, all the powers of a justice of the peace in and for the North-west Territories.

Governor in Council may appoint game guardians.

Powers of game guardians.

23. Every game guardian shall, before acting as such guardian, take and subscribe, before any judge, notary public, or justice of the peace, in and for the North-west Territories, or before any person specially deputed by the Governor in Council, the following oath:—

Game guardians to take oath of office.

“I, A.B., a game guardian, in and for the district or territory described in my appointment, do solemnly swear that, to the best of my judgment, I will faithfully, honestly and impartially fulfil, execute and perform the office and duty of such game guardian according to the true intent and meaning of *The Unorganized Territories' Game Preservation Act, 1894*, and of all regulations made or to be made thereunder. So help me God.”

Form of oath.

24. The remuneration of game guardians, constables, and any other person or persons employed to perform any duty imposed by this Act, or by any regulations under it, shall be determined by the Governor in Council, and shall be paid, as costs, in each case, by the person or persons convicted of any violation of any of the provisions of this Act.

Remuneration of game guardians.

25. The Governor in Council may from time to time make such rules and regulations, not inconsistent with the provisions

Governor in Council may make rules of

and regula-
tions for carry-
ing out Act.

of this Act, for carrying out the true intent and meaning thereof, as are found necessary or deemed expedient by him, and may amend or alter the same or any of them from time to time as is found necessary or deemed expedient by him.

N.W.T.
Ordinance
No. 8 not to
apply.

26. The Ordinance of the Legislature of the North-west Territories, No. 8 of 1893, intituled "The Game Ordinance," shall not apply to that part of the country in which this Act is in force.

Coming into
force of Act.

27. This Act shall come into force on the first day of January, eighteen hundred and ninety-six, except sections twenty-two, twenty-three, twenty-four and twenty-five thereof, which shall come into force at the date of its passing.

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



57-58 VICTORIA.

CHAP. 32.

An Act further to amend "The Indian Act."

[Assented to 23rd July, 1894.]

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

1. Section twenty of *The Indian Act*, chapter forty-three of the Revised Statutes, is hereby repealed and the following substituted therefor :—

"20. Indians may devise or bequeath property of any kind in the same manner as other persons: Provided that no devise or bequest of land in a reserve or of any interest therein shall be made to any one not entitled to reside on such reserve, except when the devise or bequest of land is made to the daughter, sister or grand-children of the testator, and that no will purporting to dispose of land in a reserve or any interest therein shall be of any force or effect unless or until the will has been approved by the superintendent general, and that if a will be disapproved by the superintendent general the Indian making the will shall be deemed to have died intestate; and provided further that the superintendent general may approve of a will generally and disallow any disposition thereby made of land in a reserve or of any interest in such land, in which case the will so approved shall have force and effect except so far as such disposition is concerned and the Indian making the will shall be deemed to have died intestate as to the land or interest as to which such disallowance takes place.

"2. Upon the death of an Indian intestate his property of all kinds, real and personal, movable and immovable, including any recognized interest he may have in land in a reserve, shall devolve one-third upon his widow, if any, if she is a woman of good moral character, as to which fact the superintendent general shall be the sole and final judge, and the remainder (or the whole if there is no widow or if the widow is not of good moral character) upon the children in equal shares if they are Indians within the meaning of this Act: provided that if one

R.S.C., c. 43,
s. 20 amended.

Indians may
devise or be-
queath all
property by
will.

Proviso: as to
approval by
superinten-
dent general.

Effect of par-
tial approval.

Distribution
of estate in
case of intes-
tacy.

Descendants
to inherit *per*
stirpes.

Proviso: as to
widow.

Administra-
tion of proper-
ty of minors.

Distribution
in case of
death without
issue.

Distribution
of property of
Indian woman
dying intes-
tate.

or more of the children of such intestate Indian are living and one or more are dead the inheritance shall devolve upon the children who are living and the descendants of such children as have died, so that each child who is living shall receive such share as would have descended to him if all the children of the intestate who have died leaving issue had been living, and so that the descendants of each child who is dead shall inherit in equal shares the share which their parent would have received if living, and the rule of descent thus prescribed shall apply in every case where the descendants of the intestate, entitled to share in the inheritance, are of unequal degrees of consanguinity to the intestate, so that those who are in the nearest degree of consanguinity shall take the shares which would have descended to them, had all the descendants in the same degree of consanguinity who have died leaving issue, been living, and so that the issue of the descendants, who have died, shall respectively take the shares which their parents, if living, would have received: provided that the superintendent general may in his discretion direct that the widow, if she is of good moral character, shall have the right during her widowhood to occupy any land in the reserve of the band to which the deceased belonged of which he was the recognized owner and to have the use of any property of the deceased for which under section seventy-seven of this Act he was not liable to taxation.

“3. During the minority of the children of an Indian who dies intestate the administration and charge of the property to which they are entitled as aforesaid shall devolve upon the widow, if any, of the intestate, if she is of good moral character, and in such case, as each male child attains the age of twenty-one years, and as each female child attains that age or with the consent of the widow marries before that age, the share of such child, shall, subject to the approval of the superintendent general, be conveyed or delivered to him or her; but the superintendent general may at any time remove the widow from such administration and charge and confer the same upon some other person and in like manner may remove such other person and appoint another and so from time to time as occasion requires.

“4. In case any Indian dies intestate without issue, leaving a widow of good moral character, all his property of whatever kind shall devolve upon her, and if he leaves no widow the same shall devolve upon the Indian nearest of kin to the deceased; any interest which he may have had in land in a reserve shall be vested in Her Majesty for the benefit of the band owning such reserve if his nearest of kin is more remote than a brother or sister.

“5. The property of a married Indian woman who dies intestate shall descend in the same manner and be distributed in the same proportions as that of a male Indian under the like circumstances, her widower, if any, taking the share which the widow of such male Indian would take; and the other provi-

sions of this section shall in like manner apply to the case of an intestate married woman, the word "widower" being substituted for the word "widow" in each case. The property of an unmarried Indian woman who dies intestate shall descend in the same manner as if she had been a male.

"6. A claimant of land in a reserve or of any interest therein as devisee or legatee or heir of a deceased Indian shall not be held to be lawfully in possession thereof or to be the recognized owner thereof until he shall have obtained a location ticket therefor from the superintendent general.

In any case location ticket requisite for possession.

"7. The superintendent general may, whenever there are minor children, appoint a fit and proper person to take charge of such children and their property and may remove such person and appoint another and so from time to time as occasion requires.

Appointment of guardians of minors.

"8. The superintendent general may decide all questions which arise under this Act, respecting the distribution among those entitled thereto of the property of a deceased Indian, and he shall be the sole and final judge as to who the persons so entitled are. The superintendent general may do whatsoever in his judgment will best give to each claimant his share according to the true intent and meaning of this Act, and to that end if he thinks fit may direct the sale, lease or other disposition of such property or any part thereof and the distribution or application of the proceeds or income thereof, regard being always had in any such disposition to the restrictions upon the disposition of property in a reserve.

Superintendent general to decide disputes.

"9. Notwithstanding anything in this Act it shall be lawful for the courts having jurisdiction in that regard in the case of persons other than Indians, with but not without the consent of the superintendent general, to grant probate of the wills of Indians and letters of administration of the estate and effects of intestate Indians, in which case such courts and the executors and administrators obtaining such probate or thereby appointed shall have the like jurisdiction and powers as in other cases, except that no disposition shall, without the consent of the superintendent general, be made of or dealing had with regard to any right or interest in land in a reserve or any property for which, under section seventy-seven of this Act, an Indian is not liable to taxation."

Probate and letters of administration.

2. Section twenty-one of *The Indian Act* is hereby repealed and the following substituted therefor:—

Section 21 amended.

"21. Every person, or Indian other than an Indian of the band, who, without the authority of the superintendent general, resides or hunts upon, occupies or uses any land or marsh, or who resides upon or occupies any road, or allowance for road, running through any reserve belonging to or occupied by such band, shall be liable, upon summary conviction, to imprisonment for a term not exceeding one month or to a penalty not exceeding ten dollars and not less than five dollars, with costs of prosecution, half of

Only Indians of the band to reside on or use reserve.

Penalty.

All permis-
sions to the
contrary are
void.

which penalty shall belong to the informer; and all deeds, leases, contracts, agreements or instruments of whatsoever kind made, entered into, or consented to by any Indian, purporting to permit persons or Indians other than Indians of the band to reside or hunt upon such reserve, or to occupy or use any portion thereof, shall be void."

Section 38
amended.

3. Section thirty-eight of *The Indian Act* is hereby repealed and the following substituted therefor :—

Provisions re-
specting sale
or lease of re-
serves.

"**38.** No reserve or portion of a reserve shall be sold, alienated or leased until the same has been released or surrendered to the Crown for the purposes of this Act; but the superintendent general may lease, for the benefit of Indians engaged in occupations which interfere with their cultivating land on the reserve, and of sick, infirm or aged Indians, and of widows and orphans or neglected children, lands to which they are entitled without the same being released or surrendered."

Section 72
amended, and
1887, c. 33, s. 8.

4. The section substituted for section seventy-two of *The Indian Act* by section eight of chapter thirty-three of the Statutes of 1887 is hereby repealed and the following substituted therefor :—

Disposal of
annuity, etc.,
in case of de-
sertion of
family.

"**72.** The superintendent general may stop the payment of the annuity and interest money of, as well as deprive of any participation in the real property of the band, any Indian who is proved, to the satisfaction of the superintendent general, guilty of deserting his family, or of conduct justifying his wife or family in separating from him, or is separated from his family by imprisonment; and the superintendent general may apply the same towards the support of the wife or family of such Indian."

Section 75
amended.

5. Subsection one of section seventy-five of *The Indian Act* is hereby amended by inserting after the word "deposed" in the seventh line thereof the following words "and declared ineligible for re-election for three years."

Deposition of
chiefs for bad
conduct.

Section 94
amended, and
1888, c. 22,
s. 4.

6. The section substituted for section ninety-four of *The Indian Act* by section four of chapter twenty-two of the Statutes of 1888, is hereby amended by adding thereto the following subsection :—

Meaning of
"Indian."

"**2.** In this section the expression 'Indian,' in addition to its ordinary signification as defined in section two of this Act, shall extend to and include any person, male or female, who is reputed to belong to a particular band, or who follows the Indian mode of life, or any child of such person."

Section 99
amended.

7. Section ninety-nine of *The Indian Act* is hereby repealed and the following substituted therefor :—

Arrest and
punishment of
gamblers,
drunken per-
sons, and per-

"**99.** Any constable or peace officer may arrest without warrant any person or Indian found gambling, or drunk, or with intoxicants in his possession, on any part of a reserve,

and may detain him until he can be brought before a justice of the peace, and such person or Indian shall be liable upon summary conviction to imprisonment for a term not exceeding three months or to a penalty not exceeding fifty dollars and not less than ten dollars, with costs of prosecution, half of which penalty shall belong to the informer.”

sons having
intoxicants.

8. The section substituted for section one hundred and seventeen of *The Indian Act* by section nine of chapter twenty-nine of the Statutes of 1890, is hereby repealed and the following substituted therefor:—

Section 117
amended and
1890, c. 29, s.
9.

“117. Every Indian agent shall, for all the purposes of this Act, or of any other Act respecting Indians, and with respect to any offence against the provisions thereof or against the provisions of section ninety-eight or section one hundred and ninety of *The Criminal Code*, 1892, and with respect to any offence by an Indian against any of the provisions of part XIII. of the said Code, be *ex officio* a justice of the peace, and have the power and authority of two justices of the peace, anywhere within the territorial limits of his jurisdiction as a justice, as defined in his appointment or otherwise defined by the Governor in Council, whether the Indian or Indians charged with or in any way concerned in or affected by the offence, matter or thing to be tried, investigated or dealt with, are or are not within his ordinary jurisdiction, charge or supervision as an Indian agent.

Indian agents
to be *ex officio*
justices of the
peace.

Jurisdiction.

“2. In the North-west Territories and the provinces of Manitoba and British Columbia every Indian agent shall for all such purposes and with respect to any such offence be *ex officio* a justice of the peace and have the power and authority of two justices of the peace anywhere in the said Territories or provinces within which his agency is situated, whether or not the territorial limits of his jurisdiction as a justice, as defined in his appointment or otherwise defined as aforesaid, extend to the place where he may have occasion to act as such justice or to exercise such power or authority, and whether the Indians charged with or in any way concerned in or affected by the offence, matter or thing to be tried, investigated or otherwise dealt with, are or are not within his ordinary jurisdiction, charge or supervision as Indian agent.”

Special provision
as to their
jurisdiction in
the N. W.
Territories,
Manitoba and
British Columbia.

9. Section one hundred and thirty-two, as added to *The Indian Act* by section five of chapter twenty-two of the Statutes of 1888, is hereby repealed and the following substituted therefor:—

Section 132
amended and
1888, c. 22, s. 5.

“132. Every fine, penalty or forfeiture under this Act, except so much thereof as is payable to an informer or person suing therefor, shall belong to Her Majesty for the benefit of the band of Indians with respect to which or to one or more members of which the offence was committed, or to which the offender if an Indian belongs; but the Governor General in Council may from time to time direct that the same be paid

Application of
penalties.

Powers of
Governor in
Council.

to any provincial, municipal or local authority which wholly or in part bears the expense of administering the law under which such fine, penalty or forfeiture is imposed, or that the same be applied in any other manner deemed best adapted to attain the objects of such law or to secure its due administration; and may in case of doubt decide what band is entitled to the benefit of any such fine, penalty or forfeiture."

Section 134
amended and
1890, c. 29,
s. 10.

10. Subsection one of section one hundred and thirty-four added to *The Indian Act* by section ten of chapter twenty-nine of the Statutes of 1890, is hereby amended by inserting after the word "shall," in the fifth line thereof, the following words: "without the special license, in writing, of the Superintendent General of Indian Affairs, which license he may at any time revoke."

New sections
added.

11. *The Indian Act* is hereby amended by adding the following sections thereto:—

Powers of
Governor in
Council as to
regulations for
attendance at
school.

"**137.** The Governor in Council may make regulations, either general or affecting the Indians of any province or of any named band, to secure the compulsory attendance of children at school.

"2. Such regulations, in addition to any other provisions deemed expedient, may provide for the arrest and conveyance to school, and detention there, of truant children and of children who are prevented by their parents or guardians from attending: and such regulations may provide for the punishment, upon summary conviction, by fine or imprisonment, or both, of parents and guardians, or persons having the charge of children, who fail, refuse or neglect to cause such children to attend school."

Powers as to
establishment
of industrial
or boarding
schools.

"**138.** The Governor in Council may establish an industrial school or a boarding school for Indians, or may declare any existing Indian school to be such industrial school or boarding school for the purposes of this section.

Regulations.

"2. The Governor in Council may make regulations, which shall have the force of law, for the committal by justices or Indian agents of children of Indian blood under the age of sixteen years, to such industrial school or boarding school, there to be kept, cared for and educated for a period not extending beyond the time at which such children shall reach the age of eighteen years.

Powers as to
application of
annuities.

"3. Such regulations may provide, in such manner as to the Governor in Council seems best, for the application of the annuities and interest moneys of children committed to such industrial school or boarding school, to the maintenance of such schools respectively, or to the maintenance of the children themselves."

Powers as to
direction of
expenditure of
capital of
bands.

"**139.** The Governor in Council may, with the consent of a band, authorize and direct the expenditure of any capital moneys standing at the credit of such band, in the purchase of land as a reserve for the band or as an addition to its reserve,

or in the purchase of cattle for the band, or in the construction of permanent improvements upon the reserve of the band, or such works thereon or in connection therewith as, in his opinion, will be of permanent value to the band, or will, when completed, properly represent capital.”

12. All regulations made by the Governor in Council under this Act shall be published in the *Canada Gazette*, and shall be laid before both Houses of Parliament within the first fifteen days of the session next after the date thereof.

Regulations
to be pub-
lished.

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



57-58 VICTORIA.

CHAP. 33.

An Act to consolidate and amend the Acts respecting the Duties of Customs.

[Assented to 23rd July, 1894.]

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 Customs Tariff, 1894.* Short title.

2. In this Act, and in any other Act relating to customs, unless the context otherwise requires,— Interpretation.

(a.) The initials “n.e.s.” represent and have the meaning of “N.e.s.” the words “not elsewhere specified”;

(b.) The initials “n.o.p.” represent and have the meaning of “N.o.p.” the words “not otherwise provided for”;

(c.) The expression “gallon” means an imperial gallon; “Gallon.”

(d.) The expression “ton” means two thousand pounds avoirdupois; “Ton.”

(e.) The expression “proof” or “proof spirits,” when applied to wines or spirits of any kind, means spirits of a strength equal to that of pure ethyl alcohol compounded with distilled water in such proportions that the resultant mixture shall at a temperature of sixty degrees Fahrenheit have a specific gravity of 0.9198 as compared with that of distilled water at the same temperature; “Proof” or “proof spirits.”

(f.) The expression “gauge,” when applied to metal sheets or plates or to wire, means the thickness as determined by Stubbs’s standard gauge; “Gauge.”

(g.) The expression “in diameter,” when applied to tubing, means the actual inside diameter; “In diameter.”

(h.) The expression “sheet,” when applied to metals, means a sheet or plate not exceeding three-sixteenths of an inch in thickness; “Sheet.”

(i.) The expression “plate,” when applied to metals, means a plate or sheet more than three-sixteenths of an inch in thickness. “Plate.”

Interpreta-
tion.

3. The expressions mentioned in section two of *The Customs Act*, as amended by section two of *The Customs Amendment Act*, 1888, whenever they occur herein, or in any Act relating to the customs, unless the context otherwise requires, have the meaning assigned to them respectively by the said sections two ; and any power conferred upon the Governor in Council by *The Customs Act* to transfer dutiable goods to the list of goods which may be imported free of duty is not hereby abrogated or impaired.

Saving certain
power of Gov-
ernor in Coun-
cil.

Duties in
schedule A
imposed.

4. Subject to the provisions of this Act and to the requirements of *The Customs Act*, chapter thirty-two of the Revised Statutes, as amended, there shall be levied, collected and paid upon all goods enumerated, or referred to as not enumerated, in schedule A to this Act, the several rates of duties of customs set forth and described in the said schedule and set opposite to each item respectively or charged thereon as not enumerated, when such goods are imported into Canada or taken out of warehouse for consumption therein.

Goods free of
duty.

5. Subject to the same provisions and to the further conditions contained in schedule B to this Act, all goods enumerated in the said schedule B may be imported into Canada or may be taken out of warehouse for consumption therein, without the payment of any duties of customs thereon.

Prohibited
goods.

6. The importation into Canada of any goods enumerated, described or referred to in schedule C to this Act, is prohibited ; and any such goods if imported shall thereby become forfeited to the Crown and shall be destroyed ; and any person importing any such prohibited goods, or causing or permitting them to be imported, shall for each offence incur a penalty of two hundred dollars.

Fish, etc., to
be free when
free in United
States and
Newfound-
land.

7. The whole or part of the duties hereby imposed upon fish and other products of the fisheries may be remitted as respects either the United States or Newfoundland, or both, upon proclamation of the Governor in Council, which may be issued whenever it appears to his satisfaction that the Governments of the United States and Newfoundland, or of either of them, have made changes in their tariffs of duties imposed upon articles imported from Canada, in reduction or repeal of the duties in force in the said countries respectively.

Eggs to be
free when free
in the United
States.

8. Eggs may be imported into Canada free of duty, or at a less duty than is provided for by this Act, upon proclamation of the Governor in Council, which may be issued whenever it appears to his satisfaction that eggs from Canada may be imported into the United States free of duty, or at a rate of duty not exceeding that payable on eggs under such proclamation when imported into Canada.

9. Whenever it appears to the satisfaction of the Governor in Council that the Governments of France and Spain, or either of them, have made changes in their tariff of duties imposed upon articles imported from Canada, in reduction or repeal of the duties now in force in the said countries, he may, by proclamation, order the whole or part of the duty of thirty per cent *ad valorem* hereby imposed upon wines imported into Canada to be remitted as respects importations from the said countries, or from that one of the said countries by the government of which such change in its tariff of duties has been made as aforesaid.

Remission of duty on wines in certain cases.

10. Shingles and pulp wood, or either of them, may be imported into Canada free of duty, upon proclamation of the Governor in Council, which may be issued whenever it appears to his satisfaction that shingles and pulp wood, or either of them, from Canada may be imported into the United States free of duty.

Shingles and pulp wood to be free when free in United States.

11. Any or all of the following things, that is to say : green or ripe apples, beans, buckwheat, pease, potatoes, rye, rye-flour, hay, and vegetables specified in item 41 in schedule A to this Act, shall be free of duty when imported into Canada from the country of production, upon proclamation of the Governor in Council, which may be issued whenever it appears to his satisfaction that such country imposes no duty on the like product or products imported into it from Canada.

Certain goods to be free when free in country of production.

12. Barley and Indian corn shall be free of duty when imported into Canada from the country of production, upon proclamation of the Governor in Council, which may be issued whenever it appears to his satisfaction that such country whence either or both these products are imported admits both these products free of duty imported into it from Canada.

Barley and Indian corn to be free when free in country of production.

13. If any country imposes a duty upon the articles enumerated in items 734 to 745, both inclusive, in schedule B to this Act, or upon any of such articles, when imported into such country from Canada, the Governor in Council may, by proclamation published in the *Canada Gazette*, declare the following export duties, or any of them, chargeable upon logs exported from Canada to such country, that is to say : on pine, Douglas fir, spruce, fir balsam, cedar, elm and hemlock logs, an export duty not exceeding three dollars per thousand feet, board measure ; and in case of the export of any of the above-mentioned logs in shorter lengths than nine feet, then a rate per cord may be levied in the same way, not greater than the equivalent of the above-mentioned rate per thousand feet, board measure ; and such export duty shall be chargeable accordingly, after the publication of such proclamation : Provided, that the Governor in Council may by proclamation, published in like manner, from time to time remove and re-impose such export duty.

Export duties on wood may be imposed in certain case.

Certain Canadian exports to be free if re-imported.

14. Any goods or packages being the growth, produce or manufacture of Canada, and having been exported therefrom and intended to be returned, may be admitted free of duty on being re-imported into Canada; provided such goods or packages were entered for exportation, and branded or marked by a collector or proper officer of customs, and are fully identified by the collector or proper officer at the port or place where they are so re-imported; and provided further, that the property in such goods or packages has continued in the person by whom they were exported, and that such re-importation takes place within one year of the exportation thereof.

Drawback on imported Indian corn.

15. On imported Indian corn, to be kiln-dried and ground into meal for human food, or ground into meal and kiln-dried for such use, under such regulations as are made by the Governor in Council, there may be allowed a drawback of ninety per cent of the duty paid.

Export of game prohibited.

16. The export of deer, wild turkeys, quail, partridge, prairie fowl and woodcock, in the carcase or parts thereof, is hereby declared unlawful and prohibited; and any person exporting or attempting to export any such article shall for each such offence incur a penalty of one hundred dollars, and the article so attempted to be exported shall be forfeited, and may, on reasonable cause of suspicion of intention to export, be seized by any officer of the customs, and, if such intention is proved, shall be dealt with as for breach of the customs laws; Provided, that this section shall not apply to the export, under such regulations as are made by the Governor in Council, of any carcase or part thereof of any deer raised or bred by any person, company or association of persons upon his or their own lands.

As to export of carcase of certain deer.

Molasses and syrups, determination of duty on.

17. Regulations respecting the manner in which molasses and syrups shall be sampled and tested for the purpose of determining the classes to which they belong with reference to the duty chargeable thereon shall be made by the controller of customs; and the instruments and appliances necessary for such determination shall be designated by him and supplied to such officers as are by him charged with the duty of sampling and testing such molasses and syrups; and the decision of any officer (to whom is so assigned the testing of such articles) as to the duties to which they are subject under the tariff shall be final and conclusive, unless upon appeal to the commissioner of customs within thirty days from the rendering of such decision, such decision is, with the approval of the controller, changed; and the decision of the commissioner with such approval shall be final.

Wines, spirits, etc., determination of duty on.

18. In the case of all wines, spirits, or alcoholic liquors subject to duty according to their relative strength of proof, such strength shall be ascertained either by means of Sykes's hydro-

meter or of the specific gravity bottle, as the controller of customs directs; and in case such relative strength cannot be correctly ascertained by the direct use of the hydrometer or gravity bottle, it shall be ascertained by the distillation of a sample and the subsequent test in like manner of the distillate.

19. All medicinal or toilet preparations imported for completing the manufacture thereof, or for the manufacture of any other article by the addition of any ingredient or ingredients, or by mixing such preparations, or by putting up or labelling the same, alone or with other articles or compounds, under any proprietary or trade name, shall be, irrespective of cost, valued for duty and duty shall be paid thereon at the ordinary market value in the country whence imported of the completed preparation when put up and labelled under such proprietary or trade name, less the actual cost of labour and material used or expended in Canada in completing the manufacture thereof or putting up or labelling the same.

Value for duty of medicinal or toilet preparations imported for certain purposes.

20. All medicinal preparations, whether chemical or other, usually imported with the name of the manufacturer, shall have the true name of such manufacturer and the place where they are prepared permanently and legibly affixed to each parcel by stamp, label or otherwise; and all medicinal preparations imported without such names so affixed shall be forfeited.

Medicinal preparations to be labelled, etc.

21. The value of all bottles, flasks, jars, demijohns, carboys, casks, hogsheads, pipes, barrels, and all other vessels or packages, manufactured of tin, iron, lead, zinc, glass or any other material, and capable of holding liquids,—and all packages in which goods are commonly placed for home consumption, including cases in which bottled spirits, wines or malt liquors or other liquids are contained,—and every package being the first receptacle or covering inclosing goods for purpose of sale,—shall in all cases, not otherwise provided for, in which they contain goods subject to an *ad valorem* duty or a specific and *ad valorem* duty, be taken and held to be a part of the fair market value of such goods for duty, and shall be charged with the same rate of *ad valorem* duty as is to be levied and collected on the goods they contain; and when they contain goods subject to a specific duty only, such packages shall be charged with a duty of customs of twenty per cent *ad valorem*, to be computed upon their original fair market value; and all or any of the above packages described as capable of holding liquids, when containing goods exempt from duty under this Act, shall be charged with a duty of twenty per cent *ad valorem*, provided the contents thereof are not of such a nature that the destruction of the package becomes necessary in order to release the goods,—and all other packages containing free goods and being the first receptacles or inner coverings inclosing goods for the purpose of sale, and which are not the usual and

Value of packages.

ordinary outside packages in which such goods as they contain are packed for exportation, shall be dutiable at the same rate as if imported empty; but all packages not hereinbefore specified, and not herein specially charged with or declared liable to duty under regulations, and being the usual and ordinary packages in which goods are packed for exportation, according to the general usage and custom of trade, shall be free of duty: Provided further, that all special packages or coverings unlike those in which such goods as they contain are usually packed for home consumption, and all such packages or coverings as are apparently designed for use other than in the importation of the goods they contain, shall be subject to the same rates of duty as they would be subject to if imported empty or separate from their contents.

Penalty for having blank invoice with certificate of correctness.

22. Any person who, without lawful excuse, the proof of which shall be on the person accused, sends or brings into Canada, or who, being in Canada, has in his possession, any bill-heading or other paper appearing to be a heading or blank capable of being filled up and used as an invoice, and bearing any certificate purporting to show, or which may be used to show, that the invoice which may be made from such bill-heading or blank is correct or authentic, is guilty of an indictable offence and liable to a penalty of five hundred dollars, and to imprisonment for a term not exceeding twelve months, in the discretion of the court, and the goods entered under any invoice made from any such bill-heading or blank shall be forfeited.

Affidavit of importer claiming lower rate of duty on certain goods.

23. With respect to goods imported for manufacturing purposes that are admissible under this Act for any specific purposes, at a lower rate of duty than would otherwise be chargeable, or exempt from duty, the importer claiming such exemption from duty, or proportionate exemption from duty, shall make and subscribe to the following affidavit or affirmation before the collector of customs at the port of entry:—

I, (*name of importer*) the undersigned, importer of the (*names of the goods or articles*) mentioned in this entry, do solemnly (*swear or affirm*) that such (*names of the goods or articles*) are imported by me for the manufacture of (*names of the goods to be manufactured*) in my own factory, situated at (*name of the place, county and province*), and that no portion of the same will be used for any other purpose or disposed of until so manufactured.

Repeal.

24. The following Acts are hereby repealed:—Chapter thirty-three of the Revised Statutes, intituled *An Act respecting the duties of Customs*; chapter thirty-nine of the Statutes of 1887, intituled *An Act to amend the Act respecting the duties of Customs*; chapter fifteen of the Statutes of 1888, intituled *An Act to amend chapter thirty-three of the Revised Statutes of Canada, respecting the duties of Customs*; chapter twenty-seven of the

R.S.C., c. 33.
1887, c. 39.
1888, c. 15.
1890, c. 20.
1890, c. 21.
1891, c. 45.
1892, c. 21.
1893, c. 16.

Statutes of 1890, intituled *An Act to amend the Acts respecting the duties of Customs*; chapter twenty-one of the Statutes of 1890, intituled *An Act to amend the Act of the present session, intituled An Act to amend the Acts respecting the duties of Customs*; chapter forty-five of the Statutes of 1891, intituled *An Act to amend the Acts respecting the duties of Customs*; chapter twenty-one of the Statutes of 1892, intituled *An Act further to amend the Acts respecting the duties of Customs*; and chapter sixteen of the Statutes of 1893, intituled *An Act further to amend the Acts respecting the duties of Customs*.

25. All Orders in Council and all departmental regulations inconsistent with any of the provisions of this Act are hereby repealed. Repeal of Orders in Council, etc.

26. The foregoing provisions of this Act shall be held to have come into force on the twenty-seventh day of March, in the present year one thousand eight hundred and ninety-four, and to apply and to have applied to all goods imported or taken out of warehouse for consumption on or after the said day: Provided, that in the case of goods which were imported or taken out of warehouse for consumption, and on which duty was paid, on or after the twenty-seventh day of March, one thousand eight hundred and ninety-four, in accordance with the rate of duty set forth as payable on such goods in the resolutions respecting the duties of customs introduced in the House of Commons on the said twenty-seventh day of March, or in any such resolution subsequently introduced in the said House, the duty so paid shall not be affected, nor shall the person paying it be entitled to any refund or be liable to any further payment of duty, by reason of such rate of duty being altered by any resolution introduced subsequently to that in accordance with which such duty was paid and before the passing of this Act. Foregoing provisions deemed to take effect on 27th March, 1894.
Proviso: as to change of duty after that day and before passing of this Act.

SCHEDULE A.

GOODS SUBJECT TO DUTIES.

Ales, Beers, Wines and Liquors.

1. Ale, beer and porter, when imported in casks or otherwise than in bottle, sixteen cents per gallon..... 16c. p. gall.
2. Ale, beer and porter, when imported in bottles (six quart or twelve pint bottles to be held to contain one gallon), twenty-four cents per gallon..... 24c. p. gall.
3. Cider, not clarified or refined, five cents per gallon..... 5c. p. gall.
4. Cider, clarified or refined, ten cents per gallon..... 10c. p. gall.

5. Lime juice and fruit juices, fortified with or containing not more than twenty-five per cent of proof spirits, sixty cents per gallon ; 60c. p. gall. and when containing more than twenty-five per cent of proof spirits, two dollars per gallon..... \$2 p. gall.
6. Lime juice and other fruit syrups and fruit juices, n.o.p., twenty per cent *ad valorem*.... 20 p. c.
7. Spirituous or alcoholic liquors, distilled from any material, or containing or compounded from or with distilled spirits of any kind, and any mixture thereof with water, for every gallon thereof of the strength of proof, and when of a greater strength than that of proof, at the same rate on the increased quantity that there would be if the liquors were reduced to the strength of proof. When the liquors are of a less strength than that of proof, the duty shall be at a rate herein provided, but computed on a reduced quantity of the liquors in proportion to the lesser degree of strength ; provided, however, that no reduction in quantity shall be computed or made on any liquors below the strength of fifteen per cent under proof, but all such liquors shall be computed as of the strength of fifteen per cent under proof, as follows:—
 - (a.) Ethyl alcohol, or the substance commonly known as alcohol, hydrated oxide of ethyl or spirits of wine ; gin of all kinds, n.e.s.; rum, whiskey and all spirituous or alcoholic liquors, n.o.p.; amyl alcohol or fusel-oil, or any substance known as potato spirit or potato oil ; methyl alcohol, wood alcohol, wood naphtha, pyroxylic spirit or any substance known as wood spirit or methylated spirits, absinthe, arrack or palm spirit, brandy, including artificial brandy and imitations of brandy ; cordials and liqueurs of all kinds, n.e.s. ; mescal, pulque, rum shrub, schiedam and other schnapps; tafia, angostura and similar alcoholic bitters or beverages, two dollars and twelve and one-half cents per gallon..... \$2.12½ p. gall.
 - (b.) Spirits and strong waters of any kind, mixed with any ingredient or ingredients, as being or known or

designated as anodynes, elixirs, essences, extracts, lotions, tinctures or medicines, n.e.s., two dollars and twelve and one-half cents per gal. \$2.12½ p.gall. lon, and thirty per cent *ad valorem* & 30 p. c.

(c.) Alcoholic perfumes and perfumed spirits, bay rum, cologne and lavender waters, hair, tooth and skin washes, and other toilet preparations containing spirits of any kind, when in bottles or flasks containing not more than four ounces each, fifty per cent *ad valorem*; when in bottles, flasks or other packages, containing more than four ounces each, two dollars and twelve and one-half cents per gallon, and forty per cent *ad valorem*..... gall.& 40p.c.

(d.) Nitrous ether, sweet spirits of nitre and aromatic spirits of ammonia, two dollars and twelve and one-half cents per gallon, and thirty per cent *ad valorem*..... gall.& 30p.c.

(e.) Vermouth containing not more than thirty per cent, and ginger wine containing not more than twenty-six per cent of proof spirits, seventy-five cents per gallon; if containing more than these percentages respectively of proof spirits, two dollars and twelve and one-half cents per gallon gall.

8. Wines of all kinds, except sparkling wines, including orange, lemon, strawberry, raspberry, elder and currant wines, containing twenty-six per cent or less of spirits of the strength of proof, whether imported in wood or in bottles (six quart or twelve pint bottles to be held to contain a gallon), twenty-five cents per gallon; and for each degree of strength in excess of the twenty-six per cent of spirits as aforesaid, an additional duty of three cents each degree until the strength reaches forty per cent of proof spirits; and in addition thereto to 40, & 30 thirty per cent *ad valorem*..... p.c.

9. Champagne and all other sparkling wines, in bottles containing each not more than a quart but more than a pint, three dollars and thirty cents per dozen bottles; containing not more than a pint each but more than one-half pint, one dollar and sixty-five cents per dozen bottles; containing one-

half pint each or less, eighty-two cents per 82c. p. doz.
dozen bottles; bottles containing more
than one quart each shall pay, in addition
to three dollars and thirty cents per dozen
bottles, at the rate of one dollar and sixty-\$1.65 p. gall.
five cents per gallon on the quantity in for all over
excess of one quart per bottle, the quarts 1 qt. p. bott.
and pints in each case being old wine
measure; in addition to the above specific
duty there shall be an *ad valorem* duty of
thirty per cent..... 30 p. c.

10. But any liquors imported under the name of wine, and containing more than forty per cent of spirits of the strength of proof shall be rated for duty as unenumerated spirits.

Animals, and Agricultural and Animal products.

11. Animals, living, n.e.s., twenty per cent *ad valorem* 20 p. c.
12. Live hogs, one and one-half cent per pound. 1½c. p. lb.
13. Meats, n.e.s., two cents per pound, when in barrel, the barrel to be free..... 2c. p. lb.
14. Meats, fresh, n.e.s., three cents per pound... 3c. p. lb.
15. Canned meats and canned poultry and game, extracts of meats and fluid beef not medicated, and soups, twenty-five per cent *ad valorem* 25 p. c.
16. Mutton and lamb, fresh, thirty-five per cent *ad valorem*..... 35 p. c.
17. Poultry and game, n.o.p., twenty per cent *ad valorem*..... 20 p. c.
18. Lard, lard compound and similar substances, cottolene and animal stearine of all kinds, n.e.s., two cents per pound..... 2c. p. lb.
19. Tallow and stearic acid, twenty per cent *ad valorem* 20 p. c.
20. Beeswax, ten per cent *ad valorem*..... 10 p. c.
21. Candles, n.e.s., twenty-five per cent *ad valorem* .. 25 p. c.
22. Soap, n.e.s.; pearline and other soap powders; pumice, silver and mineral soaps, sapolio and like articles, thirty-five per cent *ad valorem* 35 p. c.
23. Soap, common or laundry, not perfumed, one cent per pound..... 1c p. lb.
24. Castile soap, mottled or white, two cents per pound..... 2c. p. lb.
25. Glue and mucilage, twenty-five per cent *ad valorem* 25 p. c.

26. Feathers, undressed, twenty per cent <i>ad valorem</i>	20 p. c.
27. Feathers, n.e.s., thirty per cent <i>ad valorem</i> ...	30 p. c.
28. Eggs, five cents per dozen.....	5c. p. doz.
29. Butter, four cents per pound.....	4c. p. lb.
30. Cheese, three cents per pound.....	3c. p. lb.
31. Condensed milk, three cents per pound.....	3c. p. lb.
32. Condensed coffee, condensed coffee with milk, milk foods and all similar preparations, thirty per cent <i>ad valorem</i>	30 p. c.
33. Apples, forty cents per barrel, including the duty on the barrel.....	40c. p. brl.
34. Beans, fifteen cents per bushel.	15c. p. bush.
35. Buckwheat, ten cents per bushel.....	10c. p. bush.
36. Pease, ten cents per bushel.....	10c. p. bush.
37. Potatoes, fifteen cents per bushel.....	15c. p. bush.
38. Rye, ten cents per bushel.....	10c. p. bush.
39. Rye flour, fifty cents per barrel.....	50c. p. brl.
40. Hay, two dollars per ton.....	\$2 p. ton.
41. Vegetables, when fresh, or dry salted, n.e.s., twenty-five per cent <i>ad valorem</i>	25 p. c.
42. Barley, thirty per cent <i>ad valorem</i>	30 p. c.
43. Indian corn, seven and one-half cents per bushel	7½c. p. bush.
44. Dutiable breadstuffs, grain and flour and meal of all kinds, when damaged by water <i>in transitu</i> , twenty per cent <i>ad valorem</i> upon the appraised value, such appraised value to be ascertained as provided by sections 58, 70, 71, 72, 73, 74, 75 and 76 of <i>The Customs Act</i>	20 p. c.
45. Buckwheat meal or flour, one-fourth of one cent per pound... ..	¼c. p. lb.
46. Cornmeal, forty cents per barrel.....	40c. p. brl.
47. Oats, ten cents per bushel	10c. p. bush.
48. Oatmeal, twenty per cent <i>ad valorem</i>	20 p. c.
49. Rice, uncleaned, unhulled or paddy, three-tenths of one cent per pound, but not to be less than thirty per cent <i>ad valorem</i>	⅔c. p. lb.
50. Rice, cleaned, one and one-quarter cent per pound	1¼c. p. lb.
51. Rice and sago flour and sago, twenty-five per cent <i>ad valorem</i>	25 p. c.
52. Rice when imported by makers of rice starch for use in their factories making starch, three-fourths of one cent per pound.....	¾c. p. lb.
53. Wheat, fifteen cents per bushel.....	15c. p. bush.
54. Wheat flour, seventy-five cents per barrel...	75c. p. brl.
55. Biscuits of all kinds, twenty-five per cent <i>ad valorem</i>	25 p. c.
56. Macaroni and vermicelli, twenty-five per cent <i>ad valorem</i>	25 p. c.

57. Starch, including farina, corn starch or flour, and all preparations having the qualities of starch, one and one-half cent per pound; the weight of the package to be in all cases included in the weight for duty..... 1½c. p. lb.
58. Seeds, viz.:—Garden, field and other seeds for agricultural or other purposes, n.o.p., when in bulk or in large parcels, ten per cent *ad valorem*; when put up in small papers or parcels, twenty-five per cent *ad valorem* 25 p. c.
59. Mustard, ground, twenty-five per cent *ad valorem*..... 25 p. c.
60. Mustard cake, fifteen per cent *ad valorem* ... 15 p. c.
61. Sweet potatoes and yams, ten cents per bushel. 10c. p. bush.
62. Tomatoes, fresh, twenty cents per bushel and ten per cent *ad valorem* & 10 p.c.
63. Tomatoes and other vegetables, including corn and baked beans, in cans or other packages, n.e.s., one and one-half cent per pound; the weight of the cans or other packages to be included in the weight for duty..... 1½c. p. lb.
64. Pickles, sauces and catsups, including soy, thirty-five per cent *ad valorem*..... 35 p. c.
65. Malt, fifteen cents per bushel, upon entry for warehouse, subject to excise regulations. 15c. p. bush.
66. Extract of malt (non-alcoholic), for medicinal purposes, twenty-five per cent *ad valorem*.. 25 p. c.
67. Hops, six cents per pound..... 6c. p. lb.
68. Compressed yeast, in bulk or mass of not less than fifty pounds, three cents per pound; in packages weighing less than fifty pounds, six cents per pound, the weight of the package in the latter case to be included in the weight for duty..... 6c. p. lb.
69. Yeast cakes and baking powders, six cents per pound, the weight of the package to be included in the weight for duty..... 6c. p. lb.
70. Trees, viz., apple, cherry, peach, pear, plum and quince, of all kinds, three cents each.. 3c. each.
71. Grape vines, and gooseberry, raspberry, currant and rose bushes; also fruit plants, n.e.s., and shade, lawn and ornamental trees, shrubs and plants, twenty per cent *ad valorem* ... 20 p. c.
72. Blackberries, gooseberries, raspberries, strawberries, cherries and currants, n. e. s., two cents per pound, the weight of the package to be included in the weight for duty. 2c. p. lb.
73. Cranberries, plums and quinces, twenty-five per cent *ad valorem*..... 25 p. c.

74. Prunes, one cent per pound, including raisins and dried currants 1c. p. lb.
75. Apples, dried, desiccated or evaporated; dates, figs, and other dried, desiccated or evaporated fruits, n.e.s., twenty-five per cent *ad valorem*..... 25 p. c.
76. Grapes, two cents per pound..... 2c. p. lb.
77. Oranges, lemons and limes, in boxes of capacity not exceeding two and one-half cubic feet, twenty-five cents per box : in one-half boxes capacity not exceeding one and one-fourth cubic foot, thirteen cents per half box; in cases and all other packages, ten cents per cubic foot holding capacity; in bulk, one dollar and fifty cents per one thousand oranges, lemons, or limes; in barrels not exceeding in capacity that of the one hundred and ninety-six pounds flour barrel, fifty-five cents per barrel. \$1.50 p.1000
55c. p. brl.
78. Peaches, n.o.p., one cent per pound, the weight of the package to be included in the weight for duty..... 1c. p. lb.
79. Fruits in air-tight cans or other packages, two cents per pound, the weight on which duty shall be payable to include the weight of the cans or other packages..... 2c. p. lb.
80. Fruits preserved in brandy, or preserved in other spirits, one dollar and ninety cents per gallon.....\$1.90 p. gall.
81. Preserved ginger, thirty per cent *ad valorem*. 30 p. c.
82. Jellies, jams and preserves, n.e.s., three cents per pound..... 3c. p. lb.
83. Honey, in the comb or otherwise, and imitations and adulterations thereof, three cents per pound..... 3c. p. lb.
84. Tea and green coffee, n.e.s., ten per cent *ad valorem*..... 10 p. c.
85. Coffee, roasted or ground, when not imported direct from the country of growth and production, two cents per pound and ten per cent *ad valorem*..... and 10 p.c.
86. Coffee, roasted or ground, and all imitations of and substitutes for, two cents per pound. 2c. p. lb.
87. Extract of coffee, n.e.s., or substitutes thereof of all kinds, three cents per pound... 3c. p. lb.
88. Chicory, raw or green, three cents per pound. 3c. p. lb.
89. Chicory, kiln-dried, roasted or ground, four cents per pound.. 4c. p. lb.
90. Cocoa shells and nibs, chocolate and other preparations of cocoa, n.e.s., twenty per cent *ad valorem*. 20 p. c.

91. Cocoa paste, chocolate paste, cocos and cocoa butter, four cents per pound..... 4c. p. lb.
92. Nuts, shelled, n.e.s., five cents per pound... 5c. p. lb.
93. Almonds, walnuts, Brazil nuts, pecans and shelled pea-nuts, n.e.s., three cents per pound; and nuts of all kinds, n.o.p., two cents per pound. 2c. p. lb.
94. Cocoa nuts, n.e.s., one dollar per hundred... \$1 p. 100.
95. Cocoa nuts, when imported from the place of growth, by vessel, direct to a Canadian port, fifty cents per hundred..... 50c. p. 100.
96. Cocoa nut, desiccated, sweetened or not, five cents per pound..... 5c. p. lb.
97. Nutmegs and mace, twenty-five per cent *ad valorem* 25 p. c.
98. Spices, viz. : ginger and spices of all kinds, n.e.s., unground, twelve and one-half per cent *ad valorem* ; ground, twenty-five per cent *ad valorem*..... 25 p. c.

Books and Paper.

99. Albumenized and other papers and films chemically prepared for photographers' use, thirty per cent *ad valorem*..... 30 p. c.
100. Books, printed, periodicals and pamphlets, n.e.s., not being foreign reprints of British copyright works nor blank account books, nor copy books, nor books to be written or drawn upon, nor bibles, prayer-books, psalm and hymn books, six cents per pound..... 6c. p. lb.
101. British copyright works, reprints of, six cents per pound and in addition thereto twelve and one-half per cent *ad valorem* until the end of the next session of Parliament, and thereafter six cents per pound... 6c. p. lb. & 12½ p. c.
102. Advertising pamphlets, pictorial show cards, circulars, illustrated advertising periodicals, illustrated price lists, advertising calendars, advertising almanacs, tailors' and mantle-makers' fashion plates, and all chromos, chromotypes, oleographs or artistic work of similar kind, produced by any process other than hand painting or drawing, whether for business or advertisement purposes or not, printed or stamped on paper, cardboard or other material, n.e.s., six cents per pound and twenty per cent *ad valorem*..... 6c. p. lb. & 20 p. c.
103. Bank notes, bonds, bills of exchange, cheques, promissory notes, drafts and all similar work unsigned, and cards or other com-

- mercial blank forms printed or lithographed, or printed from steel or copper or other plates, and other printed matter, n.e.s., thirty-five per cent *ad valorem*..... 35 p. c.
104. Labels for fruits, vegetables, meat, fish, confectionery, and other goods, also tickets, posters, advertising bills and folders, whether lithographed or printed, fifteen cents per pound and twenty-five per cent *ad valorem* 15c. p. lb. & 25 p. c.
105. Maps and charts, n.e.s., twenty per cent *ad valorem*..... 20 p. c.
106. Newspapers or supplemental editions or parts thereof, partly printed and intended to be completed and published in Canada, twenty-five per cent *ad valorem* 25 p. c.
107. Paintings, prints, engravings, drawings, building plans, photographs and pictures, n.e.s., twenty per cent *ad valorem*... 20 p. c.
108. Playing cards, six cents per pack..... 6c. p. pack.
109. Printed music, bound or in sheets, ten cents per pound..... 10c. p. lb.
110. Wall paper, not including borders, printed on plain ungrounded paper and coloured with any material except bronze gilt or flitter, thirty-five per cent *ad valorem*..... 35 p. c.
111. All other paper-hangings and borders, per roll of eight yards and under, and proportionately for greater lengths, one and a half cent per roll and twenty-five per cent *ad valorem* 1½c. p. roll and 25 p. c.
112. Paper sacks or bags of all kinds, printed or not, twenty-five per cent *ad valorem*..... 25 p. c.
113. Mill-board, not straw board, ten per cent *ad valorem*..... 10 p. c.
114. Straw boards, in sheets or rolls, plain or tarred, thirty cents per hundred pounds..... 30c. p. 100 lbs.
115. Sand-paper, glass, flint and emery paper, twenty per cent *ad valorem*..... 20 p. c.
116. Paper, tarred, twenty-five per cent *ad valorem*. 25 p. c.
117. Union collar cloth paper in rolls or sheets, not glossed or finished, fifteen per cent *ad valorem*..... 15 p. c.
118. Union collar cloth paper in rolls or sheets, glossed or finished, twenty per cent *ad valorem*..... 20 p. c.
119. Paper of all kinds, n.e.s., twenty-five per cent *ad valorem*..... 25 p. c.
120. Manufactures of paper, including ruled and border and coated papers, papeteries, boxed papers, envelopes and blank books, thirty-five per cent *ad valorem*..... 35 p. c.

Chemicals, Oils and Paints.

- 121. Acid, acetic and pyroligneous, n.e.s., and vinegar, a specific duty of fifteen cents for each gallon of any strength not exceeding the strength of proof, and for each degree of strength in excess of the strength of proof an additional duty of two cents. The strength of proof shall be held to be equal to six per cent of absolute acid, and in all cases the strength shall be determined in such manner as is established by the Governor in Council..... 15c. p. gall., & 2c. add'l.
- 122. Acid, acetic and pyroligneous of any strength, when imported by dyers, calico printers or manufacturers of acetates or colours, for exclusive use in dyeing or printing, or for the manufacture of such acetates or colours in their own factories, under such regulations as are established by the Governor in Council, twenty-five per cent *ad valorem*... 25 p. c.
- 123. Glacial acetic acid or acetic acid exceeding the strength of proof, when imported by druggists and others than dyers, calico printers, or manufacturers of vinegar or acetates or colours, to be used in their own factories for purposes of manufacture other than those mentioned in the next preceding item, a specific duty equal to fifteen cents per gallon of the strength of proof and one cent additional per gallon for each degree of strength in excess of the strength of proof..... 15c. p. gall. and 1c. additional.
- 124. Acid, muriatic and nitric, and all mixed acids, twenty per cent *ad valorem*..... 20 p.c.
- 125. Acid, sulphuric, four-tenths of a cent per pound..... $\frac{4}{10}$ c. p. lb.
- 126. Sulphuric ether, five cents per pound 5c. p. lb.
- 127. Acid phosphate, two cents per pound..... 2c. p. lb.
- 128. All medicinal, chemical and pharmaceutical preparations, when compounded of more than one substance, including patent and proprietary preparations, tinctures, pills, powders, troches, lozenges, syrups, cordials, bitters, anodynes, tonics, plasters, liniments, salves, ointments, pastes, drops, waters, essences and oils, n.o.p. ; Provided that this item shall not be held to include drugs and preparations recognized by the British and the United States Pharmacopœias and the French Codex as officinal ;—all liquids, fifty

- per cent *ad valorem*; and all others, twenty- 50 p. c.
 five per cent *ad valorem* 25 p. c.
129. Cod liver oil, twenty per cent *ad valorem*..... 20 p. c.
130. Oils, essential, ten per cent *ad valorem* 10 p. c.
131. Pomades, French or flour odours preserved in fat or oil for the purpose of conserving the odours of flowers which do not bear the heat of distillation, when imported in tins of not less than ten pounds each, fifteen per cent *ad valorem*..... 15 p. c.
132. Perfumery, including toilet preparations (non-alcoholic), viz.: Hair oils, tooth and other powders and washes, pomatums, pastes, and all other perfumed preparations, n.o.p., used for the hair, mouth or skin, thirty per cent *ad valorem*. 30 p. c.
133. Illuminating oils composed wholly or in part of the products of petroleum, coal, shale or lignite, costing more than thirty cents per gallon, twenty-five per cent *ad valorem* 25 p. c.
134. Oils, coal and kerosene distilled, purified or refined, naphtha and petroleum, n.e.s., products of petroleum, n.e.s., six cents per gallon..... 6c. p. gall.
135. Lubricating oils, composed wholly or in part of petroleum and costing less than twenty-five cents per gallon, six cents per gallon 6c. p. gall.
136. Crude petroleum, fuel and gas oils (other than naphtha, benzine or gasoline) when imported by manufacturers (other than oil refiners) for use in their own factories for fuel purposes or for the manufacture of gas, three cents per gallon..... 3c. p. gall.
137. Paraffine wax, two cents per pound..... 2c. p. lb.
138. Paraffine wax candles, four cents per pound. 4c. p. lb.
139. British gum, dextrine, sizing cream and enamel sizing, ten per cent *ad valorem*..... 10 p. c.
140. Lubricating oils, n.e.s., and axle grease, twenty-five per cent *ad valorem*..... 25 p. c.
141. Barrels, containing petroleum or its products, or any mixture of which petroleum forms a part, when such contents are chargeable with a specific duty, twenty cents each..... 20c. each.
142. Linseed or flaxseed oil, raw or boiled, lard oil, neat's-foot oil, and sesame seed oil, twenty per cent *ad valorem*.. 20 p. c.
143. Olive oil, prepared for salad purposes, thirty per cent *ad valorem*..... 30 p. c.
144. Vaseline, and all similar preparations of petroleum for toilet, medicinal or other purposes, thirty-five per cent *ad valorem*.... 35 p. c.

145. Blacking, shoe, and shoemakers' ink, and shoe, harness and leather dressing, and harness soap, twenty-five per cent *ad valorem* 25 p. c.
146. Ink for writing, twenty per cent *ad valorem*. 20 p. c.
147. Blueing, laundry blueing of all kinds, twenty-five per cent *ad valorem*..... 25 p. c.
148. Dry white and red lead, orange mineral and zinc white, five per cent *ad valorem*..... 5 p. c.
149. Ochres, ochrey earths, raw siennas, and colours, dry, n.e.s., twenty per cent *ad valorem* 20 p. c.
150. Oxides, dry fillers, fire-proofs, umbers and burnt siennas, n.e.s., twenty-five per cent *ad valorem*..... 25 p. c.
151. Paints and colours, rough stuff and fillers, n.e.s., twenty-five per cent *ad valorem*..... 25 p. c.
152. Paints and colours, ground in spirits, and all spirit varnishes and lacquers, one dollar per gallon \$1 p. gall.
153. Turpentine, spirits of, five per cent *ad valorem*. 5 p. c.
154. Varnishes, lacquers, japans, japan driers, liquid driers, and oil finish, n.e.s., twenty cents per gallon and twenty per cent *ad valorem* 20c. p. gall. and 20 p. c.
155. Paris green, dry, ten per cent *ad valorem*.... 10 p. c.
156. Putty, fifteen per cent *ad valorem*..... 15 p. c.

Coal.

157. Coal, bituminous, sixty cents per ton of 2,000 pounds 60c. p. ton.
158. Coal dust, n.e.s., twenty per cent *ad valorem*.. 20 p. c.

Earths, Earthenware, Glassware and Stoneware.

159. Brick for building, and paving brick, twenty per cent *ad valorem*..... 20 p. c.
160. China and procelain ware, also earthenware and stoneware, brown or coloured and Rockingham ware, white granite or iron-stoneware, "C.C." or cream-coloured ware, decorated, printed or sponged, and all earthenware, n.e.s., thirty per cent *ad valorem*... 30 p. c.
161. Earthenware and stoneware, viz., demijohns or jugs, churns or crocks, three cents per gallon of holding capacity..... 3c. p. gall.
162. Earthenware or stone ink bottles, not exceeding three ounces capacity, twenty per cent *ad valorem*..... 20 p. c.
163. Drain tiles, not glazed, twenty per cent *ad valorem* 20 p. c.

164. Drain pipes, sewer pipes, chimney linings or vents, and inverted blocks, glazed or unglazed, and earthenware tiles, thirty-five per cent *ad valorem*..... 35 p. c.
165. Crystal and decorated glass tableware, made expressly for mounting with silver-plated trimmings, when imported by manufacturers of plated-ware, twenty per cent *ad valorem* 20 p. c.
166. Glass carboys and demijohns, empty or filled, bottles and decanters, flasks and phials, glass jars and glass balls, and cut, pressed or moulded glass tableware, thirty per cent *ad valorem*..... 30 p. c.
167. Insulators of all kinds, and lamps, including arc and incandescent; lamp chimneys, side-lights, and head-lights, lamp, gas-light and electric-light shades, and globes—for lanterns, lamps, electric lights and gas lights, thirty per cent *ad valorem*..... 30 p. c.
168. Glass bulbs for electric lights, ten per cent *ad valorem*..... 10 p. c.
169. Common and colourless window glass; and plain coloured, stained or tinted or muffled glass in sheets, twenty per cent *ad valorem*. 20 p. c.
170. Ornamental, figured and enamelled coloured glass; painted and vitrified glass; figured, enamelled and obscured white glass; and rough rolled plate glass, twenty-five per cent *ad valorem*..... 25 p. c.
171. Plate glass, not coloured, in panes of not over twelve square feet each, four cents per square foot; and when bevelled, two cents per square foot additional..... 4c. p. sq. ft.
2c. p. sq. ft.
172. Plate glass, not coloured, in panes of over twelve and not over thirty square feet each, six cents per square foot; and when bevelled, two cents per square foot additional... 6c. p. sq. ft.
2c. p. sq. ft.
173. Plate glass in panes of over thirty and not over seventy square feet each, eight cents per square foot; and when bevelled, two cents per square foot additional..... 8c. p. sq. ft.
2c. p. sq. ft.
174. Plate glass in panes of over seventy square feet each, nine cents per square foot; and when bevelled, two cents per square foot additional..... 9c. p. sq. ft.
2c. p. sq. ft.
175. Silvered glass, n.e.s., twenty-seven and one-half per cent *ad valorem*..... 27½ p. c.
176. Silvered glass, bevelled, thirty-two and one-half per cent *ad valorem*. 32½ p. c.
177. German looking-glass, unsilvered, seventeen and one-half per cent *ad valorem*..... 17½ p. c.

178. Stained glass windows, thirty per cent <i>ad valorem</i>	30 p. c.
179. All other glass and manufactures of glass, n.o.p., including bent plate glass, twenty per cent <i>ad valorem</i>	20 p. c.
180. Spectacles and eyeglasses, thirty per cent <i>ad valorem</i>	30 p. c.
181. Spectacle and eyeglass frames, parts of, twenty per cent <i>ad valorem</i>	20 p. c.
182. Show cases, thirty-five per cent <i>ad valorem</i> ..	35 p. c.
183. Magic lanterns and slides therefor, philosophical, photographic, mathematical and optical instruments, n.e.s., twenty-five per cent <i>ad valorem</i>	25 p. c.
184. Cement, including Portland or Roman and hydraulic or water lime, forty cents per barrel, including the duty on the barrel...	40c. p. brl.
185. Plaster of Paris, or gypsum, ground, not calcined, fifteen per cent <i>ad valorem</i>	15 p. c.
186. Plaster of Paris, calcined or manufactured, forty cents per barrel of three hundred pounds	40c. p. brl. of 300 lbs.
187. Flagstones, granite, and rough freestone, sandstone and all building stone, except marble from the quarry, not hammered or chiselled, twenty per cent <i>ad valorem</i>	20 p. c.
188. Granite, flagstones and freestones, dressed; all other building stone dressed, except marble, and all manufactures of stone, n.e.s., thirty per cent <i>ad valorem</i>	30 p. c.
189. Grindstones, not mounted, and not less than twelve inches in diameter, one dollar and seventy-five cents per ton.....	\$1.75 p. ton.
190. Lithographic stones, not engraved, twenty per cent <i>ad valorem</i>	20 p. c.
191. Blocks or slabs of marble, sawn on not more than two sides, ten per cent <i>ad valorem</i>	10 p. c.
192. Marble in slabs or blocks, sawn on more than two sides, twenty per cent <i>ad valorem</i>	20 p. c.
193. Marble, finished, and all manufactures of marble, n.o.p., thirty per cent <i>ad valorem</i> ..	30 p. c.
194. Emery wheels and manufactures of emery, n.e.s., twenty-five per cent <i>ad valorem</i>	25 p. c.
195. Slate pencils, twenty-five per cent <i>ad valorem</i>	25 p. c.
196. Slates, slate mantels and other manufactures of slate, n.e.s., school writing slates, and roofing slate, thirty per cent <i>ad valorem</i> , provided that the duty on roofing slate shall not exceed seventy-five cents per square for black or blue slate, and ninety cents for slates of other colours.....	30 p. c.

197. Mosaic flooring of any material, thirty per cent *ad valorem*..... 30 p. c.

Fish and Products of the Fisheries.

198. Mackerel, one cent per pound..... 1c. p. lb.
 199. Herrings, pickled or salted, one-half cent per pound..... $\frac{1}{2}$ c. p. lb.
 200. Salmon, pickled or salted, one cent per pound 1c. p. lb.
 201. All other fish, pickled or salted, in barrels, one cent per pound..... 1c. p. lb.
 202. Foreign-caught fish, imported otherwise than in barrels or half-barrels, whether fresh, dried, salted or pickled, not specially enumerated or provided for by this Act, fifty cents per hundred pounds..... 50c. p. 100 lbs.
 203. Fish, smoked and boneless fish, one cent per pound..... 1c. p. lb.
 204. Anchovies and sardines, packed in oil or otherwise, in tin boxes measuring not more than five inches long, four inches wide and three and a-half inches deep, five cents per whole box; in half boxes measuring not more than five inches long, four inches wide and one and five-eighths deep, two and a-half cents per half box; and in quarter boxes, measuring not more than four inches and three-quarters long, three and a-half inches wide and one and a-quarter deep, two cents per quarter box..... 2c. p. $\frac{1}{4}$ box.
 205. When imported in any other form, thirty per cent *ad valorem*..... 30 p. c.
 206. Fish, preserved in oil, except anchovies and sardines, thirty per cent *ad valorem*..... 30 p. c.
 207. Fresh or dried fish, n.e.s., imported in barrels or half barrels, one cent per pound..... 1c. p. lb.
 208. Salmon and all other fish prepared or preserved, including oysters, not specially enumerated or provided for in this Act, twenty-five per cent *ad valorem*..... 25 p. c.
 209. Oysters shelled, in bulk, ten cents per gallon 10 c. p. gall.
 210. Oysters, canned, in cans not over one pint, three cents per can, including the cans.... 3c. p. can.
 211. Oysters in cans over one pint and not over one quart, five cents per can, including the cans..... 5c. p. can.
 212. Oysters in cans exceeding one quart in capacity, an additional duty of five cents for each quart or fraction of a quart of capacity over a quart, including the cans..... 5c. p. qt.
 213. Oysters in the shell, twenty-five per cent *ad valorem*..... 25 p. c.

214. Packages containing oysters or other fish, n.o.p., twenty-five per cent *ad valorem*..... 25 p. c.
 215. Oil, spermaceti, whale and other fish oils, and all other articles the produce of the fisheries, not specially provided for, twenty per cent *ad valorem*..... 20 p. c.

Leather, Manufactures of, and Rubber.

216. Fur skins, wholly or partially dressed, fifteen per cent *ad valorem*..... 15 p. c.
 217. Caps, hats, muffs, tippets, capes, coats, cloaks and other manufactures of fur, twenty-five per cent *ad valorem*..... 25 p. c.
 218. Leather-board and leatheroid and boot and shoe counters made therefrom, twenty per cent *ad valorem*..... 20 p. c.
 219. Leather and skins, n.o.p., tanned; belting leather, and sole leather, fifteen per cent *ad valorem*..... 15 p. c.
 220. Upper leather including dongola, cordovan, kid, lamb, sheep, kangaroo, alligator, chamois skins, and calf, dressed, waxed or glazed, seventeen and one-half per cent *ad valorem*..... 17½ p. c.
 221. Leather, sole, tanned but rough or undressed, ten per cent *ad valorem*..... 10 p. c.
 222. Japanned, patent or enamelled leather and morocco leather, twenty-two and one-half per cent *ad valorem*..... 22½ p. c.
 223. Skins for morocco leather, tanned but not further manufactured, fifteen per cent *ad valorem* 15 p. c.
 224. Glove leathers, viz. : kid, lamb, buck, deer, antelope and waterhog, tanned or dressed, coloured or uncoloured, when imported by glove manufacturers for use in their own factories in the manufacture of gloves, ten per cent *ad valorem*..... 10 p. c.
 225. All manufactures of leather, n.e.s., twenty-five per cent *ad valorem*..... 25 p. c.
 226. Belting of leather or other material, n.e.s., twenty per cent *ad valorem*..... 20 p. c.
 227. Harness and saddlery of every description, thirty per cent *ad valorem*..... 30 p. c.
 228. Whips of all kinds, including thongs and lashes, thirty-five per cent *ad valorem*..... 35 p. c.
 229. Boots and shoes, n.e.s., twenty-five per cent *ad valorem*..... 25 p. c.
 230. India-rubber boots and shoes with tops or uppers of cloth or of material other than rubber, thirty per cent *ad valorem*..... 30 p. c.

231. India-rubber boots and shoes, and manufactures of india-rubber and gutta percha, n.e.s., twenty-five per cent *ad valorem*..... 25 p. c.
232. India-rubber clothing and clothing made waterproof with india-rubber, thirty-five per cent *ad valorem*..... 35 p. c.
233. Rubber or gutta percha belting, hose, packing, mats and matting and cotton or linen hose lined with rubber, thirty-two and one-half per cent *ad valorem* 32½ p. c.

Metals, and Manufactures of.

234. Wrought scrap iron and scrap steel being waste or refuse wrought iron or steel, fit only to be remanufactured, the same having been in actual use, not to include cuttings or clippings which can be used as iron or steel without remanufacture, and steel bloom ends and crop ends of steel rails, three dollars per ton; and on and after the first day of January, eighteen hundred and ninety-five, four dollars per ton \$3 p. ton.
\$4 p. ton.
235. Iron or steel, being pieces, punchings, or clippings of boiler plate or other plates, sheets or bars of iron or steel, whether the same have had the ragged or cropped ends or edges sheared off or not, and crops from iron or steel rails having both ends sawn or sheared off, the same not having been in actual use and being fit for re-rolling or remanufacture only, four dollars per ton..... \$4 p. ton.
236. Iron in pigs, iron kentledge and scrap iron, four dollars per ton..... \$4 p. ton.
237. Ferro-silicon, spiegel-eisen, ferro-manganese, five per cent *ad valorem*..... 5 p. c.
238. Iron or steel ingots, cogged ingots, blooms and slabs, billets and puddled bars, loops or other forms less finished than iron or steel bars but more advanced than pig iron, except castings, five dollars per ton..... \$5 p. ton.
239. Bar iron or steel, rolled or hammered, comprising rounds and squares; shapes of rolled iron or steel, not more than four inches in diameter, and flats not thinner than number sixteen gauge, whether in coils, bundles, rods or bars, n.e.s., ten dollars per ton..... \$10 p. ton.
240. Iron or steel plates or sheets, sheared or unsheared, and skelp iron or steel, sheared or rolled in grooves, and iron or steel of

- all widths thicker than number seventeen gauge, n.e.s., ten dollars per ton..... \$10 p. ton.
241. Universal mill or rolled edge steel plate, less than thirty inches wide, and plates or sheets of iron or steel thirty inches wide and over, and one-quarter of an inch and over in thickness, twelve and one-half per cent *ad valorem*..... 12½ p. c.
242. Iron or steel sheets, and other iron or steel of all widths, sheet iron, common or black, smoothed, polished, coated or galvanized and Canada plates, number seventeen gauge and thinner, and hoop, band, or strip iron or steel, n.e.s., five per cent *ad valorem*..... 5 p. c.
243. Iron or steel hoops, bands and strips, eight inches and less in width, number eighteen gauge and thicker, ten dollars per ton..... \$10 p. ton.
244. Plough plates, mould boards, landsides and other plates for agricultural implements, when cut to shape from rolled plates of steel but not moulded, punched, polished or otherwise manufactured, and being of a greater value than four cents per pound, five per cent *ad valorem*..... 5 p. c.
245. Provided that on all iron and steel bars, rods, strips, or steel sheets of whatever shape, and on all iron or steel bars of irregular shape or section, cold rolled, cold hammered or polished in any way, in addition to the ordinary process of hot rolling or hammering, there shall be paid one-sixth of one cent per pound in addition to the rates imposed on the said materials..... ⅙ c. p. lb.
246. Forgings of iron and steel of whatever shape or size or in whatever stage of manufacture, n.e.s., thirty-five per cent *ad valorem*, but not less than fifteen dollars per ton..... 35 p. c.
247. Rolled iron or steel angles, channels and other sections, weighing less than thirty-five pounds per lineal yard, n.e.s., thirty-five per cent *ad valorem*, but not less than ten dollars per ton..... 35 p. c.
248. Rolled iron or steel angles, channels and special sections, weighing not less than thirty-five pounds per lineal yard, and rolled iron or steel beams, joists, girders, column sections, trough sections, and other building or bridge structural sections, weighing not less than twenty-five pounds per lineal yard, and rolled iron or steel bridge plate not less than three-eighths of an inch thick nor less than fifteen inches wide, and flat eye-

- bar blanks not punched or drilled, twelve and one-half per cent *ad valorem*..... 12½ p. c.
249. Iron bridges and structural iron work, thirty per cent *ad valorem*, but not less than one cent per pound..... 30 p. c.
250. Iron or steel railway bars or rails of any form, punched or not punched, n.e.s., for railways,—which term for the purposes of this item shall include all kinds of railways, street railways and tramways, even although the same are used for private purposes only, and even although they are not used or intended to be used in connection with the business of common carrying of goods or passengers,—thirty per cent *ad valorem*..... 30 p. c.
251. Railway fish plates and tie plates, ten dollars per ton..... \$10 p. ton.
252. Swedish rolled iron rods, under one-half inch in diameter and not less than one and three-quarters of a cent per pound value, and Swedish rolled iron nail rods under half an inch diameter for the manufacture of horse-shoe nails, fifteen per cent *ad valorem* 15 p. c.
253. Axles, springs and parts thereof, axle bars and axle blanks of iron or steel for railway or tramway vehicles, twenty dollars per ton, but not less than thirty-five per cent..... \$20 p. ton.
254. Axles, springs and parts thereof, axle bars and axle blanks of iron or steel, n.e.s., one cent per pound and twenty per cent *ad valorem*..... 1c. p. lb. & 20 p. c.
255. Malleable iron castings and iron or steel castings, n.e.s., twenty-five per cent *ad valorem*. 25 p. c.
256. Cast-iron vessels, plates, stove plates and irons, sad irons, hatters' irons, and tailors' irons, twenty-seven and one-half per cent *ad valorem*..... 27½ p. c.
257. Cast-iron pipe of every description, ten dollars per ton, provided that the duty shall not be less than thirty-five per cent *ad valorem*... \$10 p. ton.
258. Boiler tubes of wrought iron or steel, including corrugated tubes or flues for marine boilers, seven and one-half per cent *ad valorem*..... 7½ p. c.
259. Lap-welded iron or steel tubing, threaded and coupled or not, one and one-quarter to two inches inclusive in diameter, for use exclusively in artesian wells, petroleum pipe lines and petroleum refineries, under regulations

- made by the Governor in Council, twenty per cent *ad valorem*..... 20 p. c.
260. Tubes not welded, not more than one and one-half inch in diameter, of rolled steel, fifteen per cent *ad valorem*..... 15 p. c.
261. Wrought iron or steel tubing, threaded and coupled or not, over two inches in diameter, fifteen per cent *ad valorem*..... 15 p. c.
262. Other wrought iron or steel tubes, or pipes, five-tenths of one cent per pound and thirty per cent *ad valorem*..... $\frac{5}{10}$ c. p. lb. & 30 p. c.
263. Fittings of wrought iron or steel pipe, and chilled iron or steel rolls, thirty-five per cent *ad valorem*..... 35 p. c.
264. Chains (iron or steel) five-sixteenths of an inch in diameter and over, five per cent *ad valorem*..... 5 p. c.
265. Nails and spikes, wrought and pressed, galvanized or not, horseshoe nails, and all wrought iron or steel and other nails n.e.s., and horse, mule and ox shoes, thirty per cent *ad valorem*..... 30 p. c.
266. Composition nails and spikes and sheathing nails, fifteen per cent *ad valorem*..... 15 p. c.
267. Wire nails, one cent per pound..... 1c. p. lb.
268. Cut nails and spikes of iron or steel, including railroad spikes, three-fourths of one cent per pound..... $\frac{3}{4}$ c. p. lb.
269. Shoe tacks, one-half ounce to four ounces to the thousand, one cent per thousand..... 1c. p. 1000.
270. Cut tacks, brads or sprigs, not exceeding sixteen ounces to the thousand, one and one-half cents per thousand; exceeding sixteen ounces to the thousand, one and one-half cents per pound..... $1\frac{1}{2}$ c. p. 1000
271. Screws, commonly called "wood screws," two inches and over in length, three cents per pound; one inch and less than two inches, six cents per pound; less than one inch, eight cents per pound; provided that the duty shall not be less than thirty-five per cent *ad valorem*.
3c. p. lb.
6c. p. lb.
8c. p. lb.
272. Screws of iron, steel, brass or other metal, n.o.p., thirty per cent *ad valorem*..... 30 p.c.
273. Wrought iron or steel nuts and washers, iron or steel rivets, bolts with or without threads, nut and bolt and hinge blanks, n.e.s., and "T" and strap hinges, one cent per pound and twenty per cent *ad valorem*..... 1c. p. lb. & 20 p.c.
274. Wrought iron or steel nuts and washers, iron or steel rivets, bolts with or without threads, nut and bolt blanks, less than

- three-eighths of an inch in diameter, one cent per pound and twenty-five per cent *ad valorem*, but not less than thirty-five per cent *ad valorem*.
275. Skates, ten cents per pair and thirty per cent *ad valorem*..... 10c. p. pair and 30 p. c.
276. Clothes wringers, twenty-five cents each and twenty per cent *ad valorem*..... 25c. each & 20 p. c.
277. Cutlery, n.o.p., twenty-five per cent *ad valorem* 25 p. c.
278. Celluloid, moulded into sizes for handles of knives and forks, not bored nor otherwise manufactured ; also, moulded celluloid balls and cylinders, coated with tin-foil or not, but not finished or further manufactured, and celluloid lamp shade blanks, ten per cent *ad valorem*.. 10 p. c.
279. Knife blades or knife blanks, in the rough, for use by electro-platers, ten per cent *ad valorem*.... 10 p. c.
280. Cast-iron table forks, not handled nor ground or otherwise manufactured, ten per cent *ad valorem*..... 10 p. c.
281. Picks, mattocks, grub-hoes, adzes, hatchets and eyes or polls for same, and tools of all descriptions, n.e.s., thirty-five per cent *ad valorem* 35 p. c.
282. Track tools, wedges, crowbars and sledges, thirty per cent *ad valorem*..... 30 p. c.
283. Axes of all kinds, scythes, hay knives, lawn mowers, pronged forks, rakes, n.e.s., and hoes, and other agricultural tools or implements, n.e.s., thirty-five per cent *ad valorem* 35 p. c.
284. Shovels and spades, shovel and spade blanks and iron or steel cut to shape for the same, fifty cents per dozen and twenty-five per cent *ad valorem* 50c. p. doz. and 25 p. c.
285. Files and rasps, thirty-five per cent *ad valorem* 35 p. c.
286. Builders' hardware, cabinet makers', upholsterers', harness-makers' and saddlers' hardware, including curry combs and curry cards, carriage hardware, locks, butts and hinges, n.e.s., saws of all kinds, and table cutlery, n.e.s., thirty-two and a-half per cent *ad valorem*..... 32½ p. c.
287. Steel needles, n.o.p., thirty per cent *ad valorem* 30 p. c.
288. Surgical and dental instruments of all kinds, fifteen per cent *ad valorem* 15 p. c.

289. Safes, doors for safes and vaults, scales, balances and weighing beams, thirty per cent *ad valorem*..... 30 p. c.
290. Fire engines and extinguishers, thirty-five per cent *ad valorem*... 35 p. c.
291. Switches, frogs, crossings and intersections for railways, thirty per cent *ad valorem*... 30 p. c.
292. Locomotives for railways, n.e.s., thirty-five per cent *ad valorem*..... 35 p. c.
293. Steam engines, boilers and machinery composed wholly or in part of iron or steel, n.e.s., twenty-seven and a-half per cent *ad valorem* 27½ p. c.
294. Mowing machines, self-binding harvesters, harvesters without binders, binding attachments, reapers, sulky and walking ploughs, harrows, cultivators, seed drills and horse-rakes, twenty per cent *ad valorem*..... 20 p. c.
295. Portable machines, portable steam engines, threshers and separators, horse-powers, portable saw-mills and planing mills, and parts thereof in any stage of manufacture, thirty per cent *ad valorem* 30 p. c.
296. Sewing machines, or parts thereof, thirty per cent *ad valorem* 30 p. c.
297. Pumps of all kinds and wind-mills, thirty per cent *ad valorem*..... 30 p. c.
298. Type for printing, twenty per cent *ad valorem* 20 p. c.
299. Type metal, ten per cent *ad valorem*..... 10 p. c.
300. Bookbinders' tools and implements, including ruling machines, ten per cent *ad valorem*..... 10 p. c.
301. Printing presses and printing machines, such only as are used in newspaper, book, and job printing offices; folding machines and paper cutters, such as are used in printing and bookbinding establishments,—and lithographic presses, ten per cent *ad valorem*..... 10 p. c.
302. Plates engraved on wood, and on steel or other metal, and transfers taken from the same, twenty per cent *ad valorem* 20 p. c.
303. Stereotypes, electrotypes and celluloids for almanacs, calendars, illustrated pamphlets, newspaper advertisements or engravings, and all other like work for commercial, trade or other purposes, n.e.s., and matrices or copper shells for the same, two cents per square inch..... 2c. p. sq. in.
304. Stereotypes, electrotypes and celluloids of newspaper columns, and bases for the same, composed wholly or partly of metal or

- celluloid, three-eighths of a cent per square $\frac{3}{8}$ c. p. sq. in.
inch, and matrices or copper shells for the
same, two cents per square inch..... 2c. p. sq. in.
- 305. Bird cages, thirty-five per cent *ad valorem*... 35 p. c.
- 306. Barbed wire fencing of iron or steel, three-
fourths of one cent per pound $\frac{3}{4}$ c. p. lb.
- 307. Buckthorn and strip fencing of iron or steel,
one-half of one cent per pound..... $\frac{1}{2}$ c. p. lb.
- 308. Machine card clothing, twenty-five per cent
ad valorem 25 p. c.
- 309. Pins, manufactured from wire of any metal,
thirty per cent *ad valorem* 30 p. c.
- 310. Wire-cloth of brass or copper, twenty per
cent *ad valorem*... 20 p. c.
- 311. Wire cloth, n.e.s., thirty per cent *ad valorem* 30 p. c.
- 312. Copper wire, fifteen per cent *ad valorem*..... 15 p. c.
- 313. Wire covered with cotton, linen, silk or other
material, thirty per cent *ad valorem* 30 p. c.
- 314. Wire of brass, ten per cent *ad valorem*..... 10 p. c.
- 315. Galvanized iron wire, numbers six, nine,
twelve and fourteen gauge, when imported
by makers of wire fencing, for use in their
factories only, twenty per cent *ad valorem* 20 p. c.
- 316. Wire of all kinds, n.e.s., twenty-five per cent
ad valorem.. 25 p. c.
- 317. Wire rope of iron or steel, n.o.p., twenty-
five per cent *ad valorem*... 25 p. c.
- 318. Fire-arms, twenty per cent *ad valorem*..... 20 p. c.
- 319. Manufactures, articles or wares not specially
enumerated or provided for, composed
wholly or in part of iron or steel, and
whether partly or wholly manufactured,
twenty-seven and a-half per cent *ad valorem* 27 $\frac{1}{2}$ p. c.
- 320. Corset clasps, spoon clasps or busks, blanks,
busks, side steels and other corset steels,
whether plain, japanned, lacquered, tinned
or covered with paper or cloth; also back,
bone or corset wires, covered with paper
or cloth, cut to lengths and tipped with
brass or tin, or untipped, or in coils, five
cents per pound and twenty per cent *ad* 5 c. p. lb.
valorem..... and 20 p. c.
- 321. Frames, clasps and fasteners for purses and
chatelaine bags or reticules not more than
seven inches in width, when imported by
the manufacturers of purses and chatelaine
bags or reticules for use in their factories,
twenty per cent *ad valorem*..... 20 p. c.
- 322. Lamp springs, ten per cent *ad valorem*..... 10 p. c.
- 323. Gas, coal oil and electric light fixtures, or
parts thereof, twenty-seven and one-half
per cent *ad valorem* 27 $\frac{1}{2}$ p. c.

324. Gas meters, thirty-five per cent <i>ad valorem</i> ..	35 p. c.
325. Bells of any description, except for churches, and gongs, twenty-five per cent <i>ad valorem</i>	25 p. c.
326. Brass and copper nails, rivets and burrs, and manufactures of brass or copper, n.e.s., thirty per cent <i>ad valorem</i>	30 p. c.
327. Zinc, manufactures of, n.e.s, twenty-five per cent <i>ad valorem</i>	25 p. c.
328. Babbit metal, ten per cent <i>ad valorem</i>	10 p. c.
329. Phosphor bronze, in blocks, bars, sheets and wire, ten per cent <i>ad valorem</i>	10 p. c.
330. Lead, bars, block and sheets, sixty cents per hundred pounds.....	60c. p. 100 lbs.
331. Lead, old, scrap and pig, forty cents per one hundred pounds.....	40c. p. 100 lbs.
332. Lead pipe and lead shot, four-tenths of a cent per pound and twenty-five per cent <i>ad valorem</i>	$\frac{4}{10}$ c. p. lb. & 25 p. c.
333. Lead, manufactures of, n.e.s., thirty per cent <i>ad valorem</i>	30 p. c.
334. Cans and packages made of tin or other ma- terial, containing fish of any kind admitted free of duty under any existing law or treaty, not exceeding one quart in contents, one cent and a-half on each can or pack- age; and when exceeding one quart, an ad- ditional duty of one cent and a-half for each additional quart or fractional part thereof..	$1\frac{1}{2}$ c. p. can or pkge. $1\frac{1}{2}$ c. p. qt.
335. Stamped tinware, japanned ware, galvanized iron ware, including signs made from these materials, and all manufactures of tin, n.e.s., twenty-five per cent <i>ad valorem</i>	25 p. c.
336. Enamelled iron or steel ware, including signs and letters enamelled on any metal and granite or agate ware, thirty-five per cent <i>ad valorem</i>	35 p. c.
337. Telephone and telegraph instruments; tele- graph, telephone and electric light cables; electric and galvanic batteries, electric motors, generators, dynamos, sockets and electric apparatus n.e.s., twenty-five per cent <i>ad valorem</i>	25 p. c.
338. Chrome steel, fifteen per cent <i>ad valorem</i>	15 p. c.

Gold, Silver and Jewellery.

339. Composition metal for the manufacture of filled gold watch cases, ten per cent <i>ad valorem</i>	10 p. c.
340. Britannia metal and German and nickel silver, manufactures of, not plated, twenty- five per cent <i>ad valorem</i>	25 p. c.

341. Nickel anodes, ten per cent *ad valorem*..... 10 p. c.
 342. Gold and silver leaf, and Dutch or schlag metal leaf, twenty-five per cent *ad valorem*. 25 p. c.
 343. Manufactures of gold and silver, and all other articles, n.e.s., commercially known as jewellery, twenty-five per cent *ad valorem*. 25 p. c.
 344. Sterling or other silverware and platedware, all other, electroplated or gilt, of all kinds, whether plated wholly or in part, thirty per cent *ad valorem*..... 30 p. c.
 345. Plated cutlery, namely, knives plated wholly or in part, thirty-five per cent *ad valorem*.. 35 p. c.
 346. Precious stones, n.e.s., polished, but not set or otherwise manufactured, and imitations thereof, ten per cent *ad valorem*..... 10 p. c.
 347. Clocks, n.e.s., twenty-five per cent *ad valorem*. 25 p. c.
 348. Tower clocks, thirty per cent *ad valorem*..... 30 p. c.
 349. Watches, twenty-five per cent *ad valorem*.... 25 p. c.
 350. Watch actions or movements, ten per cent *ad valorem*..... 10 p. c.
 351. Watch cases, thirty-five per cent *ad valorem*. 35 p. c.
 352. Cases for jewels, watches, silverware, platedware, cutlery and other like articles, five 5c. each & cents each and thirty per cent *ad valorem*.. 30 p. c.
 353. Writing desks, glove boxes, handkerchief boxes, manicure cases, perfume cases, toilet cases and fancy cases for smokers' sets, and similar fancy articles made of bone, shell, horn, ivory, wood, leather, plush, satin, silk, satinette, celluloid, aluminum, fibreware of all kinds, or paper; dolls and toys of all kinds, including sewing machines when of not more than two dollars in value; ornaments of alabaster, spar, amber, terra cotta or composition; and statuettes and bead ornaments, n.e.s., thirty-five per cent *ad valorem*..... 35 p. c.

Minerals.

354. Asbestos in any form other than crude, and all manufactures thereof, twenty-five per cent *ad valorem*..... 25 p. c.
 355. Plumbago, crude, ten per cent *ad valorem*... 10 p. c.
 356. Plumbago, all manufactures of, n.e.s., twenty-five per cent *ad valorem*..... 25 p. c.
 357. Electric light carbons or carbon points, not exceeding twelve inches in length, two dollars and fifty cents per thousand, and in proportion for greater lengths \$2.50 p.1000
 358. Salt, fine, in bulk and coarse salt, n.e.s., five 5c. per 100 cents per one hundred pounds lbs.

359. Salt n.e.s., in bags, barrels or other packages,—the bags, barrels or packages to bear the same duty as if imported empty,—seven $7\frac{1}{2}$ c. per 100 and one-half cents per 100 lbs. lbs.

Manufactures of Wood; Vehicles, &c.

360. Cane, reed or rattan, split or otherwise manufactured, seventeen and one-half per cent *ad valorem*..... $17\frac{1}{2}$ p. c.
361. Corks and other manufactures of cork wood or cork bark, twenty per cent *ad valorem*.. 20 p. c.
362. Lumber and timber, manufactured, n.e.s., twenty per cent *ad valorem*... 20 p. c.
363. Shingles, twenty per cent *ad valorem*..... 20 p. c.
364. Pails, tubs, churns, brooms, washboards, pounders and rolling-pins, twenty per cent *ad valorem*..... 20 p. c.
365. Manufactures of wood, n.e.s., and brushes, twenty-five per cent *ad valorem*..... 25 p. c.
366. Umbrella, parasol and sunshade sticks or handles, n.e.s., twenty per cent *ad valorem*. 20 p. c.
367. Veneers of wood, n.e.s., not over one-sixteenth of an inch in thickness, five per cent *ad valorem*..... 5 p. c.
368. Veneers of wood, not over one-sixteenth of an inch thick, made from woods native to Canada, ten per cent *ad valorem*..... 10 p. c.
369. Wood pulp, twenty-five per cent *ad valorem*. 25 p. c.
370. Walking sticks and canes of all kinds, n.e.s., twenty-five per cent *ad valorem*..... 25 p. c.
371. Picture and photograph frames, of any material, thirty per cent *ad valorem*..... 30 p. c.
372. Mouldings of wood, plain, twenty per cent *ad valorem*..... 20 p. c.
373. Mouldings of wood, gilded or otherwise further manufactured than plain, twenty-five per cent *ad valorem*..... 25 p. c.
374. Fishing rods, thirty per cent *ad valorem*..... 30 p. c.
375. Furniture of wood, iron or any other material, house, cabinet or office, finished or in parts, including hair and spring and other mattresses, bolsters and pillows, thirty per cent *ad valorem*..... 30 p. c.
376. Coffins and caskets, twenty-five per cent *ad valorem*..... 25 p. c.
377. Billiard tables, with or without pockets, and bagatelle tables or boards, cues, balls and cue racks, thirty-five per cent *ad valorem*. 35 p. c.
378. Farm and freight wagons, carts, drays and similar vehicles, twenty-five per cent *ad valorem*..... 25 p. c.

379. Buggies, carriages and pleasure carts, and similar vehicles, n.e.s., costing not more than fifty dollars, five dollars each and \$5 each and twenty-five per cent *ad valorem*; costing more than fifty dollars, thirty-five per cent *ad valorem*; children's carriages, thirty-five per cent *ad valorem* 35 p. c.
380. Bicycles and tricycles, thirty per cent *ad valorem*..... 30 p. c.
381. Railway cars, sleighs, cutters, wheelbarrows, trucks, road or railway scrapers and hand carts, thirty per cent *ad valorem*..... 30 p. c.
382. Fibre ware, n.e.s., Cartavert, indurated fibre ware, vulcanized fibre ware and all articles of like material, twenty-five per cent *ad valorem* 25 p. c.
388. Lead pencils of all kinds, in wood or otherwise, twenty-five per cent *ad valorem*..... 25 p. c.

Musical Instruments.

384. Organs, cabinet, thirty per cent *ad valorem*.. 30 p. c.
385. Organs, pipe organs, and sets or parts of sets of reeds for cabinet organs, twenty-five per cent *ad valorem* 25 p. c.
386. Pianofortes, thirty-five per cent *ad valorem*.. 35 p. c.
387. Parts of pianofortes, twenty-five per cent *ad valorem*..... 25 p. c.
388. Musical instruments of all kinds, n.o.p., twenty-five per cent *ad valorem*..... 25 p. c.

Opium.

389. Opium, crude, one dollar per pound, the outward ball or covering to be free of duty. \$1 p. lb.
390. Opium, powdered, one dollar and thirty-five cents per pound \$1.35 p. lb.
391. Opium prepared for smoking, five dollars per pound \$5 p. lb.

Sugar, Syrups, Molasses, etc.

392. All sugar above number sixteen Dutch standard in colour, and all refined sugars of whatever kinds, grades or standards, the usual packages in which they are imported to be free, sixty-four hundredths of one cent per pound $\frac{64}{100}$ c. p. lb.
393. Glucose or grape sugar, glucose syrup and corn syrup, or any syrups containing any admixture thereof, one cent per pound..... 1 c. p. lb.

394. Sugar candy, brown or white, and confectionery, including sweetened gums, candied peel, and pop-corn, thirty-five per cent *ad valorem*..... 35 p. c.
395. Maple sugar, twenty per cent *ad valorem*..... 20 p. c.
396. Syrups and molasses of all kinds, n.o.p., the product of the sugar cane or beet root, n.e.s., and all imitations thereof or substitutes therefor, five-tenths of one cent per pound.....⁵/₁₀c. p. lb.
397. Molasses produced in the process of the manufacture of cane sugar from the juice of the cane when imported in the original packages from the district where produced in the country where the cane was grown and which has not been subjected to any process of treating or mixture after leaving the country from which originally shipped,—the packages in which imported, when of wood, to be free—
- (a.) Testing by polariscope, forty degrees or over, one and one-half cent per gallon. 1½c. p. gall.
- (b.) When testing by polariscope less than forty degrees and not less than thirty-five degrees, one and one-half cent per gallon, and in addition thereto one cent per gallon for each degree or 1½c. p. gall. fraction of a degree less than forty degrees..... 1c. p. degree additional.
398. Liquorice paste and liquorice in rolls and sticks, twenty per cent *ad valorem*..... 20 p. c.

Textiles.

399. Cotton batts, batting and sheet wadding, dyed or not, twenty-two and one-half per cent *ad valorem*..... 22½ p. c.
400. Cotton warps and cotton yarns, dyed or undyed, n. e. s., twenty-five per cent *ad valorem*..... 25 p. c.
401. Gray, unbleached cotton fabrics, twenty-two and one-half per cent *ad valorem*..... 22½ p. c.
402. White or bleached cotton fabrics, n.e.s., twenty-five per cent *ad valorem*..... 25 p. c.
403. Cotton fabrics, printed, dyed or coloured, thirty per cent *ad valorem*..... 30 p. c.
404. Collars of cotton, linen, xylonite, xyolite or celluloid, twenty-four cents per dozen and twenty-five per cent *ad valorem*..... 24c. p. doz. & 25 p.c.
405. Cuffs of cotton, linen, xylonite, xyolite or celluloid, four cents per pair and twenty-five per cent *ad valorem*..... 4c. p. pair & 25 p. c.

406. Shirts, costing more than three dollars per dozen, twenty-five per cent *ad valorem*, and a specific duty of one dollar per dozen..... 25 p. c. & \$1 p. doz.
407. Shirts, n.e.s., thirty-five per cent *ad valorem* 35 p. c.
408. Corsets, linen, silk and cotton clothing and other articles made from cotton fabrics, n.o.p., thirty-two and a half per cent *ad valorem*..... 32½ p. c.
409. Lamp wicks, twenty-five per cent *ad valorem* 25 p. c.
410. Crapes, black, twenty per cent *ad valorem*... 20 p. c.
411. Velvets, velveteens and plush fabrics, n.e.s., thirty per cent *ad valorem*..... 30 p. c.
412. Webbing, elastic and non-elastic, twenty per cent *ad valorem*..... 20 p. c.
413. Jeans, sateens and coutils when imported by corset and dress stay makers for use in their own factories, twenty-five per cent *ad valorem* 25 p. c.
414. Laces, braids, fringes, embroideries, cords, elastic, round or flat, including garter elastic, tassels and bracelets; braids, chains, cords or other manufacture of hair; lace collars and all similar goods; handkerchiefs, lace nets and nettings of cotton, silk, linen or other material; table cloths and curtains, when made up, trimmed or untrimmed, and belts of all kinds, n.e.s., thirty per cent *ad valorem*..... 30 p. c.
415. Cotton sewing thread in hanks, coloured, bleached or unbleached, three and six cord, twelve and a-half per cent *ad valorem*..... 12½ p. c.
416. Cotton sewing thread and crochet cotton, on spools or tubes or in balls, and all other cotton thread, n.e.s., twenty-five per cent *ad valorem*..... 25 p. c.
417. Cordage, n.e.s, one and one-quarter cent per pound and ten per cent *ad valorem*..... 1¼c. p. lb. & 10 p. c.
418. Twine and cotton cordage, of all kinds, twenty-five per cent *ad valorem*..... 25 p. c.
419. Rove, when imported for the manufacture of twine for harvest binders, ten per cent *ad valorem*..... 10 p. c.
420. Twine for harvest binders of hemp, jute, manilla or sisal, and of manilla and sisal mixed, twelve and a-half per cent *ad valorem*..... 12½ p. c.
421. Canvas, and sail twine of hemp or flax, when to be used for boats' and ships' sails, five per cent *ad valorem*..... 5 p. c.
422. Boot, shoe and stay laces of any material, thirty per cent *ad valorem*..... 30 p. c.

423. Hammocks and lawn tennis nets and other articles manufactured of twine, n.e.s., thirty per cent *ad valorem*..... 30 p. c.
424. Damask of linen, including napkins, doylies, tray cloths, sideboard covers, damask stair linen and diaper, twenty-five per cent *ad valorem*..... 25 p. c.
425. Towels of every description, twenty-five per cent *ad valorem*..... 25 p. c.
426. Sails for boats and ships, twenty-five per cent *ad valorem*..... 25 p. c.
427. Bags or sacks of hemp, linen, or jute, and cotton seamless bags, twenty per cent *ad valorem*..... 20 p. c.
428. All manufactures of hemp, flax, or jute, n.e.s., or of flax, hemp and jute combined, twenty per cent *ad valorem*..... 20 p. c.
429. Jute cloth, not otherwise finished than bleached or calendered, ten per cent *ad valorem*..... 10 p. c.
430. Horse clothing of jute, shaped or otherwise manufactured, thirty per cent *ad valorem*. 30 p. c.
431. Silk in the gum, or spun, not more advanced than singles, tram and thrown orgazine, not coloured, fifteen per cent *ad valorem*... 15 p. c.
432. Sewing and embroidery silk and silk twist, twenty-five per cent *ad valorem* 25 p. c.
433. Silk velvets and all manufactures of silk, or of which silk is the component part of chief value, n.e.s., except church vestments, thirty per cent *ad valorem*..... 30 p. c.
434. Ribbons of all kinds and materials, thirty per cent *ad valorem* 30 p. c.
435. Wool, viz., Leicester, Cotswold, Lincolnshire, South Down combing wools, or wools known as lustre wools and other like combing wools, such as are grown in Canada, three cents per pound..... 3c. p. lb.
436. Hair, curled or dyed, twenty per cent *ad valorem* 20 p. c.
437. Yarns, composed wholly or in part of wool, worsted, the hair of the alpaca, goat or other like animal, costing twenty cents per pound and under, five cents per pound and twenty per cent *ad valorem*..... 5c. p. lb. and 20 p. c.
438. Yarns, woollen and worsted, n. e. s., thirty per cent *ad valorem*..... 30 p. c.
439. Fabrics and manufactures composed wholly or in part of wool, worsted, the hair of the alpaca, goat or other like animal, n. e. s., thirty per cent *ad valorem*..... 30 p. c.

440. Manufactures composed wholly or in part of wool, worsted, the hair of the alpaca, goat or other like animal, viz.: blankets and flannels of every description, cloths, doeskins, cassimeres, tweeds, coatings, overcoatings, and felt cloth, n. e. s., five cents per pound and twenty-five per cent *ad valorem*... 5c. per lb. and 25 p. c.
441. Shawls of all kinds; railway or travelling rugs and lap dusters of all kinds, twenty-five per cent *ad valorem*..... 25 p. c.
442. Hair-cloth of all kinds, thirty per cent *ad valorem*..... 30 p. c.
443. Women's and children's dress goods, coat linings, Italian cloths, alpacas, orleans, cashmeres, henriettas, serges, buntings, nun's cloth, bengalines, whip cords, twills, plains or jacquards of similar fabrics, composed wholly or in part of wool, worsted, the hair of the camel, alpaca, goat, or like animal, not exceeding in weight six ounces to the square yard, when imported in the gray or unfinished state for the purpose of being dyed or finished in Canada, under such regulations as are established by the Governor in Council, twenty-two and one-half per cent *ad valorem*..... 22½ p. c.
444. Felt, pressed, of all kinds, not filled or covered by or with any woven fabric, seventeen and one-half per cent *ad valorem*. 17½ p. c.
445. Socks and stockings of all kinds, n. e. s., ten cents per dozen pairs and thirty-five per cent *ad valorem*..... 10c. p. doz. prs. & 35 p.c.
446. Knitted goods of every description, including knitted underwear, n. e. s., thirty-five per cent *ad valorem* 35 p. c.
447. Carpets, mats and rugs, n. e. s., thirty per cent *ad valorem*..... 30 p. c.
448. Carpeting, mats and matting of cocoa, hemp or jute, and carpet linings and stair pads, twenty-five per cent *ad valorem*..... 25 p. c.
449. Two-ply and three-ply ingrain carpets of which the warp is composed wholly of cotton or other material than wool, worsted, the hair of the alpaca, goat or other like animal, three cents per square yard and twenty-five per cent *ad valorem* 3c. p. sq. yd. & 25 p. c.
450. Treble ingrain, three-ply and two-ply carpets composed wholly of wool, five cents per square yard and twenty-five per cent *ad valorem* .. 5c. p. sq. yd. & 25 p. c.

- 451. Cloths, not rubbered or made waterproof, whether of wool, cotton, unions, silk or ramie, sixty inches or over in width and weighing not more than seven ounces to the square yard when imported exclusively for the manufacture of mackintosh clothing, under regulations to be adopted by Governor in Council, twelve and one-half per cent *ad valorem*..... 12½ p. c.
- 452. Oiled silk and cloth, india-rubbered, flocked or coated with rubber, n.o.p., twenty-seven and one-half per cent *ad valorem*..... 27½ p. c.
- 453. Enamelled floor, stair, shelf and table oil-cloth, cork matting or carpet, and linoleum, 30 p. c., but thirty per cent *ad valorem*, but not less than not less than four cents per square yard..... 4c. p. sq. yd.
- 454. Window shade rollers, thirty-five per cent *ad valorem*..... 35 p. c.
- 455. Window shades in the piece or cut and hemmed or mounted on rollers, thirty-five 35 p. c., but per cent *ad valorem*, but not less than five not less than cents per square yard 5c. p. sq. yd.
- 456. Gloves and mitts of all kinds, thirty-five per cent *ad valorem*..... 35 p. c.
- 457. Clothing, ready-made and wearing apparel of every description composed wholly or in part of wool, worsted, the hair of the alpaca, goat or other like animal, n.o.p., five cents per pound and thirty per cent 5c. p. lb. *ad valorem*..... and 30 p.c.
- 458. Hats, caps and bonnets, n.e.s., thirty per cent *ad valorem*..... 30 p. c.
- 459. Umbrellas, parasols and sunshades of all kinds and materials, thirty-five per cent *ad valorem*..... 35 p. c.
- 460. Braces or suspenders and parts thereof, thirty-five per cent *ad valorem*..... 35 p. c.
- 461. Surgical belts and trusses and suspensory bandages of all kinds, twenty-five per cent *ad valorem*..... 25 p. c.
- 462. Antiseptic surgical dressing such as absorbent cotton, cotton wool, lint, lamb's wool, tow, jute, gauzes and oakum, prepared for use as surgical dressings plain or medicated, twenty per cent *ad valorem*..... 20 p. c.

Tobacco, and Manufactures of.

- 463. Cigars and cigarettes, two dollars per pound and twenty-five per cent *ad valorem*, the weight of cigarettes to include the weight \$2 p. lb. & of the paper covering..... 25 p. c.

464. Cut tobacco, forty-five cents per pound and 45c. p. lb. & twelve and one-half per cent *ad valorem*... 12½ p. c.
 465. Manufactured tobacco, n.e.s., and snuff, thirty-five cents per pound and twelve and 35c. p. lb. & one-half per cent *ad valorem*..... 12½ p. c.

Sundries.

466. Artificial flowers, twenty-five per cent *ad valorem*..... 25 p. c.
 467. Buttons of hoof, rubber, vulcanite or composition, four cents per gross and twenty 4c. p. gr. per cent *ad valorem*..... and 20 p. c.
 468. Buttons of pearl, vegetable ivory or horn, eight cents per gross and twenty per cent 8c. p. gr. *ad valorem*..... and 20 p. c.
 469. Buttons, pantaloons, and all other buttons, n.e.s., twenty per cent *ad valorem*..... 20 p. c.
 470. Combs for dress and toilet, of all kinds, thirty-five per cent *ad valorem*..... 35 p. c.
 471. Fertilizers, compounded or manufactured, ten per cent *ad valorem*..... 10 p. c.
 472. Fireworks, twenty-five per cent *ad valorem*.. 25 p. c.
 473. Gun, rifle and pistol cartridges; cartridge cases of all kinds and materials; percussion caps, and gun wads of all kinds, thirty per cent *ad valorem*..... 30 p. c.
 474. Blasting and mining powder, two cents per pound 2c. p. lb.
 475. Cannon, musket, rifle, gun and sporting powder and canister powder, three cents per pound 3c. p. lb.
 476. Nitro-glycerine, giant powder, nitro and other explosives, four cents per pound. 4c. p. lb.
 477. Photographic dry plates, thirty per cent *ad valorem*..... 30 p. c.
 478. Tobacco pipes of all kinds, pipe mounts, cigar and cigarette holders and cases for the same, thirty-five per cent *ad valorem*..... 35 p. c.
 479. Trunks, valises, hat boxes, carpet bags, satchels, pocket-books and purses and tobacco pouches, thirty per cent *ad valorem* 30 p. c.
 480. Ships and other vessels, built in any foreign country, whether steam or sailing vessels, on application for Canadian register, on the fair market value of the hull, rigging, machinery and all appurtenances; on the hull, rigging and all appurtenances, except machinery, ten per cent *ad valorem*; on 10 p. c. boilers, steam engines and other machinery, twenty-five per cent *ad valorem*..... 25 p. c.

481. All goods not enumerated in this Act as subject to any other rate of duty, nor declared free of duty by this Act, and not being goods the importation whereof is by this Act or any other Act prohibited, shall be subject to a duty of twenty per cent *ad valorem* 20 p. c.

SCHEDULE B.

FREE GOODS.

482. Articles for the use of the Governor General.
483. The following articles when imported by and for the use of the Army and Navy:—Arms, military or naval clothing, musical instruments for bands, military stores and munitions of war.
484. Articles imported by or for the use of the Dominion Government or any of the departments thereof, or by and for the Senate or House of Commons, including the following articles when imported by the said government or through any of the departments thereof for the use of the Canadian militia:—Military clothing, musical instruments for military bands, military stores and munitions of war.
485. Articles for the personal use of consuls general who are natives or citizens of the country they represent and who are not engaged in any other business or profession.
486. Travellers' baggage, under regulations prescribed by the controller of customs.
487. Carriages for travellers and carriages laden with merchandise, and not to include circus troops or hawkers, under regulations prescribed by the controller of customs.
488. Apparel, wearing and other personal and household effects, not merchandise, of British subjects dying abroad, but domiciled in Canada.
489. Settlers' effects, viz.:—Wearing apparel, household furniture, books, implements and tools of trade, occupation or employment, musical instruments, domestic sewing machines, live stock, carts and other vehicles and agricultural implements in use by the settler for at least six months before his removal to Canada, not to include machinery, or articles imported for use in any manufacturing establishment, or for sale; also books, pictures, family plate or furniture, personal effects and heirlooms left by bequest; provided that any dutiable article entered as settlers' effects may not be so entered unless brought with the settler on his first arrival, and shall not be sold or otherwise disposed of without payment of duty, until after twelve months' actual use in Canada; provided
- 274
- also,

also, that, under regulations made by the controller of customs, live stock, when imported into Manitoba or the North-west Territories by intending settlers, shall be free until otherwise ordered by the Governor in Council.

490. Animals brought into Canada temporarily and for a period not exceeding three months, for the purpose of exhibition or of competition for prizes offered by any agricultural or other association; (but a bond shall be first given in accordance with regulations prescribed by the controller of customs, with the condition that the full duty to which such animals would otherwise be liable shall be paid in case of their sale in Canada, or if not re-exported within the time specified in such bond).
491. Horses, cattle, sheep, swine and dogs for the improvement of stock, under regulations made by the Treasury Board and approved by the Governor in Council.
492. Menageries, horses, cattle, carriages and harness of, under regulations prescribed by the controller of customs.
493. Acids used for medicinal, chemical or manufacturing purposes, not specially provided for in this Act.
494. Admiralty charts.
495. Alum, in bulk only, ground or unground.
496. Aluminum, or aluminium sheets and alumina and chloride of aluminum or chloralum, sulphate of alumina and alum cake.
497. Ambergris.
498. Ammonia, sulphate of, sal-ammoniac, and nitrate of ammonia.
499. Anatomical preparations and skeletons or parts thereof.
500. Aniline salts and arseniate of aniline; aniline dyes and coal tar dyes in bulk or packages of not less than one pound weight, including alizarine and artificial alizarine.
501. Aniline oil, crude.
502. Annato, liquid or solid.
503. Anchors.
504. Antimony salts; antimony, not ground, pulverized, or otherwise manufactured.
505. Arsenic.
506. Asphalt or asphaltum and bone pitch, crude only.
507. Barrels or packages of Canadian manufacture which have been exported, filled with Canadian products, when returned, under such regulations as the controller of customs prescribes.
508. Bees.
509. Bells, when imported for the use of churches.
510. Bismuth, metallic, in its natural state.
511. Blanketing and lapping, and discs or mills for engraving copper rollers, when imported by cotton manufacturers, calico printers and wall paper manufacturers, for use in their own factories only.
512. Blood albumen, and tannic acid.

- 513. Bolting cloth, not made up.
- 514. Bones, crude, not manufactured, burned, calcined, ground or steamed.
- 515. Books, viz. :—Bibles, prayer-books, psalm and hymn, and books printed in any language other than the English and French languages.
- 516. Books, embossed, for the blind, and books for the instruction of the deaf and dumb and blind.
- 517. Books printed by any government or by any association for the promotion of science or letters, and official annual reports of religious or benevolent associations, and issued in the course of the proceedings of the said associations, to their members, and not for the purpose of sale or trade.
- 518. Books, not being printed or reprinted in Canada, which are included and used as text books in the curriculum of any university or incorporated college in Canada for the use of students thereof; books specially imported for the *bonâ fide* use of incorporated mechanics' institutes, public free libraries, and university and college libraries and law libraries of any duly organized law associations or society for the use of its members, not more than two copies of each book, under regulations made by the Governor in Council.
- 519. Books, bound or unbound, which have been printed and manufactured more than twelve years.
- 520. Bookbinders' cloth.
- 521. Boracic acid, and borax, ground or unground, in bulk of not less than twenty-five pounds.
- 522. Botanical specimens.
- 523. Brass scrap, and brass in sheets or plates.
- 524. Brass in bars, rods and bolts, drawn, plain and fancy tubing, not bent or otherwise manufactured, in lengths not less than six feet.
- 525. Brass in strips for printers' rules, not finished.
- 526. Brass, iron and copper wire twisted, when imported by manufacturers of boots and shoes for use in their own factories.
- 527. Bristles.
- 528. Britannia metal in pigs and bars.
- 529. Bromine.
- 530. Broom corn.
- 531. Buckram for the manufacture of hat and bonnet shapes.
- 532. Bullion, gold and silver, in bars, blocks or ingots, and bullion fringe.
- 533. Burgundy pitch.
- 534. Burr-stones, in blocks, rough or unmanufactured, not bound up or prepared for binding into mill-stones.
- 535. Caplins, unfinished Leghorn hats, and Manilla hoods.
- 536. Casts as models, for the use of schools of design.

537. Cat-gut strings or gut cord for musical instruments; cat-gut or worm-gut, unmanufactured, for whip and other cord.
538. Blast furnace slag.
539. Celluloid, xylonite or xyolite in sheets, and in lumps, blocks or balls in the rough.
540. Chalk stone, china or Cornwall stone, felspar and cliff stone, ground or unground.
541. Cherry heat welding compound.
542. Chloride of lime.
543. Chronometers and compasses for ships.
544. Cinnabar.
545. Citron, lemon and orange rinds in brine.
546. Clays, including China clay, fire clay and pipe clay.
547. Clothing, donations of, for charitable purposes.
548. Coal, anthracite, and anthracite coal dust.
549. Coal tar and coal pitch.
550. Coke.
551. Cobalt, ore of.
552. Cochineal.
553. Coins, cabinets of, collections of medals and of other antiquities, including collections of postage stamps.
554. Coins, gold and silver, except United States silver coin.
555. Coir and coir yarns.
556. Colours, metallic, viz. :—Oxides of cobalt, tin and copper, n.e.s.
557. Communion plate, when imported for the use of churches.
558. Copper, old and scrap, and copper in pigs, bars, rods and bolts, in lengths not less than six feet, copper ingots, sheets, plates and sheathing, not planished or coated.
559. Copper seamless drawn tubing.
560. Copper, precipitate of, crude.
561. Cotton wool and cotton waste.
562. Cotton yarns, number forty and finer.
563. Cups and other prizes won in *bonâ fide* competitions.
564. Curling stones of granite.
565. Cyanide of potassium, *blanc fixe*, and satin white.
566. Diamonds, unset, diamond dust or bort and black diamonds for borers.
567. Diamond drills for prospecting for minerals, not to include motive power.
568. Domestic fowls, pure-bred, for the improvement of stock, homing or messenger pigeons and pheasants and quails.
569. Dragon's blood.
570. Drugs, crude, such as barks, beans, berries, flowers, roots, balsams, buds, bulbs, fruits, insects, grains, gums and gum resins, herbs, leaves, nuts, fruits and stem seeds—any of the foregoing which are not edible and in a crude state and not advanced in value by refining or grinding or any other process of manufacture and not otherwise provided for.

571. Duck for belting and hose when imported by manufacturers of rubber goods for use in their factories.
572. Dyeing or tanning articles, in a crude state, used in dyeing or tanning, n. e. s.; berries for dyeing or used for composing dyes; turmeric, nut galls; lac, crude, seed, button, stick and shell; indigo, indigo paste and extract of, and indigo auxiliary or zinc dust; persis, or extract of archill and cudbear, terra japonica, gambier or cutch, extract of logwood, fustic, oak and of oak bark; camwood and sumac and extract thereof, tanners' bark, hemlock bark and oak bark; ground logwood, ground fustic, and patent prepared dyes.
573. Egg yolk.
574. Emery in bulk, crushed or ground.
575. Entomological specimens.
576. Felt, adhesive, for sheathing vessels.
577. Fertilizers, uncompounded or unmanufactured, including kainite or German potash salts, German mineral potash, bone-dust, bone black or charred bone and bone-ash, fish offal or refuse, guano and other animal or vegetable manures.
578. Fibre, Mexican, and tampico or istle and vegetable fibres, natural.
579. Fibrilla.
580. Fillets of cotton and rubber, not exceeding seven inches wide, when imported by and for the use of manufacturers of card clothing.
581. Fish hooks, nets and seines, and twines to be used in making nets or seines, and fishing lines, not to include sporting fishing tackle or hooks with flies or trawling spoons, or threads or twines commonly used for sewing or manufacturing purposes.
582. Flax fibre and flax tow.
583. Fire bricks, not to include stove linings, for manufacturing purposes.
584. Flint, flints and ground flint stones.
585. Florist stock, viz.:—Palms, orchids, azaleas, cacti and flower bulbs of all kinds.
586. Foliæ digitalis.
587. Fossils.
588. Foot-grease, being the refuse of cotton seed after the oil has been pressed out, but not when treated with alkalis.
589. Fruits, viz.:—Bananas, plantains, pine apples, pomegranates, guavas, mangoes and shaddocks; and wild blueberries, wild strawberries and wild raspberries.
590. Fuller's earth.
591. Fur skins of all kinds not dressed in any manner.
592. Gannister.
593. Globes, geographical, topographical and astronomical.
594. Gold-beaters' moulds and gold-beaters' skins.

595. Gold and silver sweepings.
596. Grass, Manilla, Esparto or Spanish, and other grasses, and pulp of, including fancy grasses, dried but not coloured or otherwise manufactured.
597. Gravels.
598. Grease, rough, the refuse of animal fat, for the manufacture of soap only.
599. Grommets.
600. Gums, viz. :—Amber, Arabic, Australian, copal, dammar, elemy, kaurie, mastic, sandarac, Senegal, shellac ; and white shellac in gum or flake, for manufacturing purposes ; and gum tragacanth, gum gedda and gum barberry.
601. Gutta percha, crude.
602. Gypsum, crude (sulphate of lime).
603. Hair, cleaned or uncleaned, but not curled, dyed or otherwise manufactured.
604. Hatters' furs, not on the skin, and hatters' plush of silk or cotton.
605. Hemp, undressed.
606. Hides and skins, raw, whether dry, salted or pickled, and raw pelts.
607. Hoofs, horn strips, horn and horn tips, in the rough, not polished or otherwise manufactured than cleaned.
608. Hoop iron, not exceeding three-eighths of an inch in width and being No. 25 gauge or thinner, used for the manufacture of tubular rivets.
609. Ice.
610. Indian corn of the varieties known as "Southern white dent corn" or horse tooth ensilage corn, and "Western yellow dent corn" or horse tooth ensilage corn, when imported to be planted or sown for soiling and ensilage and for no other purpose, under regulations to be made by the Governor in Council.
611. Iodine, crude.
612. Ingot moulds.
613. Iron sand or globules, and dry putty for polishing glass or granite.
614. Iron liquor, solution of acetate of iron for dyeing and calico printing.
615. Iron or steel beams, sheets, plates, angles and knees for iron, steel or composite ships or vessels.
616. Iron or steel masts for ships, or parts of.
617. Iron, steel or brass manufactures, which at the time of their importation are of a class or kind not manufactured in Canada, when imported for use in the construction or equipment of ships or vessels.
618. Ivory and ivory nuts, unmanufactured, and veneers of ivory, sawn only.
619. Junk, old.
620. Jute and jute butts.

- 621. Jute cloth, as taken from the loom, not coloured, cropped, mangled, pressed, calendered nor finished in any way.
- 622. Jute, flax or hemp yarn, plain, dyed or coloured, when imported by manufacturers of carpets, rugs and mats, and of jute webbing or jute cloth, and of twines, for use in their own factories.
- 623. Jute canvas, not pressed or calendered, when imported by manufacturers of floor oil-cloth for use in their own factories.
- 624. Kelp.
- 625. Kryolite or cryolite, mineral.
- 626. Lamp black and ivory black.
- 627. Lava, unmanufactured.
- 628. Lead, nitrate and acetate of, not ground.
- 629. Leeches.
- 630. Lime juice, crude only.
- 631. Litharge.
- 632. Litmus and all lichens, prepared or not prepared.
- 633. Locomotive and car wheel tires of steel, when in the rough.
- 634. Locomotive and railway passenger, baggage and freight cars, being the property of railway companies in the United States, running upon any line of road crossing the frontier, so long as Canadian locomotives and cars are admitted free under similar circumstances in the United States, under regulations prescribed by the controller of customs.
- 635. Madder and munjeet, or Indian madder, ground or prepared, and all extracts of.
- 636. Manganese, oxide of.
- 637. Manuscripts and insurance maps, and album insides of paper, and hair brush pads.
- 638. Maps and charts for the use of schools for the blind.
- 639. Marble in the rough in blocks.
- 640. Meerschaum, crude or raw.
- 641. Mineral waters, natural, not in bottle, under regulations prescribed by the controller of customs.
- 642. Mineralogical specimens.
- 643. Mining and smelting machinery imported prior to the sixteenth day of May, 1896, which is at the time of its importation of a class or kind not manufactured in Canada.
- 644. Models of inventions and of other improvements in the arts ; but no article or articles shall be deemed a model which can be fitted for use.
- 645. Moss, Iceland, and other mosses, seagrass and seaweed, crude or in their natural state or cleaned only.
- 646. Musk, in pods or in grains.
- 647. Newspapers, and quarterly, monthly and semi-monthly magazines, and weekly literary papers, unbound.

648. Nickel.
649. Oakum.
650. Oils, viz.:—Cocoanut and palm, in their natural state; carbolic or heavy oil; olive oil, n.e.s., for manufacturing and mechanical purposes, and oil of roses, including ottar or attar of roses.
651. Oil cake and oil cake meal, cotton seed cake and cotton seed meal, and palm nut cake and meal.
652. Osiers.
653. Ores of metal of all kinds.
654. Oxalic acid.
655. Oysters, seed and breeding, imported for the purpose of being planted in Canadian waters.
656. Paintings, in oil or water colours, by artists of well-known merit, or copies of the old masters by such artists.
657. Paintings, in oil or water colours, the production of Canadian artists, under regulations to be made by the controller of customs.
658. Palm leaf, unmanufactured.
659. Philosophical instruments and apparatus—that is to say, such as are not manufactured in Canada, when imported for use in universities, colleges, schools and scientific societies.
660. Phosphorus.
661. Pictorial illustrations of insects, &c., when imported for the use of colleges and schools, scientific and literary societies.
662. Pitch (pine), and pine tar in packages of not less than fifteen gallons.
663. Plaits, chip, manilla, cotton, mohair, straw, Tuscan and grass.
664. Platinum sheets and wire; and retorts, pans, condensers, tubing and pipe made of platinum, when imported by manufacturers of sulphuric acid for use in their works in the manufacture or concentration of sulphuric acid.
665. Plumbago crucibles.
666. Potash, chlorate of, in crystals, when imported for manufacturing purposes only; potash, muriate and bi-chromate of, crude, caustic potash, and red and yellow prussiate of potash; also ashes, pot and pearl, in packages of not less than twenty-five pounds weight.
667. Precious stones, in the rough.
668. Prunella.
669. Pumice and pumice stone, ground or unground.
670. Quicksilver.
671. Quills in their natural state or unplumed.
672. Quinine, salts of.
673. Rags of cotton, linen, jute, hemp and woollen, paper waste clippings, and waste of any kind except mineral waste.
674. Red liquor, a crude acetate of aluminium prepared from pyroligneous acid, for dyeing and calico printing.

675. Rennet, raw or prepared.
676. Resin or rosin in packages of not less than one hundred pounds, and rosin oil.
677. Ribs of brass, iron or steel, runners, rings, caps, notches, ferrules, mounts and sticks or canes in the rough, or not further manufactured than cut into lengths suitable for umbrella, parasol or sunshade sticks, when imported by manufacturers of umbrellas, parasols and sunshades for use in their factories in the manufacture of umbrellas, parasols and sunshades only.
678. Roots, medicinal, viz. :— Alkanet, crude, crushed or ground, aconite, calumba, gentian, ginseng, jalap, ipecacuanha, iris, orris root, liquorice, sarsaparilla, squills, taraxacum, rhubarb, and valerian, unground.
679. Rubber, crude, caoutchouc or india-rubber, unmanufactured ; hard rubber in sheets, but not further manufactured, and recovered rubber and rubber substitute.
680. Saddle jiggers, stirrups and saddle-trees of all kinds.
681. Saffron, saffron cake, safflower, and extract of.
682. Salt, imported from the United Kingdom or any British possession, or imported for the use of the sea or gulf fisheries.
683. Saltpetre.
684. Sand.
685. Sausage skins or casings, not cleaned.
686. Scrap iron and scrap steel, old and fit only to be re-manufactured, being part of or recovered from any vessel wrecked in waters subject to the jurisdiction of Canada.
687. Seedling stock for grafting, viz. :—Plums, pear, peach and other fruit trees.
688. Seeds, viz. :—Annato, beet, carrot, flax, turnip, mangold and mustard, and aromatic seeds which are not edible and are in a crude state, and not advanced in value or condition by grinding or refining, or by any other process of manufacture, viz. : Anise, anise star, caraway, cardamom, coriander, cumin, fennel and fenugreek.
689. Beans, viz. :—Tonquin, vanilla and nux vomica, crude only, locust beans and locust bean meal, and cocoa beans, not roasted, crushed or ground.
690. Shells, tortoise and mother-of-pearl, and other, unmanufactured.
691. Shoe buttons, papier maché ; metal glove fasteners, eyelet hooks and eyelets.
692. Silix or crystallized quartz.
693. Silk, raw or as reeled from the cocoon, not being doubled, twisted or advanced in manufacture in any way ; silk cocoons and silk waste.
694. Silver, German silver and nickel silver, rolled or in sheets.
695. Skins of birds, and skins of animals not natives of Canada, for taxidermic purposes, not further manufactured than prepared for preservation.

696. Soda, sulphate of, crude, known as salt cake, barilla or soda ash, caustic soda; silicate of soda in crystals or in solution; bichromate of soda, nitrate of soda or cubic nitre, sal soda, sulphide of sodium, nitrite of soda, arseniate, binarseniate, chloride, chlorate, bisulphite and stannate of soda.
697. Spelter, in blocks and pigs.
698. Spurs and stilts, used in the manufacture of earthenware.
699. Steel bowls for cream separators.
700. Steel for the manufacture of files, when imported by file manufacturers for use in their factories.
701. Steel of number twenty gauge and thinner, but not thinner than number thirty gauge, to be used in the manufacture of corset steels, clock springs and shoe shanks; and flat wire of steel of number sixteen gauge or thinner, to be used in the manufacture of crinoline or corset wire and dress stays, when imported by the manufacturers of such articles for use in their own factories.
702. Steel rolled rods of, under half an inch in diameter or under half an inch square, when imported by knob or lock manufacturers or cutlers, for use exclusively by such manufacturers in their own factories.
703. Steel rails weighing not less than forty-five pounds per lineal yard for use in railway tracks; but this item shall not extend to rails for use in the tracks of railways used or intended for private purposes only, nor shall it extend to rails which are not used or intended to be used in connection with the business of common carrying of either goods or passengers, nor shall this item extend to rails for use in the tracks of street railways or tramways.
704. Steel for saws and straw cutters, cut to shape, but not further manufactured.
705. Steel valued at two and one-half cents per pound and upwards, for use in the manufacture of skates.
706. Steel of number twelve gauge and thinner, but not thinner than number thirty gauge, when imported by manufacturers of buckle clasps and ice-creepers, to be used in the manufacture of such articles only in their own factories.
707. Stereotypes, electrotypes and celluloids of books, and bases and matrices and copper shells for the same, whether composed wholly or in part of metal or celluloid.
708. Sugar, n.e.s., not above number sixteen Dutch standard in colour, sugar drainings, or pumpings drained in transit, melado or concentrated melado, tank bottoms and sugar concrete.
709. Sulphate of iron (copperas); and sulphate of copper (blue vitriol).
710. Sulphur and brimstone, crude, or in roll or flour.

711. Tagging metal, plain, japanned or coated, in coils, not over one and a half inch in width, when imported by manufacturers of shoe and corset laces for use in their factories.
712. Tails, undressed.
713. Tartar emetic and gray tartar; cream of tartar in crystals and argal or argols.
714. Tea and green coffee imported direct from the country of growth and production.
This item shall include tea and coffee purchased in bond in any country where tea and coffee are subject to customs duty, provided there is satisfactory proof that the tea or coffee so purchased in bond is such as might be entered for home consumption in the country where the same is purchased.
715. Teasels.
716. Tin crystals, tin strip waste, and tin in blocks, pigs, bars and sheets and tin plates, tin foil and tea lead.
717. Tobacco, unmanufactured, for excise purposes, under conditions of *The Inland Revenue Act*.
718. Treenails.
719. Trees, n.e.s.
720. Turpentine, raw or crude.
721. Turtles.
722. Ultramarine blue, dry or in pulp.
723. Vaccine and ivory vaccine points.
724. Varnish, black and bright for ships' use.
725. Verdigris, or sub-acetate of copper, dry.
726. Whalebone, unmanufactured.
727. Whiting or whitening, gilder's whiting and Paris white.
728. Wire rigging for ships and vessels.
729. Wire, crucible cast steel.
730. Wire of iron or steel of number thirteen and number fourteen gauge, flattened and corrugated, used in connection with the machine known as the wire grip and champion nailing machine for the manufacture of boots, shoes and leather belting, when imported by manufacturers of such articles to be used for these purposes only in their own factories.
731. Wool and the hair of the camel, alpaca, goat and other like animals, not further prepared than washed, n.e.s.; and noils, being the short wool which falls from the combs in worsted factories.
732. Mohair yarns.
733. Wool or worsted yarns, when genapped, dyed or finished and imported by manufacturers of braids, cords, tassels and fringes to be used in the manufacture of such articles only in their own factories.
734. Logs and round unmanufactured timber, not specially enumerated or provided for in this Act.

735. Firewood, handle bolts, heading bolts, stave bolts and shingle bolts, hop poles, fence posts, railroad ties, ship timber and ship planking, not specially provided for in this Act.
736. Timber hewn or sawed, and timber used for spars and in building wharfs.
737. Timber squared or sided.
738. Creosoted lumber.
739. Sawed boards, plank, deals, and other lumber, undressed or dressed on one side only.
740. Pine clapboards.
741. Spruce clapboards.
742. Hubs for wheels, posts, last blocks, wagon blocks, oar blocks, gun blocks, heading, and all like blocks or sticks, rough hewn or sawed only.
743. Laths.
744. Pickets and palings.
745. Staves of wood of all kinds ; wood unmanufactured.
746. Bamboos, unmanufactured, and bamboo reeds, not further manufactured than cut into suitable lengths for walking sticks or canes, or for sticks for umbrellas, parasols or sunshades.
747. Cane and rattans, not manufactured.
748. Corkwood, or cork bark, unmanufactured.
749. Lumber and timber planks and boards of amaranth, cocoboral, boxwood, cherry, chestnut, walnut, gumwood, mahogany, pitch pine, rosewood, sandal-wood, sycamore, Spanish cedar, oak, hickory, whitewood, African teak, black heart ebony, lignum vitæ, red cedar, redwood, satin-wood and white ash, when not otherwise manufactured than rough sawn or split or creosoted, vulcanized or treated by any other preserving process ; the wood of the persimmon and dogwood trees, hickory billets, and hickory lumber sawn to shape for spokes of wheels, but not further manufactured ; hickory spokes rough turned, not tenoned, mitred, throated, faced, sized, cut to length, round tenoned or polished.
750. Yellow metal, in bolts, bars and for sheathing.
751. Zinc, in blocks, pigs and sheets, and zinc seamless drawn tubing.
752. Zinc, salts of.
753. Brass cups, being rough blanks, for the manufacture of paper shells or cartridges, when imported by manufacturers of brass and paper shells and cartridges, for use in their own factories.
754. Brass, iron or steel rolled, round wire rods under three-eighths of an inch in diameter, and rolled copper rods one inch or under in diameter, when imported by wire manufacturers for use in making wire in their own factories.
755. Calcareous tufa.

756. Crucible sheet steel, eleven to sixteen gauge, two and one-half to eighteen inches wide, when imported by manufacturers of mower and reaper knives, for the manufacture of such knives, in their own factories.
757. Copper rollers, for use in calico printing, when imported by calico printers for use in their factories in the printing of calicoes and for no other purpose (such rollers not being manufactured in Canada).
758. Elastic rubber thread.
759. Felloes of hickory wood, rough sawn to shape only, or rough sawn and bent to shape, not planed, smoothed or otherwise manufactured, and D shovel handles of wood.
760. Fish skins and fish offal.
761. Gum chicle or sappato gum in a crude state.
762. Hatters' bands (not cords), bindings, tips and sides, hat sweats and linings both tips and sides, when imported by hat and cap manufacturers only, for use in their factories for the manufacture of hats and caps.
763. Hemp paper, made on four cylinder machines and calendered to between .006 and .008 inch thickness for the manufacture of shot shells; primers for shot shells and cartridges, and felt board sized and hydraulic pressed, and covered with paper or uncovered, for the manufacture of gun wads, when such articles are imported by manufacturers of shot shells, cartridges and gun wads, to be used for these purposes only in their own factories, until such times as the said articles are manufactured in Canada: Provided always that the said articles, when imported, shall be entered only at such port or ports as are named by the controller of customs, and at no other place; samples of such articles to be furnished to the collector of the said port or ports by the Customs Department for the guidance of the officers when accepting free entries of such materials.
764. Molasses, second process, or molasses derived from the manufacture of "molasses sugar," testing by polariscope less than 35 degrees, when imported by manufacturers of blacking, for use in their own factories in the manufacture of blacking, conditional that the importers shall, in addition to making oath at the time of entry that such molasses is imported for such use and will not be used for any other purpose, cause such molasses to be at once mixed in a proper tank made for the purpose with at least one-fifth of the quantity thereof of cod, or other oil, whereby such molasses may be rendered unfit for any other use, such mixing to be done in the presence of a customs officer at the expense of the importer, and under such further regulations as may from time to time be considered necessary in the interest and for the protection of the revenue, and that until such mixing is done

- done and duly certified on the face of the entry thereof by such customs officer the entry shall be held to be incomplete and the molasses subject to the usual rate of duty as when imported for any other purpose.
765. Horse-hair, not further manufactured than simply cleaned and dipped or dyed, imported for use in the manufacture of horse-hair cloths.
766. Lastings, mohair cloth, or other manufactures of cloth, when imported by manufacturers of buttons for use in their own factories, and woven or made in patterns of such size, shape or form, or cut in such manner as to be fit for covering buttons, exclusively—These conditions to be ascertained by special examination by the proper officer of customs, and so certified on the face of each entry.
767. Oleo-stearine and degras, when imported by manufacturers of leather, for use in the manufacture of leather in their factories.
768. Platinum and black oxide of copper, for use in the manufacture of chlorate.
769. Potash, chlorate of, not further prepared than ground, and free from admixture with any other substance.
770. Rolled iron tubes not welded, under one and one-half inch in diameter, angle iron, nine and ten gauge, not over one and one-half inch wide, iron tubing, lacquered or brass covered, not over one and one-half inch in diameter,—all of which are to be cut to lengths for the manufacture of bedsteads, and to be used for no other purpose,—when imported for manufacturers of iron bedsteads to be used for these purposes only in their own factories, until such time as any of the said articles are manufactured in Canada.
771. Sawdust of the following woods : Amaranth, cocoboral, boxwood, cherry, chestnut, walnut, gumwood, mahogany, pitch pine, rosewood, sandal-wood, sycamore, Spanish cedar, oak, hickory, whitewood, African teak, black heart ebony, lignum vitæ, red cedar, redwood, satin-wood, white ash, persimmon and dogwood.
772. Square reeds and raw-hide centres, textile leather or rubber heads, thumbs and tips, and steel, iron or nickel caps for whip ends, when imported by whip manufacturers, for use in the manufacture of whips in their own factories.
773. Steel for the manufacture of hammers, augers and auger bits, when imported by the manufacturers of such articles, for use in their own factories only.
774. Steel of numbers twenty-four and seventeen gauge, in sheets sixty-three inches long and from eighteen inches to thirty-two inches wide, for the manufacture of tubular bow sockets, when imported by the manufacturers of such articles, for use in their own factories only.

775. Steel strip and flat steel wire when imported into Canada by manufacturers of buckthorns, plain strip or other fencing, and safety barb wire fencing, for use in their factories in the manufacture thereof.
776. Steel wire, Bessemer soft drawn spring, of numbers ten, twelve and thirteen gauge, respectively, and homosteel spring wire of numbers eleven and twelve gauge, respectively, when imported by manufacturers of wire mattresses, to be used in their own factories in the manufacture of such articles.
777. Typewriters, tablets with movable fixtures, and musical instruments, when imported by and for the use of schools for the blind, and being and remaining the sole property of the governing bodies of the said schools and not of private individuals; the above particulars to be verified by special affidavit on each entry when presented.
778. Yarn spun from the hair of the alpaca or of the angora goat, when imported by manufacturers of braids for use exclusively in their factories in the manufacture of such braids only, under such regulations as are adopted by the controller of customs.

SCHEDULE C.

PROHIBITED GOODS.

779. Books, printed paper, drawings, paintings, prints, photographs or representations of any kind of a treasonable or seditious, or of an immoral or indecent character.
780. Reprints of Canadian copyright works, and reprints of British copyrights works which have been also copyrighted in Canada.
781. Coin, base or counterfeit.
782. Oleomargarine, butterine or other similar substitute for butter.
783. Tea adulterated with spurious leaf or with exhausted leaves, or containing so great an admixture of chemical or other deleterious substances as to make it unfit for use.
784. Goods manufactured or produced wholly or in part by prison labour, or which have been made within or in connection with any prison, jail or penitentiary.



57-58 VICTORIA.

CHAP. 34.

An Act to amend the Act to provide for the allowance of drawback on certain articles manufactured in Canada, for use in the construction of the Canadian Pacific Railway.

[Assented to 23rd July, 1894.]

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

1. The words “original construction” in section one of chapter seven of the Statutes of 1882, intituled *An Act to provide for the allowance of drawback on certain articles manufactured in Canada, for use in the construction of the Canadian Pacific Railway*, shall be construed to extend to and include the first iron or steel bridge erected in a locality, but not to any renewal or repair thereof.

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



57-58 VICTORIA

CHAP. 35.

An Act further to amend the Inland Revenue Act.

[Assented to 23rd July, 1894.]

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

1. Section one hundred and fourteen of *The Inland Revenue Act*, chapter thirty-four of the Revised Statutes, is hereby repealed and the following substituted therefor :—

R.S.C., c. 34,
s. 114,
repealed.

“114. All forfeitures and penalties under this Act imposed or made in respect of persons licensed thereunder, after deducting the expenses in connection therewith, shall, unless it is otherwise expressly provided, belong to Her Majesty for the public uses of Canada ; but the net proceeds of such penalty or forfeiture, or any portion thereof, may be divided between and paid to any officer of inland revenue holding a rank not higher than that of a special class exciseman,—or, if imposed or made in respect of persons not licensed under the Act, the said net proceeds may be divided between and paid to any officer of inland revenue by whom the seizure was made, or the information given on which the prosecution was founded,—and any person having given information or otherwise aided in effecting the condemnation of the goods or thing seized, or the recovery of the penalty, in such proportions as the Governor in Council, in any case or class of cases, directs and appoints ; but nothing herein contained shall be construed to limit or affect any power vested in the Governor in Council with regard to the remission of penalties or forfeitures by this Act or any other law.”

Disposal of
penalties and
forfeitures.

2. Section one hundred and nineteen of the said Act is hereby amended by adding the following subsection thereto :—

Section 119
amended.

“2. The Department of Inland Revenue may, under regulations made for that purpose, allow on the exportation of goods which have been manufactured from articles subject to a duty of excise, and on which such duty of excise has been paid, a drawback equal to the duty so paid, with such deduction therefrom as is provided in such regulations and subject to the direction of the Governor in Council.”

Drawback on
exportation of
certain goods.

Section 162
amended.

3. Subsection one of section one hundred and sixty-two of the said Act, as amended by section five of chapter twenty-three of the Statutes of 1890, is hereby repealed and the following substituted therefor :—

Penalty for
sale, etc., of
spirits unlaw-
fully manu-
factured.

“**162.** Every person who sells or offers for sale, or who purchases any spirits, or has any spirits in his possession, knowing them to have been unlawfully manufactured or imported, shall, for a first offence, incur a penalty of fifty dollars, and for each subsequent offence, a penalty of one hundred dollars ; and all spirits so unlawfully manufactured or imported, wheresoever they are found, and all horses and vehicles and other appliances which have been or are being used for the purpose of removing the same, shall be forfeited to the Crown, and shall be dealt with accordingly.”

Section 192
repealed.

4. The section substituted for section one hundred and ninety-two of the said Act by section thirteen of chapter forty-six of the Statutes of 1891, is hereby repealed and the following substituted therefor :—

Duties of
excise on
malt.

“**192.** There shall be imposed, levied and collected the following duties of excise on all malt,—which shall be paid to the collector of inland revenue, as by this Act provided, that is to say :—

“(a.) On every pound of malt manufactured in Canada, subject to excise regulations with respect to coomings and absorption of moisture in warehouse as provided by Order in Council of the seventh day of February, one thousand eight hundred and ninety-one, one and one-half cent,—

Exceptions as
to malt made
for certain
distilleries.

“Except that malt made in a malt-house where malt is not made for any other purpose than for use in a distillery wherein no other material than malt is used for the production of spirits, may be removed from the malt-house to the distillery in bond, and the duty on such malt may be remitted upon proof satisfactory to the Department of Inland Revenue that such malt has been used solely for the production of spirits ; and except further that malt used, in any licensed bonded manufactory, in the manufacture of malt extract or other similar medicinal preparation approved by the Department of Inland Revenue, may have duty thereon remitted under such regulations as the department establishes ;

On imported
malt.

“(b.) On every pound of malt imported into Canada and warehoused, when taken out of bond for consumption, an excise duty of one and one-half cent ;

Imported
malt to be
bonded.

“Malt so imported shall be warehoused in a suitable bonding warehouse provided at the cost of the importer, and approved as such by a duly authorized revenue officer, and shall be bonded under the excise regulations then in force with respect to malt in Canada, and shall be subject to the same restrictions,—and if not so warehoused immediately on importation, shall be forfeited to the Crown, and may be seized by any officers of the revenue and dealt with accordingly.”

2. This section shall be deemed to have come into force on the twenty-eighth day of March, one thousand eight hundred and ninety-four. Coming into force of this section.

5. Section two hundred and thirty-four of the said Act, as enacted by section nine of chapter fifteen of the Statutes of 1889, is hereby amended by striking out the word "four" in line twenty-nine, and substituting therefor the word "six." Section 234 amended. Excise duty on vinegar.

2. The said section, as so amended, shall be held to have come into force on the twenty-eighth day of March, one thousand eight hundred and ninety-four. Coming into force of this section.

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57-58 VICTORIA.

CHAP. 36.

An Act further to amend the General Inspection Act.

[Assented to 23rd July, 1894.]

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

1. Paragraph (b) of subsection one of section two of *The General Inspection Act*, chapter ninety-nine of the Revised Statutes, is hereby repealed and the following substituted therefor :—

R.S.C., c. 99,
s. 2 amended.

“(b.) Wheat and other grain, and hay ;”

2. Section forty-four of the said Act is hereby amended by adding thereto the following subsections :—

Section 44
amended.

“3. The grades of hay shall be as follows :—

Grades of hay.

“Prime timothy, shall be pure timothy, perfect in colour, sound and well cured ;

“No. 1 timothy, shall be timothy with not more than one-eighth of clover or other tame grasses mixed, of good colour, sound and well cured ;

“No. 2 timothy, shall be timothy with not more than one-third of clover or other tame grasses mixed, of good colour, sound and well cured ;

“No. 3 timothy, shall consist of at least fifty per cent of timothy and the balance of clover or other tame grasses mixed, of fair colour, sound and well cured ;

“No. 1 clover, shall be clover with not more than one-quarter of timothy or other tame grasses mixed, of good colour, sound and well cured ;

“No. 2 clover, shall be clover with not more than one-quarter of timothy or other tame grasses mixed, of fair colour, sound and well cured ;

“Mixed hay, shall be hay which does not come under the description of timothy or clover, and which is in good condition, of good colour, sound and well cured ;

“No grade, shall include all kinds of hay badly cured, stained or out of condition ;

Rates of
inspection.

“Shipping grade, shall be hay in good condition, pressed, sound and well cured.

“4. The rates for the inspection of hay shall be as follows :—

“For every ton, twenty cents.”

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



57-58 VICTORIA.

CHAP. 37.

An Act in restraint of Fraudulent Sale or Marking.

[Assented to 23rd July, 1894.]

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

- 1.** No person shall mark, brand or label any article or any package containing any article mentioned in the first column of schedule A to this Act, with the word “pure,” “genuine,” or any word equivalent thereto, or sell, or offer or expose for sale, any such article or package so marked, branded, stamped or labelled, unless such article or the contents of such package are pure within the meaning of the second column of the said schedule. Articles in schedule A.
- 2.** No person shall sell, or offer or expose for sale, any article or any substance for domestic use under the name or designation contained in the first column of schedule B to this Act, unless such article or substance is free from adulteration or admixture of foreign matter and unless it possesses the composition and distinguishing characteristics stated in the second column of the said schedule. Articles in schedule B.
- 3.** Every person who violates any of the provisions of section one or section two of this Act shall, for every violation, be liable to a penalty not exceeding one hundred dollars, a moiety of which penalty shall belong to the prosecutor, and the other moiety to the Crown. Penalty for fraudulent marking, etc.

 - 2.** The penalty hereby imposed may be recovered and enforced in the manner provided by *The Inland Revenue Act* with respect to penalties incurred under it, and as if imposed by it. Recovery of penalty.
 - 3.** The penalty hereby imposed shall not apply as respects the second article mentioned in schedule B until the first day of October in the present year, one thousand eight hundred and ninety-four. Special provision as to vinegar.

Alterations in schedules by Governor in Council.

4. The Governor in Council may add any articles to the schedules to this Act, and determine the standard of purity therefor, and may remove any articles from the said schedules ; and the Order in Council in that behalf shall be published in four successive issues of the *Canada Gazette*, after which it shall have like effect as if such articles had been included in the said original schedules.

Limitation.

2. Any Order in Council made under the provisions of this section shall have effect only until the end of the next succeeding session of Parliament.

Obtaining of samples.

5. The Minister of Inland Revenue may order any officer of inland revenue or customs to obtain samples of any of the articles or substances mentioned in the said schedules ; but in such case the manner of obtaining such samples shall be that prescribed with respect to the obtaining of samples under the *Act respecting the Adulteration of Food, Drugs and Agricultural Fertilizers*, and the provisions of sections six to thirteen of the said Act, both inclusive, shall, so far as they are applicable and are not inconsistent with this Act, be held to have force and effect in relation to such articles as though such articles were articles of food within the meaning of the said Act.

R.S.C., c. 107.

Repeal of 1891, c. 32.

6. Chapter thirty-two of the Statutes of 1891, intituled *An Act in restraint of Fraudulent Marking*, is hereby repealed.

SCHEDULE A.

1	2
Dry white lead.....	Basic carbonate of lead prepared by corrosion of metallic lead.
White lead in oil.....	Dry white lead ground in pure linseed oil in the proportion of 90 to 92 per cent of the former to 8 to 10 per cent of the latter.

SCHEDULE B.

1	2
Paris green.....	An insecticide containing at least fifty per cent of arsenious acid and at least thirty per cent of cupric oxide and being completely soluble in aqueous ammonia.
Vinegar.....	A more or less coloured liquid, consisting essentially of impure dilute acetic acid obtained by the oxidation of wine, beer, cider or other alcoholic liquid.



57-58 VICTORIA.

CHAP. 38.

An Act respecting the Units of Electrical Measure.

[Assented to 23rd July, 1894.]

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 Electrical Units Act*. Short title.
2. The units of electrical measure for Canada shall be the following:—Units estab-
lished.
 - (a.) As a unit of resistance, the ohm, which is based upon the ohm equal to 10^9 units of resistance of the centimetre-gramme-second system of electro-magnetic units, and is represented by the resistance offered to an unvarying electric current by a column of mercury, at the temperature of melting ice 14·4521 grammes in mass, of a constant cross-sectional area and of the length of 106·3 centimetres. Ohm.
 - (b.) As a unit of current, the ampere, which is one-tenth of the unit of current of the centimetre-gramme-second system of electro-magnetic units, and is represented sufficiently well for practical use by the unvarying current which, when passed through a solution of nitrate of silver in water, and in accordance with the specification contained in schedule one to this Act, deposits silver at the rate of 0·001118 of a gramme per second. Ampere.
 - (c.) As a unit of electro-motive force, the volt, which is the electro-motive force that, steadily applied to a conductor whose resistance is one ohm, will produce a current of one ampere, and which is represented sufficiently well for practical use by $\frac{1000}{1131}$ of the electro-motive force between the poles or electrodes of the voltaic cell known as Clark's cell, at a temperature of 15° centigrade and prepared in accordance with the specification contained in schedule two to this Act. Volt.
 - (d.) As a unit of quantity, the coulomb, which is the quantity of electricity transferred by a current of one ampere in one second. Coulomb.
 - (e.) As a unit of capacity, the farad, which is the capacity of a condenser charged to a potential of one volt by one coulomb. Farad.

- Joule. (f.) As a unit of work, the joule, which is equal to 10^7 units of work in the centimetre-gramme-second system, and is represented sufficiently well for practical use by the energy expended in one second by one ampere in one ohm.
- Watt. (g.) As a unit of power, the watt, which is equal to 10^7 units of power in the centimetre-gramme-second system, and is represented sufficiently well for practical use by the work done at the rate of one joule per second.
- Henry. (h.) As the unit of induction, the henry, which is the induction in a circuit when the electro-motive force induced in that circuit is one volt, while the inducing current varies at the rate of one ampere per second.

Units and apparatus to be in Department of Inland Revenue.

3. The units of electrical measure described in the next preceding section, or such standard apparatus as is necessary to produce them, shall be deposited in the Department of Inland Revenue and shall form part of the system of standards of measure and weight established by *The Weights and Measures Act*.

SCHEDULE ONE.

In the following specification, the term silver voltmeter means the arrangement of apparatus by means of which an electric current is passed through a solution of nitrate of silver in water. The silver voltmeter measures the total electrical quantity which has passed during the time of the experiment; and by noting this time, the time-average of the current, or, if the current has been kept constant, the current itself, can be deduced.

In employing the silver voltmeter to measure currents of about one ampere, the following arrangements should be adopted. The cathode on which the silver is to be deposited should take the form of a platinum bowl not less than 10 centimetres in diameter and from 4 to 5 centimetres in depth. The anode should be a plate of pure silver 30 square centimeters in area and 2 or 3 millimetres in thickness. This is supported horizontally in the liquid near the top of the solution by a platinum wire passed through holes in the plate at opposite corners. To prevent the disintegrated silver which is formed on the anode from falling on to the cathode, the anode should be wrapped round with pure filter paper, secured at the back with sealing wax.

The liquid should consist of a neutral solution of pure silver nitrate, containing about 15 parts by weight of the nitrate to 85 parts of water.

The resistance of the voltmeter changes somewhat as the current passes. To prevent these changes having too great an effect on the current, some resistance besides that of the voltmeter should be inserted in the circuit. The total metallic resistance of the circuit should not be less than 10 ohms.

SCHEDULE TWO.

The cell consists of zinc and mercury in a saturated solution of zinc sulphate and mercurous sulphate in water, prepared with mercurous sulphate in excess, and is conveniently contained in a cylindrical glass vessel.

The mercury.—To secure purity it should be first treated with acid in the usual manner, and subsequently distilled *in vacuo*.

The zinc.—Take a portion of a rod of pure re-distilled zinc, solder to one end a piece of copper wire, clean the whole with glass paper, carefully removing any loose pieces of the zinc. Just before making up the cell, dip the zinc into dilute sulphuric acid, wash with distilled water, and dry with a clean cloth or filter paper.

The zinc sulphate solution.—Prepare a saturated solution of pure (“pure re-crystallized”) zinc sulphate by mixing in a flask distilled water with nearly twice its weight of crystals of pure zinc sulphate, and adding zinc oxide in the proportion of about 2 per cent by weight of the zinc sulphate crystals to neutralise any free acid. The crystals should be dissolved with the aid of gentle heat, but the temperature to which the solution is raised should not exceed 30° C. Mercurous sulphate treated as hereinafter described, should be added in the proportion of about 12 per cent by weight of the zinc sulphate crystals, and the solution filtered, while still warm, into a stock bottle. Crystals should form as it cools.

The mercurous sulphate.—Take mercurous sulphate, purchased as pure, and wash it thoroughly with cold distilled water by agitation in a bottle; drain off the water, and repeat the process at least twice. After the last washing, drain off as much of the water as possible.

Mix the washed mercurous sulphate with the zinc sulphate solution, adding sufficient crystals of zinc sulphate from the stock bottle to ensure saturation, and a small quantity of pure mercury. Shake these up well together to form a paste of the consistence of cream. Heat the paste, but not above a temperature of 30° C. Keep the paste for an hour at this temperature, agitating it from time to time; then allow it to cool, continuing to shake it occasionally while cooling. Crystals of zinc sulphate should then be distinctly visible, and should be distributed throughout the mass. If this is not the case, add more crystals from the stock bottle, and repeat the whole process. This method ensures the formation of a saturated solution of zinc and mercurous sulphates in water.

Contact is made with the mercury by means of a platinum wire about No. 22 gauge. This is protected from contact with the other materials of the cell by being sealed in a glass tube. The ends of the wire project from the ends of the tube; one end forms the terminal; the other end and a portion of the glass tube dip into the mercury.



57-58 VICTORIA.

CHAP. 39.

An Act respecting the Inspection of Electric Light.

[Assented to 23rd July, 1894.]

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 Electric Light Inspection Act*. Short title.

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

(a.) The expression “contractors” means any person undertaking to furnish electricity to any purchaser for lighting purposes. Interpretation. “Contractors.”

(b.) The expression “purchaser” means any person to whom electricity is furnished for lighting purposes. “Purchaser.”

(c.) The expression “meter” means electric light meter, and includes every kind of machine, apparatus, or instrument used for measuring the quantity of electrical energy furnished to the purchaser. “Meter.”

(d.) The expression “purchaser’s terminals” means the ends of the electric lines or conductors situate upon the purchaser’s premises at which the supply of electricity is delivered from the service lines. “Purchaser’s terminals.”

(e.) The expression “department” means the Department of Inland Revenue. “Department.”

(f.) The expression “controller” means the controller of inland revenue. “Controller.”

3. The commercial unit of supply of electrical energy shall be one thousand watt-hours, or the equivalent thereof in ampere-hours. Unit of supply.

4. Before commencing to give a supply of electrical energy for illuminating purposes to any purchaser, the contractors shall declare to such purchaser the constant pressure at which they propose to supply energy at his terminals. Pressure to be declared.

2. The variation of pressure at any purchaser’s terminals shall not under any conditions of the supply which the purchaser Percentage of variation allowed.

chaser is entitled to receive, nor at any time, exceed three per cent from the declared constant pressure, whether such variation is due to the resistance of the service lines or apparatus belonging to the contractors, or to any action or effect produced by such apparatus, for which the purchaser cannot be shown to be responsible, or partly to a variation of pressure in the distributing mains from which the supply is taken.

Accidental variation.

3. The contractors shall not be liable for any variation of pressure caused by unavoidable accident to the generating plant or apparatus, or by the uncontrollable condition of the elements.

Responsibility of contractors for condition of lines.

5. The contractors shall be responsible for all electric lines, fittings and apparatus, belonging to them or under their control upon the purchaser's premises, being maintained in a proper condition and in all respects fit for supplying energy; but they shall not be responsible for any damages arising from the use of the electric current in lines, fittings and apparatus not belonging to them or under their control.

Inspection on purchaser's premises in case of dangerous connection with earth.

6. If the contractors are reasonably satisfied, after making all proper examination by testing or otherwise, that at some part of a circuit a connection with the earth exists of such resistance as to be a source of danger, and that such connection does not exist at any part of the circuit belonging to the contractors, any officer of the contractors duly authorized by them in writing, may, for the purpose of discovering whether such connection with the earth exists at any part of the wires upon any purchaser's premises, at all reasonable times, after giving one hour's notice of his intention to do so, enter such premises and disconnect the purchaser's wires from the service lines, and may require the purchaser to permit him to inspect and test the wires and fittings belonging to the purchaser and forming part of the circuit.

Discontinuance of supply in such case.

7. If on such testing the officer discovers that a connection exists between the purchaser's wires and the earth, and that such connection has an electrical resistance not exceeding five thousand ohms, or if the purchaser does not give all due facilities for such inspection and testing, the contractors shall forthwith discontinue the supply of energy to his premises, giving immediate notice of such discontinuance to the purchaser, and shall not recommence such supply until they are satisfied that such connection with the earth has been removed.

Testing by inspector if purchaser is dissatisfied.

8. If any purchaser is dissatisfied with the action of the contractors, either as to the mode of making the test or in discontinuing the supply of electricity to his premises, the wires and fittings of such purchaser may, on his application to the department, be tested for the existence of such connection with the earth by an electric light inspector.

9. If the contractors make default in complying with the requirements of any of the foregoing sections as to supply, they shall be liable for every such default to a penalty not exceeding twenty dollars for every day during which such default continues.

Penalty for default as to supply.

10. Any person who maliciously or fraudulently abstracts, causes to be wasted or diverted, consumes or uses any electricity shall be deemed guilty of theft and punishable accordingly.

Theft of electricity.

11. Any officer of the contractors authorized in writing by the inspector may, at all reasonable times, enter any premises to which electricity is or has been supplied by the contractors, in order to inspect their electric wires, meters, accumulators, fittings, works and apparatus for the supply of electricity, or for the purpose of ascertaining the quantity of electricity consumed or supplied, or, where a supply of electricity is no longer required or the contractors are authorized to take away and cut off the supply of electricity from any premises, for the purpose of removing any electric lines, accumulators, fittings, works and apparatus belonging to the contractors, repairing all damage caused by such entry, inspection or removal.

Power to enter purchaser's premises.

12. Inspectors of weights and measures, or of gas, or other officers of inland revenue, may, after examination as to their qualification, be appointed and may act as electric light inspectors under this Act ; but no such inspector shall be a seller of electricity or electric meters, or be employed by any person or company supplying electricity or meters ; and no electric inspector shall repair or adjust any meter inspected or verified by him.

Electric light inspectors.

13. The amount of electrical energy supplied by contractors to any purchaser under this Act for lighting purposes, or the electrical quantity contained in such supply, shall, if the purchaser so desires, be ascertained by means of a suitable meter, duly certified in accordance with regulations established under the authority of this Act.

Meters to be certified.

2. Whenever a reading of a meter is taken by the contractors for the purpose of establishing a charge upon the purchaser, the contractors shall cause a duplicate of such reading to be left with the purchaser.

Duplicate of reading to be left with purchaser.

14. No electric light meter shall be fixed for use which has not been verified and stamped as hereinafter provided.

Meters to be verified and stamped.

15. No meter shall be fixed for use unless it plainly indicates by means of suitable dials the amount of current or energy passing to the purchaser's wires.

Recording dials.

2. Electrolytic meters at present in use may be continued unless objected to by the purchaser ; but the number of such meters shall not be added to, and all renewals of meters shall be made by the substitution of the direct-reading types.

Description of meter.

Capacity to be stamped on meter. 3. The capacity of every meter fixed for use shall be marked in a conspicuous place with the number of amperes or watts it is constructed to record.

Accuracy of meter. 16. No meter shall be stamped which is found by the inspector to register, or to be capable of being made to register, when working to its full capacity, quantities varying from the legal standard unit of electricity more than three per cent in favour of either the contractor or the purchaser.

Verification attested by stamp. 17. The verification of each meter shall be attested by affixing or impressing on some essential part thereof, a stamp or mark of such description and in such manner as is directed by regulations made by the controller.

Re-verification. 18. Within twelve months after the expiration of five years from such verification and stamping, every meter shall again be verified and stamped.

The same. 19. No meter duly stamped as aforesaid shall be liable to be re-verified or re-stamped within a period of five years from the then last verification or re-verification thereof, although it is used in any other place than that at which it was originally stamped, but shall be considered as a lawful meter throughout Canada, unless found incorrect under this Act, or requiring re-verification by lapse of time as aforesaid, and the purchaser or the contractor may at any time, at the cost of the party in fault, require the verification of the meter used.

Owner to keep meter in repair. 20. In every case the owner shall keep the meter in good repair, and shall be responsible for the due inspection thereof, and, except as herein otherwise provided, shall pay the fee lawfully chargeable for such inspection, and shall be liable for all penalties incurred with respect to such meter.

Rules for verification and testing. 21. The verification and testing of meters shall be performed in accordance with the provisions of this Act and with such further regulations, not inconsistent therewith, as are made by the controller.

Contractors to provide facilities for testing. 22. The contractors shall provide electricity and wiring and all other reasonable facilities for testing, free of charge, at such places as are agreed upon between the contractors and the department.

Reference to department in case of dispute. 23. If any dispute arises between the contractor and the purchaser or between the contractor and the inspector, respecting the correctness of such meter, the inspector shall, if required by any person dissatisfied, refer such dispute to the department for final decision.

2. The purchaser may at any time, on payment of a fee to be fixed by the Governor in Council, call on an inspector to test the pressure of the electricity supplied by the contractor, and to furnish a certificate thereof.

24. The inspector shall give to either the contractor or the purchaser, or to both, on payment of the proper fee, a certificate stating the result of his inspection, and the time at which it was made, and at whose instance, and any other particulars he thinks it right to insert for the information and guidance of the persons concerned; and such certificate shall be *prima facie* evidence of the condition of the meter inspected, and shall bear an adhesive stamp or stamps representing the fee lawfully chargeable for such certificate. Inspector's certificate.

25. The contractors shall at all times keep in their office, in a book or books, the names and addresses of purchasers for the time being—which book or books shall be open to the inspector during office hours, and from which he may take such extracts as he thinks fit; and for any failure to comply with the requirements of this section, the contractors shall incur a penalty of fifty dollars. Contractors to keep lists of purchasers open to the inspector.

26. The fees for inspection of purchasers' wires and the testing of lamps and meters shall be determined from time to time by the Governor in Council and published in the *Canada Gazette*, and such fees shall be regulated so that they will, as nearly as may be, meet the cost of carrying this Act into effect; and all fees received under this Act shall be accounted for and paid to the Minister of Finance and Receiver General and in such manner as the controller directs, and shall form part of the Consolidated Revenue Fund of Canada. Inspection fees.

27. The Governor in Council may from time to time direct stamps to be prepared for the purposes of this Act, bearing such device as he thinks proper, and may defray the cost thereof out of any unappropriated moneys forming part of the Consolidated Revenue Fund of Canada; and the device on such stamps shall express the value thereof, that is to say, the sum at which they shall be reckoned in payment of the fee hereby prescribed. Stamps. Device thereon.

28. Separate accounts shall be kept of all expenditures incurred and of all fees and duties collected and received under the authority of this Act; and a correct statement thereof up to the thirtieth day of June then last past, shall be yearly laid before Parliament within the first fifteen days of the then next session thereof. Accounts

29. Every person who, except under the authority of this Act, makes, causes or procures to be made, or knowingly acts or assists in making, or who forges or counterfeits, or causes Penalty for forging stamp.

Penalty for knowingly selling, etc., meter with forged stamp.

or procures to be forged or counterfeited, or knowingly acts or assists in the forging or counterfeiting any stamp or mark used for the stamping or marking of any meter under this Act, shall incur a penalty not exceeding two hundred dollars and not less than fifty dollars; and every person who knowingly sells, utters or disposes of, lets, lends or exposes for sale, any meter with such forged stamp or mark thereon, shall, for every such offence, incur a penalty not exceeding two hundred dollars and not less than twenty dollars; and all meters having on them such forged or counterfeited stamps or marks shall be forfeited and destroyed.

Penalty for tampering with meter, etc.

30. Every person who knowingly repairs or alters, or causes to be repaired or altered, or knowingly tampers with or does any other act in relation to any stamped meter, so as to cause such meter to register wrongly, or who prevents, or refuses lawful access to any meter in his possession or control, or obstructs or hinders any examination or testing authorized by this Act, shall incur a penalty not exceeding one hundred dollars and not less than fifty dollars, and shall pay the fees for removing and testing, and the expense of purchasing and fixing a new meter: Provided that the payment of any such penalty as aforesaid shall not exempt the person paying it from liability to indictment or other proceeding to which he would otherwise be liable, or deprive any other person of the right to recover damages against such person for any loss or injury sustained by such act or default.

Penalty for fixing un-stamped meter.

31. Every person who fixes for use, or causes to be fixed for use, any meter, before it has been verified and stamped as herein required, shall incur a penalty of twenty-five dollars for every such unverified or unstamped meter.

Penalty for stamping incorrect meter.

32. Every inspector who stamps any meter without duly testing and finding it correct, or who refuses or neglects, without lawful excuse, for three days after being required under the provisions of this Act, to test any meter, or to stamp any meter found correct on being so tested, or who neglects to perform any duty imposed upon him by this Act, or by any regulations made under the authority thereof, shall incur a penalty not exceeding fifty dollars and not less than ten dollars, and shall be liable to dismissal from office.

Recovery of penalties.

33. All penalties imposed by this Act, or by any regulation made under the authority thereof, shall be recoverable in a summary manner, with costs, before any justice of the peace for the district, county or place in which the offence was committed, if the penalty does not exceed twenty dollars, and before any two justices of the peace if the penalty exceeds twenty dollars, and may, if not forthwith paid, be levied by distress and sale of the goods and chattels of the offender, by

warrant under the hand and seal of the justices, by whom also any imprisonment to which the offender is liable may be awarded.

34. No action or prosecution shall be brought against any person for any fine or penalty under this Act, unless it is commenced within three months after the offence is committed. Limitation of suits.

35. Before supplying electricity to purchasers, the contractors shall obtain from the department, or from an officer appointed for the purpose, a certificate of registration and shall pay the officer issuing such certificate the fees prescribed by the Governor in Council. Contractors to obtain certificate of registration.

2. Such certificate shall expire on the thirtieth day of June, in each year, and shall be renewable from year to year. Renewal of certificates.

36. So soon as the standards and apparatus have been obtained and approved, the Governor in Council may issue a proclamation, fixing a day, not less than six months from the date of such proclamation, upon which the provisions of this Act respecting inspection shall go into operation, and may from time to time determine at and for what places inspectors shall be appointed; and until such inspectors are appointed, this Act shall be deemed not to have come into operation with respect to such places. Commencement of Act. As to certain places.

37. The Governor in Council may establish rules and regulations— Regulations.

(a.) For the testing of electric light lamps for illuminating power;

(b.) For instituting tests to determine what style or make of meter shall be used to measure the quantity of electrical energy supplied; and

(c.) Such other regulations, not inconsistent with this Act, as are necessary for giving effect to its provisions, and for declaring its true intent and meaning in all cases of doubt.





57-58 VICTORIA.

CHAP. 40.

An Act further to amend the Petroleum Inspection Act.

[Assented to 23rd July, 1894.]

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

1. The paragraph lettered (a) of section three of *The Petroleum Inspection Act*, chapter one hundred and two of the Revised Statutes, as amended by section three of chapter thirty-six of the Statutes of 1893, is hereby repealed and the following substituted therefor:—

R.S.C., c. 102,
s. 3 amended

“(a.) If, at a lower temperature than eighty-five degrees by Fahrenheit’s thermometer, when tested by the pyrometer described in the schedule to this Act, it emits a vapour that will flash; or”

2. The section substituted by section four of chapter thirty-six of the Statutes of 1893 for section four of *The Petroleum Inspection Act*, is hereby repealed and the following substituted therefor:—

S. 4 repealed.

“4. Petroleum designated and known as ‘high test petroleum’ may be sold for use in Canada, for illuminating purposes, under such regulations as to gravity as are established by the Department of Inland Revenue, provided that the flash test is not lower than two hundred and ninety degrees by Fahrenheit’s thermometer.

Sale of high test petroleum.

“2. The department may permit the sale, under regulations made in that behalf, of a composite high test oil, to be used only for outside service, if, at a temperature which such regulations determine (not however to be below one hundred and forty-five degrees), it does not emit a vapour that will flash, and if its gravity is in accordance with the requirements of such regulations.”

Sale of high test oil for outside service only.

3. Subsection three of the section substituted by section eight of chapter thirty-six of the Statutes of 1893 for section

Section 15 amended.

fifteen of *The Petroleum Inspection Act*, is hereby repealed and the following substituted therefor:—

Importation
of petroleum
in tank cars.

“3. Notwithstanding anything in this section contained, the Governor in Council may designate places at which petroleum may be imported in tank cars, under regulations established jointly by the Departments of Customs and of Inland Revenue; but all petroleum so imported shall before being removed for consumption be put into packages inspected and marked in accordance with the requirements of section seven of this Act.

Storage tanks.

“4. The Department of Inland Revenue may make regulations for the storage in metal tanks by dealers of the contents of such packages or other legal packages; and petroleum in such tanks shall be subject to the provisions of this Act and of all regulations made thereunder.

Importation
of naphtha and
gasoline in
iron drums.

“5. Naphtha and gasoline may, under departmental regulations, be imported into Canada in iron drums of a capacity not exceeding one hundred and twenty gallons.”

Section 20
amended.

4. The section substituted by section nine of chapter thirty-six of the Statutes of 1893, for section twenty of *The Petroleum Inspection Act*, is hereby amended by adding at the end thereof the following words:—“For every package of naphtha or gasoline containing more than fifty gallons, twenty-five cents.”

Inspection
fee.

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most Excellent Majesty.



57-58 VICTORIA.

CHAP. 41.

An Act to amend the Act respecting Lighthouses, Buoys and Beacons, and Sable Island.

[Assented to 23rd July, 1894.]

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

1. Section five of *An Act respecting Lighthouses, Buoys and Beacons, and Sable Island*, chapter seventy of the Revised Statutes, is hereby repealed and the following substituted therefor :—

R.S.C., c. 70,
s. 5 repealed
and new pro-
vision.

“5. The Governor in Council may appoint keepers whose salaries are over two hundred dollars a year, superintendents, and such other officers as are necessary for the purposes of this Act.

Appointment
of officers.

“2. The Minister of Marine and Fisheries may appoint keepers whose salaries are two hundred dollars a year or less.

“3. The Minister of Marine and Fisheries may make contracts for supplies or purchase supplies, for the use of light-houses, beacons, light-ships, floating and other lights, lanterns and signals, and generally may do all such things as are necessary for carrying this Act fully into effect.”

Contracts for
supplies.

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57-58 VICTORIA.

CHAP. 42.

An Act further to amend the Act respecting Certificates to Masters and Mates of Ships.

[Assented to 23rd July, 1894.]

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

1. Section one of the *Act respecting Certificates to Masters and Mates of Ships*, chapter seventy-three of the Revised Statutes, is hereby amended by adding the following paragraphs thereto:—

“(j.) The expression ‘West Indies’ means the West India Islands, and includes the Bahama and Bermuda Islands, and any port or place in the gulf of Mexico not being a port or place in the United States of America, and includes any port or place on the mainland between the gulf of Mexico and the south-eastern extremity of French Guiana.”

“West Indies.”

“(k.) The expression ‘South America’ means any port or place on the mainland or adjacent islands between the south-eastern extremity of French Guiana and the isthmus of Panama in the Pacific Ocean following the coast line by way of Cape Horn.”

“South America.”

2. The paragraphs substituted by section one of chapter twenty-one of the Statutes of 1889 for paragraphs (e) and (g) of section one of the said Act are hereby repealed and the following substituted therefor:—

Section 1 further amended.

“(e.) The expression ‘sea-going ship’ includes every ship employed in trading or going between some port or place in Canada and some port or place out of Canada, not being a port or place in Newfoundland or in St. Pierre or Miquelon, or in the United States of America, or in the West Indies or South America, or in Central America or Mexico.”

“Sea-going ship.”

“(g.) The expression ‘coasting voyage’ includes a voyage between Canada and Newfoundland or St. Pierre or Miquelon or a port or place in the United States of America, or in the West Indies or South America, or in Central America or Mexico.”

“Coasting voyage.”

Section 2
repealed.

Examinations
for masters
and mates of
sea-going
ships.

3. Section two of the said Act is hereby repealed, and the following substituted therefor :—

“**2.** Examinations may be instituted in Canada, for British subjects or for persons domiciled in Canada for at least three years who intend to become masters or mates or second mates of sea-going ships, or who wish to procure the certificates of competency for sea-going ships hereinafter mentioned ; and foreign subjects serving in sea-going ships registered in Canada shall be deemed to be domiciled in Canada while so serving.”

Section 3
repealed.

Examinations
for masters
and mates of
inland ships
and coasters.

4. The section substituted by section two of chapter forty-one of the Statutes of 1891, for section three of the said Act, is hereby repealed and the following substituted therefor :—

“**3.** Examinations may be instituted in Canada, for British subjects or for persons domiciled in Canada for at least three years who intend to become masters or mates of ships trading on the inland waters of Canada, or on the minor waters of Canada, or on coasting voyages, or who wish to procure the certificates of competency or service hereinafter mentioned ; and foreign subjects serving in ships registered in Canada, and trading on the inland waters of Canada, or on the minor waters of Canada, or on coasting voyages, shall be deemed to be domiciled in Canada while so serving.”

Section 9
repealed.

No ship over
100 tons, regis-
tered in Can-
ada, to go to
sea without
certificated
master and
mate.

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

“**9.** No ship registered in Canada, over one hundred tons registered tonnage, shall go to sea from any port or place in Canada, on a voyage to any port or place out of Canada, not being a port or place in Newfoundland, or in St. Pierre or Miquelon, or in the United States of America, or in the West Indies or South America, or in Central America, or in Mexico, unless the master and first mate or only mate thereof have obtained and possess valid certificates either of competency or service for sea-going ships, appropriate to their several stations in such ship, or of a higher grade, from the minister, —or valid certificates of competency or service for foreign-going ships, appropriate to their several stations in such ship, or of a higher grade, from the Board of Trade in the United Kingdom,—or valid certificates of competency appropriate to their several stations in such ships, or of a higher grade, granted in any British possession, and declared by order of Her Majesty in Council published in the *London Gazette*, under the provisions of *The Merchant Shipping (Colonial) Act*, 1869, or of any Act of the Parliament of the United Kingdom containing such provisions, to be of the same force as certificates of competency for foreign-going ships granted under the Acts of the Parliament of the United Kingdom relating to merchant shipping ; and every person who, having been engaged to serve as master or first mate or only mate of any sea-going ship registered in Canada, over one hundred tons registered tonnage, goes to sea as aforesaid, as such master or

Penalty for
contraven-
tion.

mate, without being at the time entitled to and possessed of such a certificate either of competency or of service for sea-going ships, as hereinbefore required, or who employs any person as master, first mate or only mate of any such sea-going ship as aforesaid, without first ascertaining that he, at the time, is entitled to and possessed of such certificate, shall for each such offence incur a penalty not exceeding one hundred dollars."

6. The section substituted by section four of chapter forty-one of the Statutes of 1891 for section eleven of the said Act is hereby repealed and the following substituted therefor:—

"11. No sailing ship registered in Canada, over one hundred tons registered tonnage, and no steamship registered in Canada, shall go from any port or place in Canada on a voyage to any other port or place in Canada, or in Newfoundland, or in the United States of America, or in St. Pierre or Miquelon, or in the West Indies or South America, or in Central America, or in Mexico, or be licensed or allowed to ply on any Canadian water, unless the master thereof has obtained from the minister and possesses a valid certificate of competency or service as master of a ship trading on the inland waters of Canada, or on the minor waters of Canada, or on coasting voyages, as the case may be, of the class and description,—or a valid certificate of competency or service as master for sea-going ships, from the minister,—or a valid certificate of competency as master, for foreign-going ships, from the Board of Trade in the United Kingdom,—or a valid certificate of competency as master, granted in any British possession and declared by order of Her Majesty in Council published in the *London Gazette*, under the provisions of *The Merchant Shipping (Colonial) Act, 1869*, or of any Act of the Parliament of the United Kingdom, containing such provisions, to be of the same force as a certificate of competency, as master for foreign-going ships, granted under the Acts of the Parliament of the United Kingdom relating to merchant shipping; and no ship registered in Canada over two hundred tons registered tonnage, and no steamship registered in Canada and allowed by law to carry more than forty passengers, shall go from any port or place in Canada, on a voyage to any other port or place in Canada, or in Newfoundland, or in the United States of America, or in St. Pierre or Miquelon, or in the West Indies or South America, or in Central America, or in Mexico, or be licensed or allowed to ply on any Canadian water, unless such ship carries also a mate who has obtained from one of the authorities mentioned in this section a valid certificate of competency or service as such mate or as the mate of a ship of a higher class or description."

Section 11 repealed.

No ship to go on inland or coasting voyage without certificated master.

Or without certificated mate, in certain cases.

7. The subsection substituted by section five of chapter forty-one of the Statutes of 1891 for subsection one of section four-

Section 14 repealed.

teen of the said Act is hereby repealed and the following substituted therefor :—

Certificate
must be pro-
duced on ap-
plying for a
clearance, etc.

“14. The master of every ship trading on the inland waters of Canada, or on the minor waters of Canada, or on coasting voyages, required by this Act to be commanded by a master having a certificate of competency or of service as aforesaid, shall produce to every officer of the customs in Canada to whom he applies for a clearance or for a *transire* coastwise for such ship, on any voyage from any port or place in Canada to any other port or place in Canada, or in Newfoundland, or in the United States of America, or in St. Pierre or Miquelon, or in the West Indies or South America, or in Central America, or in Mexico, or for a license for the season in respect of such ship, the certificate of competency or service which the said master is hereby required to possess; and if such ship is also required to carry a mate having such certificate as aforesaid, the master shall, at the same time, produce to such officer of the customs the certificate of such mate.”

Fees for certi-
ficates.

8. Instead of the fees provided by sections six and eight of the said Act, the Governor in Council may establish a scale of fees to be charged for certificates to masters and mates; and until so established, the fees to be charged shall be the following, that is to say :—For a certificate of competency as master, fifteen dollars; for a certificate of competency as mate of a sea-going ship, eight dollars; for a certificate of competency as mate of a ship trading on the inland waters of Canada, or on the minor waters of Canada, or on coasting voyages, six dollars; for a certificate of service as master, eight dollars; for a certificate of service as mate for a sea-going ship, five dollars; and for a certificate of service as mate for a ship trading on the inland waters of Canada, or on the minor waters of Canada, or on coasting voyages, four dollars.

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57-58 VICTORIA.

CHAP. 43.

An Act to amend the Seamen's Act.

[Assented to 23rd July, 1894.]

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

1. Section fifty-nine of *The Seamen's Act*, chapter seventy-four of the Revised Statutes, is hereby repealed and the following substituted therefor :—

“59. Every master of a ship registered in any of the said provinces shall, so far as the case permits, have the same rights, liens and remedies for the recovery of his wages, and for the recovery of disbursements properly made by him on account of the ship, and for liabilities properly incurred by him on account of the ship, which by this Act or by any law or custom any seaman, not being a master, has for the recovery of his wages; and if, in any proceeding in any court possessing admiralty jurisdiction in any of the said provinces touching the claim of a master to wages, or such disbursements and liabilities as aforesaid, any right of set-off or counter claim is set up, such court may enter into and adjudicate upon all questions and settle all accounts then arising or outstanding and unsettled between the parties to the proceeding, and may direct payment of any balance which is found to be due.”

R.S.C., c. 74,
s. 59 repealed.

Recovery of
wages, etc.,
by master.

2. Section sixty-nine of the said Act is hereby repealed and the following substituted therefor :—

“69. The Governor in Council may pay any reasonable expenses incurred by the Board of Trade of the United Kingdom, or by any officers of Her Majesty in any British possession other than Canada, or in any foreign country, on account of subsistence or transport back to Canada of any seamen or apprentices who have been domiciled in Canada for twelve months and who have been found in distress, either on account of shipwreck or otherwise, in any place out of Canada, out of any moneys applicable to the relief of distressed seamen and granted by the Parliament of Canada for the purpose,—on the production of the bills of the disbursements, with the proper vouchers

Section 69 re-
pealed.

Relief of sea-
men found
abroad in dis-
tress.

vouchers and such other evidence as the Governor in Council requires; and persons serving in ships registered in Canada shall, for the purpose of this section, be deemed to be domiciled in Canada while so serving."

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most Excellent Majesty.



57-58 VICTORIA.

CHAP. 44.

An Act further to amend the Revised Statutes, chapter seventy-seven, respecting the Safety of Ships.

[Assented to 23rd July, 1894.]

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

1. Section one of chapter seventy-seven of the Revised Statutes, intituled *An Act respecting the Safety of Ships and the Prevention of Accidents on board thereof*, is hereby amended by adding the following paragraphs thereto :—

R.S.C., c. 77,
s. 1 amended.

“(e.) The expression ‘passenger’ means any person carried on a ship, other than the master and crew, and the owner, his family and the servants attached to his household.”

“Passenger.”

“(f.) The expression ‘West Indies’ means the West India Islands, and includes the Bahama and Bermuda Islands, and any port or place in the gulf of Mexico not being a port or place in the United States of America, and includes any port or place on the mainland between the gulf of Mexico and the south-eastern extremity of French Guiana.”

“West Indies.”

“(g.) The expression ‘South America’ means any port or place on the mainland or islands adjacent between the south-eastern extremity of French Guiana and the straits of Magellan.”

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

Section 2
amended.

“2. This Act shall not apply to yachts used exclusively for pleasure or private use without hire or remuneration.”

Application
to yachts.

3. Sections seven and eight of the said Act, as amended by section four of chapter twenty-two of the Statutes of 1889, are hereby repealed and the following substituted therefor :—

Sections 7
and 8 repealed
and new provisions.

“DECK LOADS.

“**7.** No master of any ship, when sailing after the first day of October or before the sixteenth day of March in any year, on a voyage from any port or place in Canada to any port or

Certain lading
not to be
placed on deck
in winter.

place out of Canada not being a port or place in Newfoundland, or in the United States of America, or in St. Pierre, or Miquelon, or in the West Indies, or in South America, and during the voyage while within Canadian jurisdiction, shall place, or cause or permit to be placed or to remain upon or above any part of the upper deck of such ship, not included within the limits of any break or poop, or any other permanently closed in space thereon and available for cargo, the tonnage of which forms part of the registered tonnage of such ship,—

Timber.

“(a.) Any square, round, waney or other timber ;

Spars.

“(b.) Any more than five spare spars, or store spars made, dressed and finally prepared for use, or not so dressed and prepared ;

Other cargo.

“(c.) Any cargo of any other description, except live stock, to any height exceeding three feet above the deck :

Proviso : in case of leak or damage to ship.

“Provided always, that if the master of any such ship considers that it is necessary, in consequence of the springing of a leak, or of other damage received or apprehended during the voyage, he may remove and place upon any part of the upper deck not included within the limits of any break or poop or any other permanently closed-in space thereon and available for cargo, the tonnage of which forms part of the registered tonnage of such ship, any other or greater portion of such cargo than is hereby permitted to be placed upon such part of the upper deck of such ship, and permit the same to remain there for such time as he considers expedient.

Customs officer to ascertain that ship is not loaded contrary to this Act.

“2. Before any officer of the customs permits any ship, subject to the provisions of the next preceding subsection, to clear out from any port in Canada, he shall ascertain that there is not piled, or stored or placed upon any part of the upper deck of such ship, not included within the limits of any break or poop, or any other permanently closed-in space thereon, available for cargo, and the tonnage of which forms part of the registered tonnage of such ship,—

“(a.) Any square, round, waney or other timber ;

“(b.) Any more than five spare spars, or store spars, as hereinbefore mentioned ;

“(c.) Any cargo of any other description, except live stock, to any height exceeding three feet above the deck ;

Certificate.

“And he shall give the master of such ship a certificate to that effect ; and no master of any ship shall sail in such ship when subject to the provisions of the next preceding subsection from any port in Canada until he has obtained such certificate.

Ships sailing to the West Indies

“3. No master of any ship, when sailing after the fifteenth day of November or before the sixteenth day of March in any year, on a voyage from any port in Canada to any port in the West Indies, and during the voyage while within Canadian jurisdiction, shall, if she is a single decked vessel, place or cause or permit any cargo whatever to be placed or remain upon or above the deck to a height of more than six feet above

Certain modes of carrying cargo forbidden.

the deck,—nor if she has a spar deck, shall he place or cause or permit to be placed or remain, any cargo on or above any part of such spar deck; but this provision shall not prevent such master from carrying two spare spars or store spars, made, dressed and finally prepared for use, on the deck or on the spar deck of such ship: Provided always, that if the master of any such ship considers that it is necessary in consequence of the springing of a leak or of other damage received or apprehended during the voyage, he may remove and place upon the upper deck or on the deck or spar deck of such ship, any part of the cargo, and permit the same to remain there for such time as he considers expedient.

Exception.

Proviso: in case of leak or other damage to ship.

“4. Before any officer of the customs permits any ship subject to the provisions of the next preceding subsection, to clear out from any port in Canada, he shall ascertain that no provision of the said subsection is violated in respect of such ship and the cargo thereof, and shall give the master of such ship a certificate to that effect; and no master of any ship shall sail in such ship, when subject to the provisions of such subsection, from any port in Canada, until he has obtained such certificate.

Duty of customs officer.

Certificate.

“5. Nothing in this section contained shall apply to any vessel sailing from British Columbia.”

Not to apply to British Columbia. Penalty for contravention.

“8. Every master of a ship subject to the provisions of the next preceding section, who violates any of the provisions of the said section, shall, for each such violation, incur a penalty not exceeding, except as hereinafter provided, eight hundred dollars; and every master of a ship who, with intent to evade any of the provisions of the said section, sails in such ship after the first day of October or before the sixteenth day of March in any year, from any port or place in Canada to any port or place out of Canada not being a port or place in Newfoundland, or in the United States of America, or in St. Pierre, or Miquelon, or in the West Indies, or in South America, without the certificate therein mentioned, and with any cargo on any part of the upper deck of such ship, not included within the limits of any break or poop, or any other closed-in space thereon available for cargo, and the tonnage of which forms part of the registered tonnage of such ship,—or who sails in such ship, after the fifteenth day of November or before the sixteenth day of March in any year, from any port in Canada to any port in the West Indies with any cargo upon the deck, or on the spar deck of such ship, as the case may be, which would prevent his rightfully obtaining such certificate, is guilty of a misdemeanour, and shall be liable to a fine not exceeding eight hundred dollars, or to imprisonment for a term not exceeding two years and not less than three months, or to both.”

Sailing with intent to evade preceding section a misdemeanour.

Penalty.

4.

New sections added.

Gangboards and lights to be provided.

4. The said Act is hereby further amended by adding the following sections thereto :—

“**23.** Every ship carrying passengers shall be provided with good and sufficient gangboards, protected at the sides in a suitable manner to prevent passengers from falling overboard ; and the master of every such ship shall, on stopping at any wharf or landing place, cause such a gangboard to be firmly secured to the vessel for the safe and convenient transit of passengers, and shall cause to be affixed to such gangboard in the night time good and sufficient lights ; and the owner or occupier of every such wharf or landing place, who has reason to expect the arrival of any ship carrying passengers, shall also, in the night time, cause to be shown conspicuously, on such wharf or landing place, and at every angle or turn thereof, during the whole of the time that any ship is approaching thereto or stopping thereat, a good and sufficient light.

Night.

“**2.** For the purposes of this section, the night, at all seasons of the year, shall be deemed to extend from one hour after sunset till one hour before sunrise.”

Penalty for contravention of preceding section.

“**24.** The master of any ship carrying passengers and plying in Canadian waters, and the owner, lessee, or occupier of any wharf or landing place, who offends against the provisions of the next preceding section, shall, for each offence, incur a penalty not exceeding fifty dollars and not less than twenty dollars, and in addition shall be liable for all damages sustained by any person from any accident happening from non-compliance with any of the said provisions, or during the time the said provisions are not complied with.

Damages.

Ship liable for penalty on master.

“**2.** The ship shall be liable for any penalty imposed on the master of such ship and for any costs awarded against him in connection with such penalty ; and if such penalty and costs are not paid forthwith, the ship shall, subject to the directions of the minister, be liable to be seized and sold by any chief officer of customs or any other person thereto directed by the minister ; and the said penalty and costs and the costs of such seizure and sale shall be paid out of the proceeds of such sale, and the surplus, if any, shall be paid over to the owner of the ship.”

Seizure and sale.

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57-58 VICTORIA.

CHAP. 45.

An Act to amend the Inspection of Ships Act.

[Assented to 23rd July, 1894.]

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

1. Section eight of *The Inspection of Ships Act*, chapter thirty-seven of the Statutes of 1891, is hereby repealed and the following substituted therefor :—

1891, c. 37, s
8 repealed.

“ 8. Notwithstanding anything to the contrary contained in section three of this Act, every inspector may, at any time, visit any ship, whether registered in Canada or elsewhere, and whether propelled wholly or in part by steam, except ships belonging to Her Majesty, and inspect and examine the tackle, machinery or apparatus used for the loading or unloading thereof; and if he considers such tackle, machinery or apparatus defective so as to be dangerous to life he shall report thereon to the minister, who may order that such tackle, machinery and apparatus shall not be used until permitted by the minister; and any tackle, machinery or apparatus used in violation of such order shall be liable to forfeiture and seizure by the chief officer of customs at any port, and may thereupon be sold in the same way and under like provision as goods liable to forfeiture for non-payment of customs duties; and the owner of the ship shall incur a penalty of one hundred dollars, and such ship shall be liable for such penalty.”

Inspection of
loading gear.

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57-58 VICTORIA.

CHAP. 46.

An Act further to amend the Steamboat Inspection Act.

[Assented to 23rd July, 1894.]

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

1. Section four of *The Steamboat Inspection Act*, chapter seventy-eight of the Revised Statutes, as amended by section two of chapter twenty-six of the Statutes of 1888, is hereby repealed and the following substituted therefor:—

“4. No steam yacht used exclusively for pleasure or private use without hire or remuneration of any kind, no tug boat or freight boat under one hundred and fifty tons gross tonnage, no steamboat used exclusively for fishing purposes and under one hundred and fifty tons of gross tonnage, no steam dredge or floating elevator or vessel of like kind, shall be subject to the requirements of this Act, except as regards the yearly rate or duty and the inspection fees hereinafter imposed and the inspection of their boilers and machinery—to which they shall be subject at least once in each year, and oftener if required, under the same provisions and penalties for neglect as other steamboats—and except also as to the obligation to carry one life-buoy and take the precautions against fire hereinafter imposed upon all steamboats, and to carry a life-preserver for each person on board; and no steam yacht used exclusively for pleasure or private use without hire or remuneration of any kind, of three tons gross tonnage and under, shall be subject to any of the provisions of this Act.”

2. Notwithstanding anything contained in the said chapter seventy-eight of the Revised Statutes, or in any other Act prior to the said Act, relating to the inspection of steamboats, the imposition of any rate or duty levied on any steamboat is hereby declared to have been and to be legal and valid.

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

“55. Every ship carrying passengers shall be provided with good and sufficient gangboards, protected at the sides in a suitable

Lights at
night.

Definition of
night.

suitable manner to prevent passengers from falling overboard ; and the master of every such ship shall, on stopping at any wharf or landing place, cause such a gangboard to be firmly secured to the vessel for the safe and convenient transit of passengers, and shall cause to be affixed to such gangboard in the night time good and sufficient lights ; and the owner or occupier of every such wharf or landing place who has reason to expect the arrival of any ship carrying passengers shall also, in the night time, cause to be shown conspicuously, on such wharf or landing place, and at every angle or turn thereof, during the whole of the time that any ship is approaching thereto or stopping thereat, a good and sufficient light.

“ 2. For the purposes of this section, the night, at all seasons of the year, shall be deemed to extend from one hour after sunset till one hour before sunrise.”

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



57-58 VICTORIA.

CHAP. 47.

An Act respecting Public Harbours.

[Assented to 23rd July, 1894.]

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 by proclamation declare to be a public harbour any area covered with water within the jurisdiction of the Parliament of Canada; and he may by the same or a like proclamation extend the area of any existing public harbour in Canada, and thereupon all statutes, rules and regulations affecting such public harbour shall apply thereto as if they were made by the Governor in Council.
Public harbours may be defined by proclamation.
Effect.

2. Any public harbour created by proclamation under this Act shall be deemed to be a port within the meaning of *The Harbour Masters' Act*.
R.S.C., c. 86.

3. The Governor in Council may make rules and regulations for the government of any public harbour or port in Canada; but in the case of the ports of Quebec, Montreal, Three Rivers, Toronto, Halifax, Pictou, and the port of St. John, in the province of New Brunswick, such rules and regulations as are inconsistent with any rule or regulation of any of these ports shall not be made until application therefor from the local authorities in charge of the port have been received by the Governor in Council.
Rules and regulations may be made.
Proviso.

4. The Governor in Council may by any such regulation impose a penalty, not exceeding in any case one hundred dollars, for the violation of any such regulation, and, in the case of a continuing violation, a further penalty not exceeding in any case ten dollars for every twelve hours during which such violation continues; but no such regulation shall impose a minimum penalty; and every violation of any such regulation shall be deemed a violation of this Act, and every such penalty shall be held to be a penalty imposed by this Act.
And penalties be imposed for violation thereof.



57-58 VICTORIA.

CHAP. 48.

An Act to amend and consolidate the Acts relating to the Harbour Commissioners of Montreal.

[Assented to 23rd July, 1894.]

WHEREAS by chapter sixty-one of the Statutes of 1873, Preamble.
the corporation of the Trinity House of Montreal was dissolved, and its then remaining powers, authority, jurisdiction, rights, duties and liabilities were transferred to the corporation of the Harbour Commissioners of Montreal; and whereas enactments relating to these two corporations are contained in a number of Acts of the late province of Canada and of the Dominion of Canada, which enactments it is expedient to revise, amend and consolidate into one Act: Therefore 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 Montreal Harbour Commissioners' Act, 1894.* Short title.

2. The Acts mentioned in schedule one to this Act are hereby 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. Repeal.

3. The said repeal shall not in any way affect the corporate existence of the corporation of "The Harbour Commissioners of Montreal," which, together with all such persons as hereafter become members thereof, shall continue to be the same corporation, under the said name, as that constituted by the Act of the late province of Canada, sixteenth Victoria, chapter twenty-four, continued by the Act of the said province, eighteenth Victoria, chapter one hundred and forty-three, and further continued by the Act of the Dominion of Canada, thirty-sixth Victoria, chapter sixty-one. Effect of repeal.
Corporation continued.

2. Nothing in this Act shall be construed as requiring that any member or officer of the corporation should be appointed or elected anew before the time at which, under the subsequent provisions of this Act his period of membership expires or his office becomes vacant. Members and officers continued.

INTERPRETATION.

- Designation. **4.** The said corporation is hereinafter referred to as "the corporation" and as "the harbour commissioners;" the members thereof are referred to as "commissioners."
- Interpretation of words. **2.** In this Act the following words have the meaning assigned to them in this section unless the context requires otherwise:—
- "By-law." (a.) The word "by-law" means any by-law, rule, order or regulation made by the corporation under the authority of this Act.
- "Vessel." (b.) The expression "vessel" includes every kind of ship, boat, barge, dredge, elevator, scow, or floating craft, and whether propelled by steam or otherwise, and also includes "rafts," as hereafter defined.
- "Raft." (c.) The word "raft" means any raft, crib, dram, or bag-boom of logs, timber or lumber of any kind, and includes logs, timber or lumber in boom or being towed.
- "Goods." (d.) The word "goods" means any movables other than vessels and rafts.
- "Rates." (e.) The word "rates" means any rate, toll or duty whatsoever imposed by this Act.
- 18 V., c. 143, s. 35.

Port of Montreal defined. **5.** For the purposes of this Act, the port of Montreal shall be held to comprehend all that part of the river St. Lawrence which extends from the basin of Portneuf, exclusively, in the county of Portneuf, to the southern boundary of the harbour of Montreal; and shall include the harbour of Montreal and such parts of the tributaries falling into the said part of the river St. Lawrence as are navigable for sea-going vessels; but shall not include the harbour of Three Rivers.

36 V., c. 61, s. 5, *part.*

Harbour of Montreal defined. **6.** For the purposes of this Act the harbour of Montreal shall be bounded as follows:—

(a.) On the western or city side the boundary shall continue to be as established by the provisions of section five of the Act of the former province of Canada, 18 Victoria, chapter 143, and as extended by the provisions of section five of the Act, 36 Victoria, chapter 61, which said provisions of the said two sections are set out in schedule two to this Act and shall be construed with reference to the circumstances existing when the said two Acts were respectively passed.

18 Vic., c. 143
(Canada), 36
Vic., c. 61.

(b.) On the southern or up stream side the boundary shall be a line bearing N. 65° E. astronomically from the easterly end of the division line between the lots known respectively as numbers 3266 and 3267 of the Official Plan and Book of Reference of the parish of Montreal, to an intersection with the eastern boundary.

(c.) On the eastern side the boundary shall be a line drawn from the centre of the central span of the Victoria Bridge, southward,

southward, or up stream, bearing S. 17° E. astronomically, to an intersection with the southern boundary, and northward or down stream, N. 17° W. astronomically, to an intersection with the low water mark upon St. Helen's Island, and thence down stream, following the low water mark on the western side of St. Helen's Island, to the south-east angle of the wharf situated at or near the most northerly point on the said island; thence N. 27° 30' E. astronomically a distance of 13,000 feet, and thence N. 23° 30' E. astronomically a distance of 12,500 feet to the northern boundary.

(d.) The northern boundary shall be a line running from the end of the eastern boundary directly towards the Longue Pointe church until the line intersects the western boundary.

2. The corporation shall have no right in or jurisdiction over any part of St. Helen's Island, nor over any part of Isle Ronde or Mouton, except such as is expressly given it by the Governor in Council.

36 V., c. 61, s. 5, *part.*

7. The commissioners may erect land marks to indicate the said boundaries of the port of Montreal and of the harbour of Montreal, which land marks shall be held to determine the said boundaries. Land marks.

12 V., c. 117, s. 4, *part.*

COMPOSITION OF CORPORATION.

8. The corporation shall consist of eleven commissioners. Commissioners.

2. Six commissioners shall be appointed by the Governor in Council and shall hold office during pleasure. Appointed commissioners.

3. The mayor of Montreal shall be a commissioner *ex officio*, during his term of office as mayor. *Ex officio* commissioner.

4. The other four commissioners shall be elected, one by each of the following bodies:— Elected commissioners.

(a.) The Montreal Board of Trade.

(b.) The Montreal Corn Exchange Association.

(c.) La Chambre de Commerce du district de Montréal.

(d.) The Shipping Interest, that is to say:—Such persons, partnerships, associations and companies as have offices in Montreal and are owners, consignees or agents of sea-going vessels entering the harbour of Montreal from sea and discharging or loading therein.

Each commissioner so elected shall hold office for a term of four years, and one of such elected commissioners shall go out of office in every year as hereinafter provided. Term for elected commissioners.

54-55 V., c. 53, s. 1, *part.*; 56 V., c. 21, s. 2.

9. An elected commissioner may resign his office by notifying his resignation to the body by which he was elected in such manner as they prescribe by by-law, and by notifying the harbour commissioners thereof in writing. Resignations.

2. Every appointed commissioner who resigns his office shall forthwith give written notice of such resignation to the harbour commissioners.

39 V., c. 38, s. 2, *part.*

Date of expiration of term of elected commissioners.

10. The four commissioners who, at the date of the passing of this Act, represent the said four bodies respectively shall go out of office at noon, on the first day of August—or if that be a legal holiday, then on the next following day which is not a holiday—in the following years respectively:—

The commissioner for the Board of Trade in 1894.

The commissioner for the Corn Exchange in 1895.

The commissioner for the Shipping Interest in 1896.

The commissioner for La Chambre de Commerce in 1897.

2. And thereafter the term of office of the commissioner representing each such body respectively shall expire at noon on the like day in every fourth year from the said specified years.

Re-election.

3. Any elected commissioner whose term of office has expired may be re-elected.

39 V., c. 38, s. 1, and s. 3; 56 V., c. 21, s. 2 and s. 3, *part.*

Meetings to elect commissioners.

11. Whenever a vacancy occurs among the elected commissioners, whether by expiration of term of office or otherwise, the proper body to elect a successor shall hold a meeting to make such election.

In case of expiration of term. Time of holding.

2. If the meeting is to fill a vacancy caused by expiration of term of office, it shall be held at noon on the first day of August—or if that be a legal holiday, then on the next day following which is not a holiday—in the year fixed by the next preceding section.

In case of other vacancy. Time of holding.

3. If the meeting is to fill a vacancy otherwise caused, it shall be held within thirty days after the proper body, or the secretary thereof, becomes aware of the occurrence of such vacancy.

Certificates of election.

4. The secretary of every such meeting shall give the person duly elected thereat a certificate of such election, and shall forthwith certify to the Minister of Marine and Fisheries the name of the person so elected.

36 V., c. 61., s. 14, *part*; 39 V., c. 38, s. 2, *part*; 54-55 V., c. 53, s. 3, *part*; 56 V., c. 21, s. 3, *part.*

Place of meeting.

12. The said meetings of the Board of Trade, the Corn Exchange and La Chambre de Commerce shall be held at their respective chambers or usual places of meeting, in the city of Montreal, and shall be summoned and conducted in the manner provided by their respective charters.

56 V., c. 21, s. 3, *part.*

Place of meeting of Shipping Interest.

13. The said meetings of the Shipping Interest shall be held at the office of the harbour commissioners in the city of Montreal.

2. Notice of the time, place and purpose of every such meeting shall be given by the secretary of the harbour commissioners by advertisement during at least ten days previous thereto in at least one English and one French newspaper published in the city of Montreal. Notice.

3. The secretary of the harbour commissioners shall be *ex officio* secretary of the meeting, and shall keep a record of the minutes and proceedings thereof; he shall lay on the table at such meeting a list of the persons entitled to vote thereat, showing the number of votes to which each of such persons is entitled. Secretary. Record. Voters' list.

4. The qualification of and the number of votes to be cast by each member of the Shipping Interest shall be determined, by reference to the annual report of the harbour master of Montreal, for the calendar year last previous to the meeting, which report shall show the number of the sea-going vessels which have, during the said year, entered the harbour of Montreal from sea and discharged or loaded therein, the register tonnage of each vessel and the name of the owner, consignee or agent of each vessel at Montreal. Qualification of voters, how determined.

5. Every member of the Shipping Interest shall be entitled to one vote for every five thousand tons, register tonnage, of such sea-going vessels consigned to him; but no member shall have more than ten votes in any case. Number of votes.

6. One person only shall vote at the meeting on behalf of any partnership, association or company which is a member of the Shipping Interest; and any such member which has not, one week before the meeting, given notice to the harbour commissioners of the name of its representative, shall have no voice nor vote at the meeting. Partnerships and companies, how to vote.

7. The person in whose favour a majority of votes is cast between noon and two o'clock p.m. on the day fixed for the election, shall be held to be duly elected. Time for voting.

8. The list of voters, and of the vessels and tonnage in respect of which each is entitled to vote shall be open to inspection, at the office of the harbour commissioners during business hours on the two days next before the meeting. Inspection of voters' list.

9. Any question which arises under any of the foregoing provisions of this section shall be decided forthwith by the harbour commissioners, and such decision shall be conclusive. Decision of questions.

54-55 V., c. 53, s. 2, *part*, s. 3, *part*.

14. Whenever a vacancy occurs, if the proper body to elect a commissioner fails to do so or fails to cause the name of the person duly elected to be certified to the Minister of Marine and Fisheries within one month from the last day on which the election might have been held under this Act, the Governor in Council may appoint a person to fill such vacancy. The commissioner so appointed shall hold office in all respects as the commissioner in whose place he is appointed would have held it. Governor in Council to fill vacancy after certain delay. Tenure of office in such case.

36 V., c. 61, ss. 14, *part*, and 15.

Oath of commissioner.

15. Before any commissioner enters upon the execution of his duties as commissioner, he shall take and subscribe an oath that he will truly and impartially, to the best of his skill and understanding, execute the powers vested in him as a member of the corporation of the harbour commissioners of Montreal; which oath shall be filed of record in the office of the corporation.

12 V., c. 117, s. 6; 36 V., c. 61, s. 2.

PRESIDENT AND QUORUM.

President.
Salary.

16. The corporation shall from time to time elect its own president, and shall pay him an annual salary not exceeding two thousand dollars.

36 V., c. 61, s. 17, *part*; 37 V., c. 31, s. 4.

Remuneration of commissioners.

2. The commissioners may be paid such remuneration for their services as the corporation determines by by-law.

Quorum.

17. Six commissioners shall be a quorum, but the powers of the corporation as pilotage authority and its judicial powers may be delegated to any three commissioners and may be exercised by them although the corporation is acting in other matters.

36 V., c. 61, s. 17; 43 V., c. 31, s. 1.

OFFICERS AND EMPLOYEES.

Officers, etc.

18. The corporation shall appoint the harbour master of Montreal, a deputy or assistant harbour master, and such other officers, assistants and servants as it deems necessary to carry out the objects and provisions of this Act, and may allow them such compensation or salaries as it deems fitting, and require and take from them such security for the due and faithful performance of their respective duties as it deems necessary.

16 V., c. 24, ss. 10, 11; 18 V., c. 143, ss. 6, 9.

Salaries.

Security.

GENERAL POWERS.

Territorial limits of jurisdiction.

19. The corporation shall, for the purposes of and as provided in this Act, have jurisdiction within the limits of the port of Montreal.

12 V., c. 117; 18 V., c. 143; and 36 V., c. 61.

Pilotage jurisdiction.

2. Under *The Pilotage Act*, chapter eighty of the Revised Statutes of Canada, the corporation is the pilotage authority of the pilotage district of Montreal. The general powers and duties of the corporation with respect to pilotage are contained in that Act.

R.S.C., c. 80, s. 5.

Powers to hold property.

20. The corporation may hold, take and purchase immovable property for the purposes of this Act, and may acquire,

acquire, hold, possess and build such movable property, vessels, plant, and machinery as it deems necessary for the efficient discharge of the duties devolved upon it by this Act, and may take out registers for such vessels in its corporate name and capacity, and may dispose of the said immovable and movable property, vessels, plant, and machinery as often as it sees fit to do so, and may do all other things necessary to carry out the provisions of this Act according to their true intent and spirit.

Vessels.

General powers to carry out Act.

12 V., c. 117, s. 1, *part*; 18 V., c. 143, s. 3; 36 V., c. 61, s. 2, *part*.

2. The corporation may take and acquire such immovable property as it considers necessary for the purpose of constructing wet and dry docks, and warehouses, in connection with the harbour of Montreal.

Immovable property for docks, etc.

18 V., c. 143, s. 30.

21. All property acquired or held by the harbour commissioners of Montreal and vested in them for the purposes of the harbour shall continue to be vested in the corporation.

Former property to remain vested.

36 V., c. 61, s. 25, *part*.

2. All the land lying within the limits of the harbour of Montreal as defined by this Act, and heretofore vested in Her Majesty in right of the Dominion of Canada but not heretofore within the limits of the harbour, shall be deemed to be vested in and held by the corporation for the purposes of this Act.

Crown land vested in corporation.

36 V., c. 61, s. 25, *part*.

3. All land not being within the limits of the harbour as defined by this Act, but being within the limits of the harbour as defined by the Acts previous to this Act, shall be deemed to have reverted to and to be vested in Her Majesty in right of the Dominion of Canada.

4. The corporation may institute and defend all suits, actions and proceedings in any court of justice in respect of the said property and the land comprised within the harbour as fully as can be done by proprietors holding lands by valid title, or as might be done by or on behalf of Her Majesty in respect of the bed or beach of the river St. Lawrence.

Suits and actions may be brought.

36 V., c. 61, s. 26.

22. In this section the expression "harbour tracks" means railways and tramways within the boundaries of the harbour of Montreal, and "harbour lines" means branch lines connecting harbour tracks with main lines of railway; but nothing in this section shall be deemed to constitute the corporation a railway company within the meaning of *The Railway Act* and its amendments.

Definition. "Harbour tracks."

"Harbour lines."

51 Vic., c. 29.

2. The corporation may—

(1.) Construct harbour tracks.

(2.) (a.) Acquire harbour tracks, by purchase, lease or otherwise; and—

Powers as to construction, acquisition and operation of railway tracks in

Montreal Harbour, and as to agreements with railway companies.

(b.) If necessary for effectual working of any harbour tracks, so acquire any harbour lines.

(3.) Maintain harbour tracks and harbour lines.

(4.) Enter into an agreement with any railway company for the operation by such company of the corporation's harbour tracks and harbour lines, by any motive power, and so as at all times to afford all other railway companies whose lines reach the harbour, the same facilities for traffic as those enjoyed by such company.

(5.) Make agreements with railway companies for—

(a.) Facilitating traffic to, from, and in the harbour.

(b.) Making connections within the harbour between companies' railways and those of the corporation.

(c.) The maintenance, management, control and working of harbour tracks and harbour lines, by the parties to the agreement severally or by any of them jointly.

(d.) The use by any party to the agreement of any real or personal property of any other party thereto, for purposes of facilitating traffic to, from and in the harbour.

Owning and operation of machinery.

23. The corporation may own, and operate by any motive power, all kinds of appliances, apparatus, plant, and machinery, for the purposes of increasing the usefulness of the harbour or facilitating the traffic therein.

Buoys and beacons.

24. If Her Majesty and the corporation so agree, the buoys and beacons within the port of Montreal may by order of the Governor in Council be placed and maintained by the corporation.

52 V., c. 34, s. 1.

By-laws of city of Montreal.

25. Notwithstanding anything contained in any Act of the late province of Canada or of the province of Quebec, with respect to the city of Montreal, no by-law of the corporation of the said city shall restrict or affect in any manner the exercise of the powers conferred upon the harbour commissioners under this Act

24 V., c. 68, s. 6.

BY-LAWS.

Powers to make by-laws.

26. The corporation may from time to time make by-laws, not contrary to law nor to the provisions of this Act, for the following purposes:—

General management.

(a.) The direction, conduct and government of the corporation and of its property, real and personal.

12 V., c. 117, s. 5, *part*; 18 V., c. 143, s. 7, *part*.

Navigation.

(b.) The establishment of rules and regulations for navigation within the limits of the port of Montreal.

12 V., c. 117, s. 5, *part*; 18 V., c. 143, s. 28, *part*.

Use of river channels.

(c.) The restriction of the use of the main channels of the river St. Lawrence, in whole or in part, as the corporation

deems expedient, by vessels of light draught and rafts, requiring them to make use of other channels, and appropriating in whole or in part the deep water channels to the exclusive use of large vessels, defining the classes of the vessels to be affected by such by-laws in such manner as the corporation deems expedient.

45 V., c. 43, s. 2.

(d.) The good government, improvement and regulation of Harbours.
harbours.

12 V., c. 117, s. 5, *part*; 18 V., c. 143, s. 7, *part*.

(e.) The prevention of injury to and of encroachments and encumbrances on channels, harbours and waters generally within the limits of the port of Montreal; the prohibiting of the depositing of ballast; and the removal of material of a nature to cause such injury, encroachment or encumbrance.

Encroachments.

Ballast.

12 V., c. 117, s. 5, *part*; 18 V., c. 143, s. 7, *part*.

(f.) The supervision and control of harbours during the winter, so as to prevent anything which in the opinion of the corporation, would be likely to damage any harbour or any works therein, or to injure navigation.

Harbours in winter.

20 V., c. 126, s. 1, *part*.

(g.) The order, anchoring, mooring, riding and fastening of vessels and rafts.

Vessels and rafts.

12 V., c. 117, s. 5, *part*; 18 V., c. 143, s. 7, *part*.

(h.) The regulation and control of the use of lights and fire.

Lights and fire.

12 V., c. 117, s. 5, *part*; 16 V., c. 24, s. 5; 18 V., c. 143, s. 7, *part*.

(i.) The regulation and control of the landing and shipping of explosive or inflammable substances.

Explosives.

18 V., c. 143, s. 7, *part*.

(j.) The boiling, melting and use of pitch, tar, turpentine, resin or any other inflammable substance.

Boiling of pitch, etc.

12 V., c. 117, s. 5, *part*; 18 V., c. 143, s. 7, *part*.

(k.) The allotment of berths to vessels or to any regular line of vessels, either on each trip or for the whole business season.

Berths of vessels.

20 V., c. 126, s. 1, *part*.

(l.) The allotment, letting or leasing of any lot, space or portion of the wharfs, piers or vacant ground in the harbour of Montreal.

Disposal of ground space.

20 V., c. 126, s. 1, *part*.

(m.) The regulation of the powers of the officers of the corporation in respect of the enforcement of their lawful directions and orders, and in respect of any force, aid or assistance required by them for that purpose.

Enforcement of orders of officers.

20 V., c. 126, s. 1, *part*.

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

Machinery.

(o.) The regulation of railway and other traffic on the quays and wharfs in the harbour of Montreal, and the prevention and removal of all obstructions, impediments or hindrances of such traffic.

Railway traffic.

- Enforcement of railway arrangements. (p.) The enforcement of arrangements made, under the powers heretofore possessed by the corporation or given by this Act, with the several railway companies having communication with the harbour of Montreal.
45 V., c. 43, s. 4, *part*.
- Order, prevention of theft. (q.) The maintenance of order and regularity and the prevention of theft and depredations.
12 V., c. 117, s. 5, *part*; 18 V., c. 143, s. 5, *part*.
- Procedure before corporation. (r.) For regulating the procedure of and before the corporation in the exercise of its judicial powers and of its powers as pilotage authority for the pilotage district of Montreal.
- Collection of rates and penalties. (s.) The collection of all rates and penalties imposed by this Act, or by any by-law made under the authority of this Act; with power, for such purpose, to include in any such by-law regulations requiring the collector of customs, or other proper officer, to refuse clearances to vessels.
18 V., c. 143, s. 7, *part*.
- Imposition of penalties under by-laws. (t.) The imposition of penalties upon persons infringing the by-laws hereby authorized to be made, but such penalties shall not exceed forty dollars or sixty days' imprisonment; and in default of payment of such pecuniary penalty and of the costs of conviction, a period of imprisonment to be fixed by by-law, but not to exceed thirty days nor to continue after such payment is made.
18 V., c. 143, s. 7, *part*; 20 V., c. 126, s. 1, *part* and s. 2; 24 V., c. 68, s. 5, *part*; 45 V., c. 43, s. 5, *part*.
- Execution of objects of Act. (u.) The doing of everything necessary for the effectual execution and working of this Act and the attainment of the intention and objects thereof.
12 V., c. 117, s. 5, *part*; 18 V., c. 143, s. 7, *part*.
- Confirmation of by-laws. **27.** No by-law shall have force or effect until confirmed by the Governor in Council and published in *The Canada Gazette*.
12 V., c. 117, s. 5, *part*; 18 V., c. 143, s. 7, *part*; 20 V., c. 126, s. 3, *part*; 42 V., c. 28, s. 1, *part*; 45 V., c. 43, s. 5, *part*.
- Force and effect. 2. Upon such confirmation and publication any by-law made in accordance with this Act shall have the same force and effect as if specifically enacted in this Act, and judicial notice shall be taken thereof in all proceedings under this Act.
20 V., c. 126, s. 3, *part*; 45 V., c. 43, s. 5, *part*.
- Judicial notice. 3. Copies of any such by-laws certified by the secretary under the seal of the corporation, shall be admitted as full and sufficient evidence of the same in all courts in Canada.
12 V., c. 117, s. 5, *part*; 18 V., c. 143, s. 8.
- Copies, when evidence.

HARBOUR RATES.

- Levying of harbour rates. **28.** The corporation may, from time to time, levy such rates as are approved of by the Governor in Council, upon all goods landed or shipped in the harbour, moved by rail on the harbour tracks, or deposited within the harbour, except
340
arms,

arms, ammunition and military accoutrements, and other munitions of war for the use of the government or for the defence of the Dominion.

40 V., c. 53, s. 2, *part*.

2. For the purposes of this section, the lower basins of the Lachine canal shall be held to form part of the harbour of Montreal, and the corporation may levy from all vessels entering the same through the harbour for the purpose of discharging or loading there, except canal craft trading between Montreal and places above Montreal, the same rates as may be levied in the harbour and under the same regulations and penalties. In all other respects the said lower basins shall be and remain under the jurisdiction of the Minister of Railways and Canals. 18 V., c. 143, s. 18; 40 V., c. 53, s. 2, *part*.

Proviso as to Lachine Canal lower basins.

29. No tonnage dues heretofore payable to the corporation shall be levied on, or collected from, any vessel at the port of Montreal.

Tonnage dues not to be levied.

51 V., c. 5, s. 4.

30. The valuation of goods on which *ad valorem* rates are imposed shall be made according to the provisions of *The Customs Act*, or any Act in amendment thereof, and the said provisions shall for the purposes of such valuation be held to form part of this Act as if actually embodied herein; and the collector of customs at Montreal shall direct the appraiser to attend and make such valuation at any place and time needful, on application being made to him to that effect by the corporation or its authorized agent; and the said appraiser shall act herein without taking any new oath of office for the purpose.

Valuation of goods.

Duty of appraiser of customs.

18 V., c. 143, s. 17; 40 V., c. 53, s. 2, *part*.

31. The rates on goods landed or shipped from sea-going vessels shall be paid by the consignee, shipper, owner or agent of such goods.

Payment of rates.

2. The rates upon the cargoes of all other vessels shall be paid by the master or person in charge of the vessel, saving to him such recourse as he may have by law against any other person for the recovery of the sums so paid; but the corporation may demand and recover the said rates from the owners or consignees or agents or shippers of such cargoes if it sees fit to do so.

18 V., c. 143, s. 12; 40 V., c. 53, s. 2, *part*.

32. The corporation may commute any rates authorized by this Act to be levied, on such terms and conditions and for such sum or sums of money as the corporation deems expedient.

Commutation of rates.

18 V., c. 143, s. 16, *part*; 45 V., c. 43, s. 1.

33. The corporation may require the collectors of customs at Montreal, Quebec and any intermediate ports, to collect on its

Collection of rates through customs.

its behalf such portion of the rates authorized by this Act to be levied in the harbour of Montreal as it deems expedient for the convenience of trade to collect through them.

18 V., c. 143, s. 15.

Duty of collectors of customs as to accounting.

2. Every collector so required to make collections on account of the corporation, shall pay over to the corporation on the first and fifteenth day of each month all moneys collected for it; and shall make monthly returns in detail, specifying the date of each collection, the name and tonnage of each vessel, and the name of the commander or master thereof.

12 V., c. 117, ss. 42, *part*, 44 and 45; 37 V., c. 31, s. 6.

EXPROPRIATION OF LANDS.

Expropriation of lands for improvements, how made.

34. Whenever the corporation desires to acquire any immovable property for the improvement or extension of the harbour of Montreal or the accommodations thereof, it shall cause to be prepared a plan of such immovable property in triplicate, one triplicate whereof shall be deposited in the office of the clerk of the peace of the city of Montreal, another triplicate thereof in the office of the Minister of Marine and Fisheries, and the third in the office of the Minister of Public Works:—And such plan shall be submitted to the Governor in Council for approval, and upon being duly approved, if an amicable arrangement with the proprietor of such immovable property is not made, the corporation shall have the right to acquire the same without the consent of the proprietor or proprietors thereof, and the provisions of sections 99 to 172, both inclusive, of *The Railway Act*, shall apply to the acquisition of immovable property for the purposes aforesaid, to the same extent and in the same manner as if the said sections had been passed with express reference to the harbour of Montreal instead of with reference to railways, and the corporation were therein referred to instead of the railway company.

51 Vic., c. 29.

36 V., c. 61, s. 24, *part*.

Notice, how given.

2. The notice required under section 149 of *The Railway Act* shall be given by inserting the said notice three times in the course of one month in two newspapers, one in the French and the other in the English language, published in the city of Montreal.

36 V., c. 61, s. 24, *part*.

BORROWING POWERS.

Amount to be borrowed for construction and improvements of harbour.

35. For the purpose of constructing, extending and improving the wharfs, structures, and other accommodations in the harbour of Montreal in such a manner as the corporation deems best calculated to facilitate trade and increase the convenience and utility of the said harbour, the corporation may borrow the sum of one million dollars or its equivalent in pounds sterling, being the amount of such sums of money as

remain unborrowed and negotiable on account of the several sums heretofore authorized, by the Acts repealed by this Act, to be borrowed for such purpose.

18 V., c. 143, s. 21 ; 24 V., c. 68, s. 1 ; 36 V., c. 61, s. 22 ; 54-55 V., c. 53, s. 5.

2. The corporation may also borrow such sums of money as are necessary for the purpose of redeeming debentures issued by the corporation, whether for moneys borrowed under this Act or under the Acts repealed by this Act ; but the sums so borrowed shall not, in any case, exceed the amount of debentures to be redeemed and shall not be applied to any other purpose.

Loans for redemption of debentures.

Limitation.

18 V., c. 143, s. 29 ; 56 V., c. 21, s. 1, *part*.

3. For the removal of doubts it is hereby declared that the power to borrow for the purpose of redeeming debentures was possessed by the corporation with respect to moneys borrowed under the authority of the Acts repealed by this Act, if the sums so borrowed did not in any such case exceed the amount of the debentures to be redeemed and were not applied to any other purpose.

Declaratory.

56 V., c. 21, s. 1, *part*.

4. The corporation may borrow, in Canada or elsewhere, such sums of money as are authorized by this Act, in such amounts, for such number of years, and at such rates of interest, not exceeding four per cent per annum, by the tenor of the bond or debenture, as it finds expedient, from time to time ; and may issue bonds or debentures for the same, and may offer for sale and sell such bonds or debentures, at such rates and on such terms, as it deems best.

Interest, etc.

Issue and sale of bonds.

50-51 V., c. 42, s. 1 ; 54-55 V., c. 53, s. 5.

5. The principal and interest of the sums of money which may be borrowed under this section, as well as of all sums already borrowed for the improvement of the harbour of Montreal, shall be paid out of the revenue arising from the rates and penalties imposed by or under this Act for and on account of the said harbour ; and the lawful charges upon the said revenue shall be as follows and in the following order, that is to say :

Payments of loans.

Charges on revenue.

(a.) The payment of all expenses incurred in the collection of the same, and other indispensable charges ;

Collection.

(b.) The defraying of the expenses attendant on keeping the harbour clean, and on keeping the wharfs and other works therein in a thorough state of repair ;

Repairs.

(c.) The payment of interest due on all sums of money borrowed under this Act or under any of the Acts repealed by this Act, without priority or preference ;

Interest.

(d.) The paying off the principal of such sums.

Principal.

18 V., c. 143, s. 22 ; 24 V., c. 68, s. 2 ; 36 V., c. 61, s. 23.

DISPOSAL OF PROPERTY FOUND.

36. If any thing belonging to any vessel or used for purposes of navigation is found on any beach or in any waters within

Duty of finders of lost property.

- within the jurisdiction of the corporation, the finder shall give notice thereof and a description of the thing found to the secretary of the corporation, within four days if it has been found within the harbour of Montreal, and within fifteen days, if it has been found in any other part of the port of Montreal.
- Notice.
- Penalty. 2. In default of giving such notice within the said delay, the finder shall be liable to a penalty not exceeding forty dollars.
- Remuneration of finder. 3. If the master of any vessel to which such thing belongs or the owner of such thing, claims it, he shall pay the finder, for his trouble, a fair remuneration, which the corporation shall fix when the parties cannot agree upon it.
- Unclaimed articles to be advertised. 4. When any such thing so found has not been claimed, the secretary of the corporation shall advertise it during four weeks, in English and in French, in two or more newspapers published at Montreal.
- Sale. 5. If within one month after such advertisement such thing is not claimed, the secretary shall sell it publicly, and after deducting the expenses incurred for advertising, sale and otherwise, two-thirds of the proceeds of the sale shall belong to the finder and the remaining third to the corporation.
- Expenses. Disposal of proceeds. 22 V. (1858), c. 12, ss. 1 and 2.

RECOVERY OF RATES, PENALTIES AND PILOTAGE DUES.

- Summary procedure for recovery of moneys and penalties. **37.** All sums of money due and penalties incurred under this Act or under any by-law in force under this Act, may be recovered in a summary manner under the provisions of Part LVIII. of *The Criminal Code*, 1892.
12 V., c. 117, s. 46, *part*; 18 V., c. 143, s. 10, *part*; 20 V., c. 126, s. 6, *part*; 24 V., c. 68, s. 5, *part*; 40 V., c. 53, s. 2, *part*; 42 V., c. 28, s. 1, *part*; 45 V., c. 43, s. 5, *part*; "The Criminal Code, 1892," s. 840.
- Recovery before corporation. 2. In certain cases they may also be recovered by proceeding as hereinafter provided before the corporation sitting in its judicial capacity and exercising, under the provisions of this Act, the judicial powers formerly vested in the Trinity House of Montreal.
12 V., c. 117, ss. 7, and 46; 36 V., c. 61, s. 2, *part*; 20 V., c. 126, s. 6, *part*; see 45 V., c. 43, s. 5.
- Vessels not entering harbour. **38.** If a vessel navigates or tows within the limits of the port of Montreal, and does not enter the harbour of Montreal; and—
R.S.C., c. 80. If by reason of such non-entrance the corporation is unable to collect the amount of any rates payable under this Act or of any pilotage dues payable under *The Pilotage Act*—
Then the owner, consignee, agent, master or person in charge of the vessel shall pay the said amount to the collector of
How rates to be paid. customs

customs for the port of Quebec or to the collector of customs at the first port of customs which the vessel enters before reaching the port of Quebec.

2. Such payment shall be made within forty-eight hours after the arrival of the vessel at the port where payment is to be made, and if it is not so made the owner, consignee, agent, master or person in charge of the vessel shall be liable to a penalty not exceeding eighty dollars.

12 V., c. 117, s. 42.

39. The corporation may, in the following cases, seize and detain any vessel at any place within the limits of the province of Quebec:—

24 V., c. 68, s. 8, *part*.

(a.) Whenever any sum is due, in respect of the vessel, for rates, or for commutation of rates, or for pilotage dues, and is unpaid.

12 V., c. 117, s. 46, *part*; 18 V., c. 143, s. 13, *part*; 20 V., c. 126, s. 4, s. 7.

In the case of pilotage dues the seizure and detention may also be made by the collector of customs for the port of Montreal or by the collector of customs for the port of Quebec:—

12 V., c. 117, s. 46, *part*.

(b.) Whenever the master, owner, or person in charge of the vessel has infringed any provision of this Act or any by-law in force under this Act, and has thereby rendered himself liable to a penalty.

20 V., c. 126, s. 4, s. 7.

(c.) Whenever any injury has been done by the vessel, or by the fault or neglect of the crew while acting as the crew or under the orders of their superior officers, to any property of the corporation.

24 V., c. 68, s. 4, *part*.

(d.) Whenever any obstruction whatever has been offered or made to the operations of the corporation, between Montreal and Quebec, by the vessel or by the fault or neglect of the crew, while acting as the crew or under the orders of their superior officers.

24 V., c. 68, s. 4, *part*.

(e.) In the last two cases the vessel may be seized and detained until the injury so done has been repaired by the master or crew, or by other persons interested, and until all other damages thereby directly or indirectly caused to the corporation, including the expense of following, searching for, discovering and seizing such vessel, have been paid to the corporation, for the amount of all which injury, damages, expenses and costs, the corporation shall have a preferential lien on the vessel and upon the proceeds thereof or until security has been given by the master to pay such amount for such damages, direct or indirect, and for such injury and costs, as may be

Master's liability. awarded in any suit brought against him for the same, and he shall be liable to the corporation for any such injury and damages.

24 V., c. 68, s. 4, *part.*

Special privilege for rates, penalties, etc.

(*f.*) The corporation shall have a special privilege upon any vessel and upon the proceeds thereof, by preference to all other claims and demands whatsoever, for the payment of all or any rates or penalties, due and payable in respect of such vessel, or of the acts of the master, owner or person in charge thereof, or of commutation of rates.

20 V., c. 126, s. 7, *part.*

Seizure after judgment.

(*g.*) Such vessel may be seized and sold, under any writ or warrant of execution, or of distress issued by any court or by any magistrate, upon any judgment or conviction at the suit of the corporation against the master, owner or person in charge thereof.

20 V., c. 126, s. 7, *part.*

In whose hands seizure may be made.

(*h.*) Such vessel may be so seized and detained or so seized and sold, in the possession or charge of any person whatever, whether in the charge or possession or the property of the person who was proprietor, when such rates or commutation thereof, or penalties, or pilotage dues accrued, or in the charge or possession or the property of any third person.

20 V., c. 126, s. 7, *part.*

Prescription.

(*i.*) The rights conferred by this section may not be exercised after one year from the period when such rates, penalties, pilotage dues or commutation accrued and became exigible.

20 V., c. 126, s. 7, *part.*; 24 V., c. 68, s. 3.

Seizure and detention of goods.

40. The corporation may seize and detain any goods in the following cases :—

(*a.*) Whenever any sum is due for rates in respect of such goods and is unpaid.

12 V., c. 117, s. 46, *part.*; 18 V., c. 143, s. 13, *part.*

(*b.*) Whenever any provision of this Act, or any by-law in force under this Act, has been infringed in respect of such goods and a penalty thereby incurred.

20 V., c. 126, s. 4, *part.*

Seizure and detention to be at owner's charge.

41. Every seizure and detention made under this Act shall be at the risk, cost and charges of the owner of the vessel or goods seized, until all sums due and penalties incurred, together with all costs and charges incurred in the seizure and detention, and the costs of any conviction obtained for the infringement of any provision of this Act, or any by-law in force under this Act, have been paid in full.

12 V., c. 117, s. 46, *part.*; 18 V., c. 143, s. 13, *part.*; 20 V., c. 126, s. 4, *part.*

Duration.

May be made with or without action.

2. The seizure and detention may take place either at the commencement of any action or proceeding for the recovery of any sums of money due, penalties or damages, or pending

such action or proceeding, or as an incident thereto, or without the institution of any action or proceeding whatever.

20 V., c. 126, s. 5, *part.*

3. The seizure and detention may be effected upon the order of— Order for seizure.

(a.) Any judge.

18 V., c. 143, s. 14, *part.*

(b.) Any magistrate having the power of two justices of the peace.

20 V., c. 126, s. 5, *part.*

(c.) The collector of customs at either of the ports of Montreal or Quebec.

20 V., c. 126, s. 5, *part.*

(d.) The president or president *pro tempore* of the corporation, who for the purposes of such order and of all proceedings for enforcing it, shall have concurrent jurisdiction with such magistrate.

24 V., c. 68, s. 8, *part.*

4. The said order may be made at the application of the corporation, or of its authorized agent, or of its attorney or solicitor, on the affidavit of any one credible person, that any sum is due for pilotage dues, or is due to the corporation for any rates or commutation thereof whatever, or that any penalty has been incurred under the by-laws of the corporation, or under the provisions of this Act, by the master, owner or person in charge of the vessel or goods, or that the provisions of this Act have been infringed by any vessel or by the master, owner or person in charge thereof, or by the owner or person in charge of any goods, stating the particulars of such infringement. Application and affidavit.

20 V., c. 126, s. 5, *part.*

5. Such order may be executed by any constable, bailiff or other person whom the corporation intrust with the execution thereof, and the said constable, bailiff or other person is hereby empowered to take all necessary means and to demand all necessary aid, to enable him to execute the same. Execution of order.

18 V., c. 143, s. 14, *part.*

42. Service of any warrant, summons, writ, order, notice or other document, may be made as follows, when personal service cannot be effected:— Service of process, etc.

(a.) Upon the owner, master or person in charge of any vessel, by showing the original to, and leaving a copy with, any reasonable person found on board the vessel and appearing to be one of her crew. On owners and masters of vessels.

20 V., c. 126, s. 6, *part.*

(b.) Upon any pilot for and above the harbour of Quebec, by showing the original to, and leaving a copy with, any reasonable person found at the pilot's house, if he has one in Montreal, or found at his usual place of residence in Montreal. On pilots.

12 V., c. 117, s. 30.

No writs to be served on H. M. vessels.

43. Nothing in this Act contained shall authorize the service of any summons or the execution of any warrant on board of any vessel in Her Majesty's service.

12 V., c. 117, s. 8, *part.*

SPECIAL JUDICIAL POWERS.

Special judicial jurisdiction.

44. The corporation may continue to exercise, within the limits of the port of Montreal, jurisdiction, power and authority, civil and criminal, for the hearing and decision of the following matters:—

R.S.C., c. 80.

(a.) Any matter arising from the provisions of *The Pilotage Act*, or of any by-law made thereunder.

Pilotage matters under this Act.

(b.) Any matter arising from the provisions of this Act or of any by-law made thereunder, if such matter relates to pilots or pilotage; and any other matter so arising, if it is an offence against the said provisions.

Beaches.

(c.) Any matter relating to any beach.

12 V., c. 117, s. 7, *part.*; 36 V., c. 61, s. 2; R.S.C., c. 80, s. 20.

Procedure.

2. The provisions of Part LVIII. of *The Criminal Code*, 1892, except sections 861 and 902 to 906 both inclusive, shall apply to all proceedings had under this section, with the following modifications:—

Reference of certain cases to other authorities.

(a.) If upon application to the corporation to receive any information or complaint, the corporation is of opinion that the questions involved do not affect any interests of the port or harbour of Montreal, the corporation may require the informant or complainant to go before any other proper authority having jurisdiction to receive such information or complaint.

Proceedings to be of record.

(b.) All proceedings and evidence had before the corporation shall be preserved of record.

12 V., c. 117, s. 8, *part.*

Service of process.

(c.) Service of any warrant shall be made by the proper person designated by the provisions of the said Part LVIII. of *The Criminal Code*, 1892; but service of any summons, order, or notice may also be made by any bailiff of the Superior Court in and for the province of Quebec.

APPLICATION OF RATES AND PECUNIARY PENALTIES.

Penalties to be paid over.

45. Every pecuniary penalty recovered for any violation of this Act or of any by-law in force under this Act, shall be paid over to the corporation by the court or magistrate before whom the penalty has been recovered.

Application of receipts by corporation.

46. The corporation shall apply sums collected by it for rates or received by it as such pecuniary penalties, as follows:—

(a.) To the payment of the charges upon the revenue of the harbour of Montreal,—

if the sum is collected or received in respect of the harbour of Montreal.

18 V., c. 143, s. 22; 24 V., c. 68, s. 2; 36 V., c. 61, s. 23.

(b.) For the general purposes of the corporation,—
if the sum is collected or received in respect of any part
of the port of Montreal other than the harbour of
Montreal.

12 V., c. 117, s. 43, *part*, s. 49, *part* ; 16 V., c. 24, s. 5 ; 18
V., c. 143, s. 6.

MISCELLANEOUS PROVISIONS.

47. The corporation shall not have any transactions of a pecuniary nature, either in buying or selling, with any members thereof, directly or indirectly. Pecuniary transactions forbidden.

12 V., c. 117, s. 47, *part*.

48. Whenever any person is required by or in pursuance of this Act to take any oath, any commissioner, the secretary of the corporation, the harbour master of Montreal, or any justice of the peace may administer such oath. Administration of oaths.

12 V., c. 117, s. 26, *part* ; 24 V., c. 68, s. 9, *part*.

49. The Governor in Council may waive or remit all duties of customs on any articles or merchandise whatsoever imported by the corporation for the purposes of this Act, but not for private use or profit, on application being made to him to the said effect by the corporation. Remission of customs duties.

18 V., c. 143, s. 26.

50. The corporation shall pay out of its funds to Mrs. Young, widow of the late Honourable John Young, during her life, an annuity equal to the yearly interest at six per cent per annum of the sum of ten thousand dollars, to be paid by quarterly payments of one hundred and fifty dollars each, on the first day of October, January, April and July in each year. Annuity to Mrs. Young.

43 V., c. 32, s. 1.

ACCOUNTING FOR MONEYS.

51. The corporation shall keep separate accounts of all moneys borrowed, received and expended by it under the authority of this Act, and shall account for the same annually to the Governor in Council in such manner and form as he sees fit to direct. Separate accounts. Return.

18 V., c. 143, s. 33, *part*.

LIMITATION OF SUMMARY PROCEEDINGS.

52. In the case of any violation of this Act or of any by-law in force under this Act no complaint or information shall be made or laid under Part LVIII. of *The Criminal Code*, 1892, after two years from the time when the matter of complaint or information arose. Prescription of prosecutions.

12 V., c. 117, s. 52.

SCHEDULE ONE.

ACTS REPEALED.

Year and Chapter.	Title of Act.	Extent of repeal.
ACTS OF THE LEGISLATURE OF THE LATE PROVINCE OF CANADA.		
6 Will. 4, c. 20.	An Act to repeal an Act therein mentioned, concerning the Inspector and Measurers of Rafts and Scows and the Pilots thereof, between Chateauguay and Montreal, and for other purposes therein mentioned	The whole.
12 V., c. 117...	An Act to repeal a certain Act and Ordinance therein mentioned, relating to the Trinity House of Montreal, and to amend and consolidate the provisions thereof	The whole.
14-15 V., c. 26.	An Act to amend the Montreal Trinity House Act ..	The whole.
18 V., c. 143...	An Act to provide for the management and improvement of the Harbour of Montreal and the deepening of the Ship Channel between the said Harbour and the Port of Quebec, and to repeal the Act now in force for the said purposes	The whole except section five and section thirty-four.
20 V., c. 126...	An Act to amend the Act to provide for the management and improvement of the Harbour of Montreal and the deepening of the Ship Channel between Montreal and Quebec	The whole.
20 V., c. 127...	An Act to correct an error in an Act of the present session relative to the Harbour and Harbour Commissioners of Montreal	The whole.
20 V., c. 128...	An Act to amend an Act intituled, <i>An Act to repeal a certain Act and Ordinance therein mentioned, relating to the Trinity House of Montreal, and to amend and consolidate the provisions thereof</i> , and to make further provisions concerning Pilots	The whole.
22 V. (1858), c. 12	An Act to confer additional powers on the Trinity House of Montreal	The whole in so far as it is within the jurisdiction of the Parliament of Canada.
22 V. (1858), c. 33.....	An Act to confirm a Resolution or By-Law of the Corporation of Montreal, and to empower the Harbour Commissioners of Montreal to erect a Gallery across Capital Street in Montreal	The whole in so far as it is within the jurisdiction of the Parliament of Canada.
24 V., c. 68...	An Act further to amend the Act to provide for the management and improvement of the Harbour of Montreal, and the deepening of the Ship Channel between Montreal and Quebec	The whole.
27-28 V., c. 12..	An Act to replace the improvements in the Navigation of the River St. Lawrence, between the Harbours of Quebec and Montreal, under the control of the Commissioner of Public Works	The whole.
27-28 V., c. 58..	An Act to amend the Act passed in the twelfth year of Her Majesty's reign, relating to the Trinity House at Montreal	The whole.

SCHEDULE ONE—*Continued.*

ACTS REPEALED.

Year and Chapter.	Title of Act.	Extent of repeal.
29 V., c. 56.	An Act further to provide for the deepening of the Ship Channel between Montreal and Quebec	The whole.
ACTS OF THE PARLIAMENT OF CANADA.		
35 V., c. 40.	An Act for imposing Tonnage Dues and Wharfage Rates, to meet the cost of improving the Navigation of the St. Lawrence between Montreal and Quebec	The whole.
36 V., c. 55.	An Act respecting Wreck and Salvage.	By striking out of section 39 all the words between "shall" in line 13 and "the" where it occurs first in line 18, and by substituting for the word "Houses" in line 28, the word "House."
36 V., c. 60.	An Act to make further provision for the improvement of the River St. Lawrence between Montreal and Quebec.	The whole.
36 V., c. 61.	An Act respecting the Trinity House and Harbour Commissioners of Montreal.	The whole except that portion of section five which is set out in schedule two to this Act.
37 V., c. 31.	An Act to amend the "Act respecting the Trinity House and Harbour Commissioners of Montreal."	The whole.
39 V., c. 38.	An Act to remove doubts under the Acts therein mentioned, respecting the Harbour Commissioners of Montreal, and to amend the same.	The whole.
40 V., c. 53.	An Act respecting Tolls in the Harbour of Montreal.	The whole.
42 V., c. 28.	An Act to amend the Acts respecting the Trinity House and Harbour Commissioners of Montreal.	The whole.
43 V., c. 31.	An Act to amend the Acts respecting the Trinity House and Harbour Commissioners of Montreal.	The whole.
43 V., c. 32.	An Act to enable the Harbour Commissioners of Montreal to pay a life annuity to the Widow of the late Honourable John Young.	The whole.
44 V., c. 7.	An Act to amend the Act thirty-sixth Victoria, chapter sixty, respecting the Montreal Harbour Commissioners.	The whole.
45 V., c. 43.	An Act further to amend the Act respecting the Trinity House and Harbour Commissioners of Montreal.	The whole.
45 V., c. 44.	An Act to make further provision for the improvement of the River St. Lawrence between Montreal and Quebec.	The whole.

SCHEDULE ONE—*Concluded.*

ACTS REPEALED.

Year and Chapter.	Title of Acts.	Extent of repeal.
46 V., c. 38...	An Act to make further provision for deepening the ship channel of the River St. Lawrence between Montreal and Quebec.....	The whole.
50-51 V., c. 42.	An Act to amend the Acts relating to the Harbour Commissioners of Montreal.	The whole.
50-51 V., c. 43.	An Act relating to the improvement of the River St. Lawrence.....	The whole.
51 V., c. 5.....	An Act to make further provision respecting the construction of the ship channel between Montreal and Quebec.....	The whole.
52 V., c. 34....	An Act further to amend the Act thirty-sixth Victoria, chapter sixty-one, respecting the Trinity House and Harbour Commissioners of Montreal..	The whole.
54-55 V., c. 53.	An Act further to amend the Act thirty-sixth Victoria, chapter sixty-one, respecting the Trinity House and Harbour Commissioners of Montreal..	The whole.
56 V., c. 21....	An Act respecting the Harbour Commissioners of Montreal.....	The whole.

SCHEDULE TWO.

ENACTMENTS UNREPEALED BY THIS ACT.

SECTION 5 OF THE ACT OF THE FORMER PROVINCE OF CANADA, 18 V., c. 143, AS TO THE HARBOUR OF MONTREAL.

“V. The Harbour of Montreal which shall be under the control and management of the said Corporation, shall be bounded as follows, that is to say: ‘Commencing at the mouth of the little River St. Pierre; thence, downwards, following the course of the bank of the River St. Lawrence and including the beach of the said River as far back as high water mark and the ground above high water mark reserved for a public road or path, down to the lower extremity of the lower basin of the Lachine Canal; thence, downwards, following the north-west side of the water course running parallel with and adjoining the revetment wall in the street or highway running along the whole line of the Wharves now known as Commissioners street, to a point where the said wall joins the Government works at the Commissariat store and the Government wharf; thence, downwards, following the course of the bank of the River St. Lawrence and including the beach of the said River as far back as high water mark, and any ground above high water mark reserved for a public road or path, as far as Ruisseau Migeon.’”

SECTION 34 OF THE ACT OF THE FORMER PROVINCE OF CANADA
18 V., c. 143.

“XXXIV. The members, officers and servants of the said Corporation shall be exempt from serving on Juries or Inquests whatsoever, or as assessors or constables.”

PORTION OF SECTION 5 OF THE ACT 36 V., c. 51, EXTENDING THE
HARBOUR OF MONTREAL.

“and the Harbour of Montreal, for the said purposes, shall, from and after the commencement of this Act, be held and deemed to comprise the present limits of the said Harbour, as defined in the existing Acts relating to the Harbour Commissioners of Montreal, as far down the River St. Lawrence as the Ruisseau Migeon,—from which point the said Harbour is hereby extended downwards, to a point opposite the church of the Parish of Longue Pointe, following the said River along high water mark, and including the beach thereof;”

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



57-58 VICTORIA.

CHAP. 49.

An Act further to amend the Acts respecting the Harbour of Pictou in Nova Scotia.

[Assented to 23rd July, 1894.]

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

1. Chapter sixty-three of the Statutes of 1873, intituled *An Act respecting the Harbour of Pictou, in Nova Scotia*, and the Acts in amendment thereof, shall extend and apply to the public wharf at New Glasgow, in the county of Pictou, and to any other wharf or wharfs which the harbour commissioners of Pictou build at New Glasgow, as fully as if the said wharfs were mentioned in the said Acts for the purposes thereof.

36 V., c. 63 to apply to wharfs at New Glasgow.

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57-58 VICTORIA.

CHAP. 50.

An Act to amend the Harbour Masters Act.

[Assented to 23rd July, 1894.]

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

1. Section four of *The Harbour Masters Act*, chapter eighty-six of the Revised Statutes, is hereby repealed and the following substituted therefor :—

“4. The Governor in Council may from time to time appoint a fit and proper person to be harbour master for any port to which this Act applies and may also appoint deputy harbour masters for any such port.”

R.S.C., c. 86,
s. 4 amended.

Governor may
appoint har-
bour masters
and deputy
harbour mas-
ters.

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57-58 VICTORIA.

CHAP. 51.

An Act further to amend the Fisheries Act.

[Assented to 23rd July, 1894.]

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

1. Section six of *The Fisheries Act*, chapter ninety-five of the Revised Statutes, is hereby repealed and the following substituted therefor:—

R.S.C., c. 95
s. 6 repealed.

“6. Every one who hunts or kills seals, porpoises, whales, or fish of any kind, by means of rockets, explosive materials, or explosive projectiles or shells, shall be liable to a penalty not exceeding three hundred dollars and costs, and, in default of payment, to imprisonment for a term not exceeding six months.”

Fish, seals, etc., not to be killed by rockets or explosives.

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

Section 8 amended.

“8. No one shall drift for salmon, except when under license in the provinces of New Brunswick and British Columbia. In the province of British Columbia drifting with salmon nets shall be confined to tidal waters. Drift nets for salmon shall be so set or used as not to obstruct more than one-third of the width of any river.”

Drifting for salmon.

3. The said Act is hereby further amended by adding the following section thereto, after section ten:—

Lobster fishery.

“10A. No one shall, at any time, can, preserve or cure lobsters, except under license from the Minister of Marine and Fisheries; and such license may be in the form in the schedule to this Act.

License to can or cure.

“2. A fee of ten dollars shall be paid for each such license.

Fee.

“3. On and after the first day of January, one thousand eight hundred and ninety-five, the laths, slats or rods of every trap, box, or cage used for the purpose of catching lobsters, shall be placed not less than one and one-half inch apart, under a penalty not exceeding four hundred dollars and costs.

Structure of cages after Jan. 1st, 1895.

“4. All boats used in the lobster fishery and all ‘cars’ used for holding lobsters shall have the name or other dis-

Owner’s mark on boats and ‘cars.’

tinguishing

tinguishing mark of the owner legibly branded or stamped thereon, and such name or mark shall be registered with the local fishery officer.

Cases of lobsters canned in Canada to be marked.

"5. Every case or package containing lobsters canned, preserved or cured in Canada shall, before being removed from the factory or canning establishment where such lobsters have been canned, preserved or cured, be marked, labelled or stamped with the name and address of the proprietor of such factory or establishment and the year in which such lobsters are canned, preserved or cured, and with such other particulars as may be prescribed by Order in Council.

Cases of imported lobsters to be marked.

"6. Every case or package containing lobsters imported into Canada from other countries shall be marked, labelled or stamped in such manner and by such person as the Minister of Marine and Fisheries from time to time directs; and such case or package so marked or stamped shall correctly state the country of origin of the lobsters packed therein; every case or package that is not so marked, labelled or stamped shall be liable to seizure, and upon seizure shall thereby be confiscated to Her Majesty; and the owner, packer or exporter of any such case or package shall be liable to a penalty not exceeding twenty dollars and costs.

Seizure and penalty if they are not marked.

Annual return from each lobster factory.

"7. The owner or manager of every lobster factory or canning establishment in Canada shall, under a penalty not exceeding four hundred dollars and costs, send to the Minister of Marine and Fisheries, not later than the first day of September in every year, a true return of the number of fishermen employed and of the lobster traps used in his factory or canning establishment, of the number of persons employed in each factory or canning establishment, distinguishing the sexes, and of the number of cases of lobsters packed during the season, together with such other details and particulars as are from time to time required by the Minister of Marine and Fisheries.

Penalty for obstructing fishery officer.

"8. The manager or proprietor of every lobster factory or canning establishment shall, on demand, produce his license to any fishery officer; and upon refusing to do so, or otherwise obstructing any such officer in the discharge of his duty, he shall be subject to a penalty not exceeding four hundred dollars and costs.

Preservation of eggs.

"9. On the request of any person authorized or employed by the Minister of Marine and Fisheries to hatch lobsters, and under a penalty not exceeding five dollars and costs for each refusal, the manager or owner of every lobster factory or canning establishment shall, as far as possible and with due care, take from and keep, in such manner as is from time to time prescribed by the Minister of Marine and Fisheries, all eggs attached to lobsters brought to such factory or canning establishment and deliver such eggs to a person authorized by the Minister of Marine and Fisheries to receive them.

"10. Every person who, with fraudulent intent,—

Defacing marks.

"(a.) alters, defaces or obliterates, wholly or partially, or causes to be altered, defaced or obliterated any mark, label or stamp

stamp which has been affixed under the provisions of subsection five, upon any case or package used for the purpose of carrying, importing or exporting canned, preserved or cured lobsters, or—

“(b.) counterfeits any such mark, label or stamp, or impresses or otherwise marks on any such case or package any mark purporting to be the mark of a person duly authorized under subsection five, either with the proper marking instruments of such person or with counterfeit imitations thereof, or—

Counterfeiting, etc.

“(c.) empties or partially empties any such case or package after being marked, labelled or stamped, in order to put into it any other lobsters not contained therein at the time of such marking, labelling or stamping, or—

Changing contents of case.

“(d.) uses for the purpose of packing any lobsters any old case or package bearing such marks, labels or stamps, or—

Using old cases.

“(e.) not being duly authorized as provided by subsection five, marks, labels or stamps any case or package containing canned lobsters with the marks of such authorized person, or gives any certificate purporting to be a certificate of marking, labelling or stamping of any case or package containing canned lobsters,—

Marking case, or giving certificate, without authority.

“shall incur a penalty of forty dollars and costs.

Penalty.

“11. Every person who, being in the employ of any person duly authorized under subsection five to mark, label or stamp cases or packages containing canned, preserved or cured lobsters,—

Offences by employee of authorized person.

“(a.) hires out or lends the marks or marking instruments of his employer to any person, or—

“(b.) connives at or is privy to any fraudulent evasion of this Act with respect to any such marks, labels or stamps as aforesaid,—

“shall incur a penalty of forty dollars and costs.

Penalty.

“12. Every person duly authorized under subsection five who—

Offences by authorized person.

“(a.) hires out or lends his marking instruments to any person, or—

“(b.) gives any certificate of marking, labelling or stamping, without having personally performed the same, or any wilfully false or untrue certificate, or—

“(c.) connives at or is privy to any fraudulent evasion of this Act,—

“shall, for each such offence, incur a penalty of one hundred dollars and costs, and shall thereafter be disqualified to mark, label or stamp any case or package of canned, preserved or cured lobsters.

Penalty.

“13. If for any reason it is desired to re-pack any canned, preserved, or cured lobsters, it shall, in all cases, be done in the presence of a person duly authorized under subsection six to mark, label or stamp cases or packages containing the same; and he shall affix to each such case or package a special mark, label or stamp indicating that it has been re-packed; and any person attempting to re-pack any canned, preserved, or cured

Re-packing.

lobsters except in the presence of such duly authorized person, shall incur a penalty not exceeding twenty dollars and costs for every case or package so re-packed."

Section 14 amended.

Fish to be allowed free passage on Sunday.

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

"14. From the time of low water nearest six of the clock in the afternoon of every Saturday, to the time of low water nearest six of the clock in the forenoon of every Monday, in tidal waters, and from six of the clock in the afternoon of every Saturday to six of the clock in the forenoon of the following Monday, in non-tidal waters, all sedentary fishing stations and weirs, and all pound and trap-nets, seines, gill-nets and other apparatus used for catching fish under license, shall be so raised, closed or adapted so as to admit of the free passage of fish through, by or out of the same, and during such close time no one shall catch fish in such sedentary fishing stations, weirs, pounds or trap-nets, seines, gill-nets or other apparatus used for catching fish under license."

Section 14 further amended.

Nets obstructing passage of fish.

5. Section fourteen of the said Act is hereby further amended by adding thereto the following subsections:—

"16. No one shall erect, use or maintain in any of the waters of Canada, whether subject to an exclusive right of fishery or not, any net, weir, fascine fishery or other device which unduly obstructs the passage of fish; and the Minister of Marine and Fisheries or any fishery officer may order the removal of or remove any net, weir, fascine fishery or other device which, in the opinion of such minister or fishery officer, unduly obstructs the passage of fish.

Fish-guards in Manitoba and N.W.T.

"17. In the province of Manitoba and in the North-west Territories every ditch, channel or canal, constructed or adapted for conducting water from any lake, river or stream, for irrigating, manufacturing, domestic, or other purposes, shall be provided at its entrance or intake with a fish-guard or a metal or wire grating, covering or netting so fixed as to prevent the passage of fish from any lake, river, or stream into such ditch, channel or canal;

Structure of fish-guard.

"(a.) Such fish-guard shall have meshes or holes not more than three-eighths of an inch in diameter, and shall be built and maintained by the owner of such ditch, channel or canal, subject to the approval of the Minister of Marine and Fisheries, or of such officer as he from time to time appoints to examine it;

To be kept in repair.

"(b.) The owner of such ditch, channel or canal shall maintain such fish-guard in a good and efficient state of repair, and shall not permit its removal except for renewal or repair; and during the time such renewal or repair is being effected, the sluice or gate at the intake or entrance shall be closed and the passage of fish into the ditch, channel or canal prevented;

Penalty.

"(c.) Any person violating any of the foregoing provisions of this subsection shall, after three days' notice in writing from

the Minister of Marine and Fisheries, or from a fishery officer, incur a penalty of four dollars for each day or part of a day during which any such ditch, channel or canal remains unprovided with a duly approved and properly maintained netting, grating or fish-guard.

“18. The catching of fish for the purpose of using it as manure is prohibited.” Fish as manure prohibited.

6. Subsection two of section fifteen of the said Act is hereby repealed and the following substituted therefor:— Section 15 amended.

“2. Every person who causes or knowingly permits to pass into, or puts or knowingly permits to be put, lime, chemical substances or drugs, poisonous matter, dead or decaying fish, or remnants thereof, mill rubbish or sawdust or any other deleterious substance, in any water frequented by any of the kinds of fish mentioned in this Act, shall be liable for a first offence to a penalty of twenty dollars and costs; for the second offence, to a penalty not exceeding forty dollars and costs, and also in addition thereto a further penalty not exceeding ten dollars for every day during which such offence is continued; and for the third or any subsequent offence, to a penalty not exceeding one hundred dollars and costs, and also in addition thereto a further penalty not exceeding twenty dollars for every day during which such offence is continued: Provided always, that the provisions of this section shall not apply until on and after the first of May, one thousand eight hundred and ninety-five, to the saw-mill owners and employees of any saw-mill situate on any stream which was wholly or partially exempt from the operation of said subsection two of section fifteen hereby repealed.” Pollution of waters prohibited.

7. Subsection one of section eighteen of the said Act is hereby repealed and the following substituted therefor:— Section 18 amended.

“18. Except as herein otherwise provided, every one who violates any provision of this Act, or of the regulations under it, shall be liable for the first offence, to a penalty not exceeding twenty dollars and costs, and, in default of payment, to imprisonment for a term not exceeding one month and not less than eight days; for a second offence, to a penalty not exceeding forty dollars and costs, and, in default of payment, to imprisonment for a term not exceeding two months and not less than sixteen days; and for the third or any subsequent offence, to a penalty not exceeding sixty dollars and costs, and, in default of payment, to imprisonment for a term not exceeding three months and not less than twenty-four days; and any fishery officer or justice of the peace may grant a warrant of distress for the amount of such penalty and costs; but whenever it appears to the satisfaction of the justice of the peace or fishery officer that the offence was committed in ignorance of the law, or that because of the poverty of the defendant the penalties imposed would be oppressive, a discretionary power may be exercised.” Penalty in cases where no other is provided.

Section 18 further amended.
 Forfeiture of articles used and of fish taken in violation of this Act.

8. Subsection three of section eighteen of the said Act is hereby repealed and the following substituted therefor :—

“3. All vessels, boats, canoes, rafts, vehicles of any description whatever, nets, fishing gear, materials, implements or appliances used in violation of this Act or any regulation under it, and any fish or other animal taken, caught, killed, conveyed, bought, sold or had in possession in violation of this Act or any regulation under it, shall be confiscated to Her Majesty, and may be seized and confiscated, on view, by any fishery officer, or taken and removed by any person for delivery to any fishery officer or justice of the peace.”

Section 18 further amended.
 Each day of violation constitutes a separate offence.

9. Section eighteen of the said Act is hereby further amended by adding thereto the following subsection :—

“7. Should any nets, seines, or other fishing apparatus be set or used in violation of this Act or any regulation thereunder for more than one day, then each day during which such seines, nets or other fishing apparatus shall remain so set or used shall constitute a separate offence, and may be punished accordingly ; and should any other violation of this Act, or of any regulation thereunder, continue for more than one day, then each day during which such violation continues shall constitute a separate offence, and may be punished as such.”

Section 21 amended,
 Waters may be set apart for propagation of fish.
 Penalty for trespass.

10. Subsection one of section twenty-one of the said Act is hereby repealed and the following substituted therefor :—

“21. The Minister of Marine and Fisheries may authorize to be set apart, or to be leased, any river or other water for the natural or artificial propagation of fish ; and every person who wilfully destroys or injures any place set apart or leased for the propagation of fish, or who fishes therein without written permission from a fishery officer, or from the holder thereof under lease or license, or uses therein any fishing light or other implement for fishing, during the period for which such waters are so set apart or leased, shall be liable to a penalty not exceeding two hundred dollars and costs, and, in default of payment, to imprisonment for a term not exceeding four months.”

Form of lobster fishery license.

11. The schedule to the said Act is hereby amended by adding thereto the following form :—

“LOBSTER LICENSE (PACKING).

“ 189 .

“The herein named in consideration of the payment of the sum of ten dollars, is hereby licensed during the open season of this year to can, preserve or cure lobsters.

“Granted this Minister of Marine and Fisheries. day of , 189 .”



57-58 VICTORIA.

CHAP. 52.

An Act further to amend the Cullers Act.

[Assented to 23rd July, 1894.]

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

1. The subsection substituted by section four of chapter eighteen of the Statutes of 1889, for subsection one of section forty-two of *The Cullers Act*, chapter one hundred and three of the Revised Statutes, is hereby repealed and the following substituted therefor :—

“42. Nothing in this Act shall make it compulsory to have any article of lumber measured, culled or assorted, under this Act, except that all square and waney timber shipped for exportation by sea shall be either measured or culled, at the option of the persons interested, by a licensed culler, under the control and superintendence of the supervisor or deputy; and the owner or shipper of such timber by whom, or the proprietor or lessee of the premises from which, such timber is unlawfully shipped, shall incur a penalty equal to the market value of any timber so unlawfully shipped.”

R.S.C., c. 103,
s. 42 amended.

Culling not compulsory, except as specified.

Penalty for contravention.

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57-58 VICTORIA.

CHAP. 53.

An Act to amend the Railway Act.

[Assented to 23rd July, 1894.]

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

1. Paragraph (c.) of section ten of *The Railway Act*, chapter twenty-nine of the Statutes of 1888, is hereby amended by adding thereto the following words, “and may also make regulations, requiring proper shelter to be provided for motormen and other employees operating electric and other railway cars.” 1888, c. 29, s. 10 amended.

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57-58 VICTORIA.

CHAP. 54.

An Act further to amend the Post Office Act.

[Assented to 23rd July, 1894.]

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

1. The section substituted for section twenty-five of *The Post Office Act*, chapter thirty-five of the Revised Statutes, by section six of chapter twenty of the Statutes of 1889, is hereby amended by adding the following subsection thereto:—

R.S.C., c. 35,
s. 25 and 1889,
c. 20, s. 6,
amended.

“2. This section shall apply to almanacs in sheets, chromos, lithographs, prints or engravings issued by any such newspaper specially and not as part of its regular issue, and also to lithographs, prints or engravings issued from a known office of publication in a regular series at intervals of not more than one month.”

Postage on
certain mail
matter sent
from office of
publication.

2. Section ninety-three of *The Post Office Act* is hereby repealed and the following substituted therefor:—

R.S.C., c. 35,
s. 93 amended.

“93. Every one who incloses a letter or letters, or any writing intended to serve the purpose of a letter or post card, in a parcel posted for the parcel post,—or in a packet of samples or patterns posted to pass at the rate of postage applicable to samples and patterns,—or incloses a letter or post card, or any writing to serve the purpose of a letter or post card, or incloses any other thing, in a newspaper posted to pass as a newspaper at the rate of postage applicable to newspapers (except in the case of the accounts and receipts of newspaper publishers and of the printed circulars inviting subscriptions and the printed envelopes addressed to such publishers, which will be permitted to pass folded or inclosed within the newspapers sent by them to their subscribers),—or incloses a letter or any writing intended to serve the purpose of a letter or post card, in any mail matter sent by post not being a letter, shall incur a penalty not exceeding forty dollars and not less than ten dollars in each case.”

Inclosing a
letter in any
other mailable
matter.



57-58 VICTORIA.

CHAP. 55.

An Act further to amend the law relating to Holidays.

[Assented to 23rd July, 1894.]

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

1. Paragraph (26) of section seven of *The Interpretation Act* R.S.C., c. 1, is hereby amended by inserting after the words “Dominion Day” in the seventh line, the words “the first Monday of September, to be designated ‘Labour Day.’” s. 7 amended.
2. Subsection two of section fourteen of *The Bills of Exchange Act*, 1890, is hereby amended by adding to the days to be observed in the several provinces as legal holidays or non-judicial days, the first Monday in September, to be designated “Labour Day.” 1890, c. 33, s. 14 amended.

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57-58 VICTORIA.

CHAP. 56.

An Act further to amend the Act respecting the Judges of Provincial Courts.

[Assented to 23rd July, 1894.]

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

1. The last paragraph of section four of *The Act respecting the Judges of Provincial Courts*, chapter one hundred and thirty-eight of the Revised Statutes, is hereby repealed and the following substituted therefor: “If the chief justice of the Superior Court resides at Quebec, the judge residing at Montreal who is appointed by the Governor in Council to perform the duties of chief justice in the district of Montreal as it is comprised and defined for the Court of Review, or, if the chief justice resides at Montreal, the judge residing at Quebec who is appointed by the Governor in Council to perform the duties of chief justice in the district of Quebec as it is comprised and defined for the Court of Review, in addition to his other salary, one thousand dollars per annum.”

R.S.C., c. 138,
s. 4 amended.

Additional
salary of act-
ing chief
justice of
Superior
Court, Que-
bec.

2. The words substituted for the twenty-eighth and twenty-ninth lines of section eleven of the said Act by section two of chapter thirty-nine of the Statutes of 1889, are hereby repealed and the following substituted therefor: “The judges of the county courts of Cariboo, New Westminster, Yale, Nanaimo and Kootenay, each two thousand four hundred dollars per annum.”

Section 11
amended.

County
courts, Bri-
tish Columbia.

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57-58 VICTORIA.

CHAP. 57.

An Act further to amend the Criminal Code, 1892.

[Assented to 23rd July, 1894.]

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

1. *The Criminal Code, 1892*, is hereby amended in the manner set forth in the following schedule:— Criminal Code, 1892, amended.

SCHEDULE.

Section 65, paragraph (f).	By inserting after the word "countries" in the fifth line the word "or."
Section 197.	By substituting in the French version for the word "jeu" in the tenth line the word "paris."
Section 207.	By adding at the end thereof the following subsection:— "2. The expression 'public place' in this section includes any open place to which the public have or are permitted to have access and any place of public resort."
Section 208.	By striking out the following words in the second and third lines: "before two justices of the peace."
Section 263, paragraph (d).	By inserting after the word "seizure" in the fourth line the word "or."
Section 319, paragraph (b).	By adding at the end thereof the word "or."
Section 540.	By striking out the words "Part XI.—Escapes and Rescues; any of the sections in this part."
Section 575.	By inserting after the word "gaming" in the twenty-third line of subsection one the words "or betting."
do	By inserting after the word "gaming" in the ninth line of subsection two the words "or betting."
do	By inserting after the word "gaming-house" in the sixth line of subsection three the words "or any tables and instruments of betting so seized in any place used as a common betting-house."
Section 651.	By adding at the end thereof, as subsection 5, the following:— "5. Whenever, in the province of Quebec, it has been decided by competent authority that no term of the Court of Queen's Bench, holding criminal pleas, is to be held, at the appointed time, in any district in the said province within which a term of the said court should be then held, any person charged with an indictable offence whose trial should by law be held in the said district, may in the manner hereinbefore provided obtain an order that his trial be proceeded with in some other district within the said province, named by the court or judge; and all the provisions contained in this section shall apply to the case of a person so applying for and obtaining a change of venue as aforesaid."

SCHEDULE—*Concluded.*

Section 662	By adding at the end thereof, as subsection 2, the following:— “2. Notwithstanding any law, usage or custom to the contrary, seven grand jurors, instead of twelve as heretofore, may find a true bill in any province where the panel of grand jurors is not more than thirteen: Provided, that this subsection shall not come into force until a day to be named by the Governor by his proclamation.”
Section 806	By adding at the end thereof the following proviso:— “Provided, as regards the provinces of Ontario, Nova Scotia and New Brunswick, that the Governor in Council may from time to time direct that any fine or penalty which would otherwise under this section be payable to the county treasurer for county purposes, or any portion thereof, be paid to any municipal or local authority which wholly or in part bears the expenses of the administration of justice under the provisions of this part, or that the same be applied in any other manner deemed best adapted to secure its due administration of such provisions.”
Section 871	By striking out “1.00” and substituting “1.50” in the first item of the tariff of constables’ fees, and By striking out the item numbered 7 in the said tariff and substituting the following:— “6. Attending justices on trial, for each day necessarily employed in one or more cases, when engaged less than four hours, \$1.00. “7. Attending justices on trial, for each day necessarily employed in one or more cases, when engaged more than four hours, \$1.50.”
Section 872, subsection one, paragraph (a)	By striking out the following words in the fifth, sixth and seventh lines: “in the common jail or other prison of the territorial division for which the justice is then acting.”
Section 872, subsection one, paragraph (b)	By striking out the following words in the third and fourth lines: “in the common jail or other prison of the said territorial division.”
Section 884	By inserting after the word “same” in the third line the words “whether such notice has been properly given or not.”
Section 926	By adding at the end of subsection 2 thereof the following paragraphs:— “(d.) The cognizor shall be liable to coercive imprisonment for the payment of the judgment and costs. “(e.) When sufficient goods and chattels, lands or tenements cannot be found to satisfy the judgment against a cognizor and the same is certified in the return to the writ of execution or appears by the report of distribution, a warrant of commitment addressed to the sheriff of the district may issue upon the fiat or præcipe of the Attorney General, or of any person thereto authorized in writing by him, and such warrant shall be authority to the sheriff to take into custody the body of the cognizor so in default and to lodge him in the common jail of the district until satisfaction is made, or until the court which issued such warrant, upon cause shown as hereinafter mentioned, makes an order in the case and such order has been fully complied with. “(f.) Such warrant shall be returned by the sheriff on the day on which it is made returnable and the sheriff shall state in his return what has been done in execution thereof. “(g.) On petition of the cognizor, of which notice shall be given to the clerk of the Crown of the district, the court may inquire into the circumstances of the case and may in its discretion order the discharge of the amount for which he is liable or make such order with respect thereto and to his imprisonment as may appear just, and such order shall be carried out by the sheriff.”
do	By adding at the end of subsection 3 thereof the following paragraph:— “(b.) The cognizor for the recovery of the judgment in any such action shall be liable to coercive imprisonment in the same manner as a surety is in the case of judicial suretyship in civil matters.”
Schedule 2	By striking out “36” and substituting “35,” in the fifth line, as the chapter of the Revised Statutes respecting the Postal Service.
Schedule 2	By striking out the figure “6” in the fourth line from the end.



57-58 VICTORIA.

CHAP. 58.

An Act respecting Arrest, Trial and Imprisonment of Youthful Offenders.

[Assented to 23rd July, 1894.]

WHEREAS it is desirable to make provision for the separation of youthful offenders from contact with older offenders and habitual criminals during their arrest and trial, and to make better provision than now exists for their commitment to places where they may be reformed and trained to useful lives, instead of their being imprisoned: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1. Section five hundred and fifty of *The Criminal Code, 1892*, is hereby repealed and the following section substituted therefor:

1892, c. 29, s. 550 amended.

“550. The trials of young persons apparently under the age of sixteen years, shall take place without publicity and separately and apart from the trials of other accused persons, and at suitable times to be designated and appointed for that purpose.”

Trial of young persons.

2. Young persons apparently under the age of sixteen years who are:—

Imprisonment of persons under 16.

- (a.) arrested upon any warrant; or
- (b.) committed to custody at any stage of a preliminary enquiry into a charge for an indictable offence; or
- (c.) committed to custody at any stage of a trial, either for an indictable offence or for an offence punishable on summary conviction; or
- (d.) committed to custody after such trial, but before imprisonment under sentence,—

shall be kept in custody separate from older persons charged with criminal offences and separate from all persons undergoing sentences of imprisonment, and shall not be confined in the lock-ups or police stations with older persons charged with criminal offences or with ordinary criminals.

To be separated from older offenders.

3. If any child, appearing to the court or justice before whom the child is tried to be under the age of fourteen years,

In Ontario how child under 14 may be

dealt with when convicted.

is convicted in the province of Ontario of any offence against the law of Canada, whether indictable or punishable on summary conviction, such court or justice, instead of sentencing the child to any imprisonment provided by law in such case, may order that the child shall be committed to the charge of any home for destitute and neglected children, or to the charge of any children's aid society duly organized and approved by the Lieutenant-Governor of Ontario in Council, or to any certified industrial school.

In Ontario how boy under 12, or girl under 13, may be dealt with when charged.

4. Whenever in the province of Ontario, an information or complaint is laid or made against any boy under the age of twelve years, or girl under the age of thirteen years, for the commission of any offence against the law of Canada, whether indictable or punishable on summary conviction, the court or justice seized thereof shall give notice thereof in writing to the executive officer of the children's aid society, if there be one in the county, and shall allow him opportunity to investigate the charges made, and may also notify the parents of the child, or either of them, or other person apparently interested in the welfare of the child.

2. The court or justice may advise and counsel with the said officer and with the parents or such other person, and may consider any report made by the said officer upon the charges.

3. If, after such consultation and advice, and upon consideration of any report so made, and after hearing the matter of information or complaint, the court or justice is of opinion that the public interest and the welfare of the child will be best served thereby, then, instead of committing the child for trial, or sentencing the child, as the case may be, the court or justice may, by order :—

Order.

Apprenticeship.

(a.) authorize the said officer to take the child and, under the provisions of the law of Ontario, bind the child out to some suitable person until the child has attained the age of 21 years, or any less age; or—

(b.) place the child out in some approved foster-home; or,—

Fine.

(c.) impose a fine not exceeding ten dollars; or—

Suspension of sentence.

(d.) suspend sentence for a definite period or for an indefinite period; or

Commitment to certain institutions.

(e.) if the child has been found guilty of the offence charged or is shown to be wilfully wayward and unmanageable, commit the child to a certified industrial school, or to the provincial reformatory for boys, or to the refuge for girls, as the case may be, and in such cases, the report of the said officer shall be attached to the warrant of commitment.

Effect of order. Child thereafter dealt with under law of Ontario.

5. Whenever an order has been made under either of the two sections next preceding, the child may thereafter be dealt with under the law of the province of Ontario, in the same manner, in all respects, as if such order had been lawfully made in respect of a proceeding instituted under authority of a statute of the province of Ontario.

6. No Protestant child dealt with under this Act, shall be committed to the care of any Roman Catholic children's aid society, or be placed in any Roman Catholic family as its foster-home; nor shall any Roman Catholic child dealt with under this Act, be committed to the care of any Protestant children's aid society, or be placed in any Protestant family as its foster-home. But this section shall not apply to the care of children in a temporary home or shelter, established under the Act of Ontario, fifty-six Victoria, chapter forty-five, intituled *An Act for the Prevention of Cruelty to, and better Protection of, Children*, in a municipality in which there is but one children's aid society.

Religion of child to be respected.

Proviso as to temporary care in certain cases.

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



57-58 VICTORIA.

CHAP. 59.

An Act to amend an Act relating to the custody of juvenile offenders in the province of New Brunswick.

[Assented to 23rd July, 1894.]

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

1. Chapter thirty-three of the Statutes of 1893, intituled *An Act relating to the custody of juvenile offenders in the province of New Brunswick*, is hereby amended by adding to it the following section :—

“16. The Governor General by warrant under his hand may at any time in his discretion, on the application of the Attorney General of the province of New Brunswick, cause any boy who is imprisoned in the Dorchester Penitentiary, or in any jail in that province, for an offence within the law of Canada, and who is certified by any judge of the Supreme Court or of any County Court to have been, in the opinion of such judge, at the time of his trial under the age of fifteen years, to be transferred to the Boys’ Industrial Home in the province, for the remainder of his term of imprisonment and for such further term in addition thereto as the Governor General, on the report and recommendation of such judge, deems expedient; provided that the whole term of imprisonment shall not exceed five years from the commencement of the imprisonment in such penitentiary or jail.”

1893, c. 33 amended.

Governor General may cause transfer of boys from penitentiary or jail to industrial home.

Proviso: as to term of imprisonment.

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



57-58 VICTORIA.

CHAP. 60.

An Act respecting Houses of Refuge for Females in Ontario.

[Assented to 23rd July, 1894.]

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

1. "House of refuge" in this Act shall mean any institution for the care of young or adult females, which is subject to the inspection of the inspector of prisons and asylums of the province of Ontario. "Superintendent," shall mean the matron, superior, or other person in charge of such institution.

Interpretation
"House of
refuge."

"Superin-
tendent."

2. All females sentenced to, or confined from time to time in any of the common jails of the province of Ontario, under sentence of imprisonment by a police magistrate of any city, for any offence against any Act of the Parliament of Canada, may be committed to any house of refuge situate in the county or union of counties, city or town in which such females respectively were convicted, or may be transferred, by order of such police magistrate, from such common jail to such house of refuge, to be there respectively imprisoned for the whole or the unexpired portions of the terms of imprisonment to which such females were originally sentenced or committed respectively to such common jails; and such females shall thereupon be imprisoned in such houses of refuge for the whole or the residue of their respective terms of imprisonment, and shall be subject to all the rules and regulations of such houses of refuge respectively; provided that no Protestant female shall be committed or transferred under this Act to a Roman Catholic institution; and no Roman Catholic shall be committed or transferred to a Protestant institution.

Committal of
females to
house of
refuge.

3. The next preceding section shall be held to extend to any case where imprisonment is imposed in whole or in part in default of the payment of a fine or penalty in money, notwithstanding the offender is entitled to be discharged upon payment of such fine or penalty, and if the fine or penalty is paid

Application
of preceding
section.

paid after the committal or removal of the offender to any such house of refuge, and whilst such offender is confined therein, the same shall be paid to the superintendent of the house of refuge to defray the expense of removal and otherwise, for the use of the said house of refuge, but nothing herein contained shall affect the right of any private person to any part thereof.

Transfer from
houses of re-
fuge to jails.

4. The police magistrate may from time to time direct the removal of any such offender from any house of refuge to the common jail, to which such offender had been originally sentenced, or from which she had been before removed, or to any other place of imprisonment to which the offender may be removed according to law.

Copy of sen-
tence suffi-
cient warrant.

5. Any officer to whom the magistrates' warrant in that behalf is directed may convey to the house of refuge for females named in his warrant in that behalf, any offender liable to be imprisoned therein, and deliver her to the superintendent without any further warrant than a copy of the sentence or warrant of commitment against such offender from the proper court in that behalf, certified under the hand of the jailer to whom the same is directed.

Superinten-
dent or jailer
to deliver up
prisoners.

6. The superintendent or other head of the house of refuge, or the keeper of any common jail having the custody of any offender ordered to be removed from a house of refuge to a common jail or other place of imprisonment, or from the common jail to a house of refuge, shall, when required so to do, deliver up to the constable or other officer or person who produces the said warrant, the offender named therein, together with a copy certified by him or her, of the warrant of commitment of the offender, or of the copy thereof as given him or her on the reception of the offender into his or her custody.

Powers of
officer in
charge of
prisoner.

7. The officer or other person employed to convey such offender to the house of refuge or back to a common jail or any other place of imprisonment as by law provided, may secure and convey her through any county or district through which he may have to pass; and until the offender shall have been delivered to the superintendent, superior or other head of the house of refuge or the keeper of such common jail or other place of imprisonment, the said officer or other person shall have in every part of the province through which it may be necessary to convey the offender, the same power and authority over and with regard to the offender, and to command the assistance of any person to prevent her escape, and in recapturing her in case of an escape, as the sheriff of the county in which she was convicted would himself have in conveying her from one part to another of that county.

8. The said officer or other person shall give a receipt to the said superintendent or jailer for the offender, and shall thereupon, with all convenient speed, convey and deliver up the offender with the said certified copy of the warrant into the custody of the superior of the house of refuge or keeper of the jail or other place of imprisonment mentioned in the warrant, who shall give a receipt in writing for every offender so received into his or her custody, to such officer or other person as his or her discharge; and the offender shall be kept in custody in the house of refuge or jail or other place of imprisonment to which she may have been so removed, until the termination of her sentence or until her pardon or release or discharge by law, unless she is in the meantime again removed under competent authority.

Officer to give or take receipt for prisoner.

9. Any offender who escapes from any such house of refuge before her sentence therein has expired, may be again arrested without any warrant by any sheriff, sheriff's bailiff or constable of the county, city, town or village in which she may be found and conveyed to the house of refuge for females from which she escaped, or to the county jail of the county from which she was first removed, and she shall there be confined in such house of refuge or jail for the balance of the period of her sentence which remained unexpired at the time of her escape.

Recapture of escaped prisoner.

10. Whenever the time of the sentence of any prisoner removed to a house of refuge expires on a Sunday she shall be discharged on the previous Saturday, unless she desires to remain until the following Monday.

Prisoners not to be discharged on Sunday.

11. No prisoner shall be discharged from any house of refuge for females at the termination of her sentence if then labouring under any contagious or infectious disease or under any acute or dangerous illness, but she shall be permitted to remain in the house of refuge until she recovers from the disease or illness, and any prisoner remaining from any such cause in the house of refuge shall be under the same discipline or control as if her sentence were still unexpired.

Prisoners not to be discharged if labouring under certain diseases.

12. No prisoner shall be committed to any house of refuge without the consent of the superintendent, superior or other head thereof in that behalf.

Persons not to be committed without consent of superintendent.

TABLE OF CONTENTS

ACTS OF CANADA

FOURTH SESSION, SEVENTH PARLIAMENT, 57-58 VICTORIA, 1894

PUBLIC ACTS

(The figures denote the numbers at the bottom of the pages)

CHAP.	PAGE.
1. 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, 1894, and the 30th June, 1895, and for other purposes relating to the public service.....	3
2. An Act respecting a certain Treaty between Her Britannic Majesty and the President of the French Republic.....	49
3. An Act respecting the Common School Fund.....	53
4. An Act to authorize the granting of subsidies in aid of the construction of the lines of railway therein mentioned.....	55
5. An Act respecting certain subsidies granted to the Government of the province of Quebec by chapter eight of the Statutes of 1884.....	65
6. An Act to authorize the granting of Subsidies in land to certain Railway Companies.....	67
7. An Act respecting the land subsidy of the Canadian Pacific Railway Company.....	69
8. An Act further to amend the Act respecting Ocean Steamship Subsidies.....	71
9. An Act to provide for the payment of Bounties on Iron and Steel manufactured from Canadian ore.....	73
10. An Act further to amend the Act respecting the Senate and House of Commons.....	75
11. An Act respecting the Speaker of the Senate.....	77
12. An Act further to amend the Electoral Franchise Act.....	79

TABLE OF CONTENTS.

(The figures denote the numbers at the bottom of the pages.)

CHAP.	PAGE.
13. An Act further to amend the Dominion Elections Act.....	81
14. An Act to disfranchise Voters who have taken bribes.....	85
15. An Act further to amend the North-west Territories Representation Act.....	91
16. An Act to provide for the examination of witnesses on oath by the Senate and House of Commons.....	95
17. An Act further to amend the Acts respecting the North-west Territories.....	97
18. An Act further to amend the Acts respecting the Civil Service....	103
19. An Act to amend the Consolidated Revenue and Audit Act.....	105
20. An Act further to amend the Insurance Act.....	107
21. An Act to amend the Act respecting Dominion Notes.....	117
22. An Act further to amend the Revised Statutes respecting Interest.	119
23. An Act to amend the Act respecting the incorporation of Boards of Trade.....	121
24. An Act to make further provision respecting Grants of Land to members of the Militia Force on active service in the North-west.....	123
25. An Act respecting the Seigniori of Sault Saint Louis.....	125
26. An Act respecting Dominion Lands.....	127
27. An Act to amend and consolidate the Acts respecting the North-west Mounted Police Force.....	129
28. An Act to consolidate and amend the Acts respecting Land in the Territories.....	139
29. An Act to repeal the Homestead Exemption Act.....	203
30. An Act respecting the utilization of the waters of the North-west Territories for Irrigation and other purposes.....	205
31. An Act for the preservation of game in the unorganized portions of the North-west Territories of Canada.....	221
32. An Act further to amend the Indian Act.....	227
33. An Act to consolidate and amend the Acts respecting the Duties of Customs.....	235

TABLE OF CONTENTS.

iii

(The figures denote the numbers at the bottom of the pages.)

CHAP.	PAGE.
34. An Act to amend the Act to provide for the allowance of draw-back on certain articles manufactured in Canada, for use in the construction of the Canadian Pacific Railway.....	289
35. An Act further to amend the Inland Revenue Act.....	291
36. An Act further to amend the General Inspection Act.....	295
37. An Act in restraint of Fraudulent Sale or Marking.....	297
38. An Act respecting the Units of Electrical Measure.....	299
39. An Act respecting the Inspection of Electric Light.....	303
40. An Act further to amend the Petroleum Inspection Act.....	311
41. An Act to amend the Act respecting Lighthouses, Buoys and Beacons, and Sable Island.....	313
42. An Act further to amend the Act respecting Certificates to Masters and Mates of Ships.....	315
43. An Act to amend the Seamen's Act.....	319
44. An Act further to amend the Revised Statutes, chapter seventy-seven, respecting the Safety of Ships.....	321
45. An Act to amend the Inspection of Ships Act.....	325
46. An Act further to amend the Steamboat Inspection Act.....	327
47. An Act respecting Public Harbours.....	329
48. An Act to amend and consolidate the Acts relating to the Harbour Commissioners of Montreal.....	331
49. An Act further to amend the Acts respecting the Harbour of Pictou in Nova Scotia.....	355
50. An Act to amend the Harbour Masters Act.....	357
51. An Act further to amend the Fisheries Act.....	359
52. An Act further to amend the Cullers Act.....	365
53. An Act to amend the Railway Act.....	367
54. An Act further to amend the Post Office Act.....	369
55. An Act further to amend the law relating to Holidays.....	371
56. An Act further to amend the Act respecting the Judges of Provincial Courts.....	373

TABLE OF CONTENTS.

(The figures denote the numbers at the bottom of the pages.)

CHAP.		PAGE.
57.	An Act further to amend the Criminal Code, 1892.....	375
58.	An Act respecting Arrest, Trial and Imprisonment of Youthful Offenders.....	377
59.	An Act to amend an Act relating to the custody of juvenile offenders in the province of New Brunswick.....	381
60.	An Act respecting Houses of Refuge for Females in Ontario.....	383

INDEX

TO

ACTS OF CANADA

FOURTH SESSION, SEVENTH PARLIAMENT, 57-58 VICTORIA, 1894

PUBLIC GENERAL ACTS

(The figures denote the numbers at the bottom of the pages.)

	PAGE.
ACTS amended or repealed :—	
1836 to 1893—Harbour Commissioners of Montreal, &c.	331
<i>(For Acts amended or repealed by the Montreal Harbour Commissioners Consolidation Act, see page 350.)</i>	
1873, c. 63—Pictou Harbour.....	355
1881, c. 1—Canadian Pacific Railway.....	69
1882, c. 4—Drawback on articles manufactured for C.P.R.....	289
1884, c. 8—Railway subsidies to Government of Quebec... ..	65
R.S.C., c. 1—Interpretation.....	371
do 5—Electoral Franchise.....	79
do 7—North-west Territories Representation.....	91
do 8—Dominion Elections.....	81, 85
do 11—Senate and House of Commons.....	75
do 17—Civil Service.....	103
do 29—Consolidated Revenue.....	105
do 31—Dominion Notes.....	117
do 32—Fraudulent Marking	297
do 33—Duties of Customs.....	235
do 34—Inland Revenue.....	291
do 35—Post Office.....	369
do 43—Indians.....	227
do 45—North-west Mounted Police Force.....	129
do 50—North-west Territories.....	97
do 51—Real Property in the Territories.....	139
do 52—Homestead Exemption.....	203
do 54—Dominion Lands.....	69, 127
do 70—Lighthouses, Buoys and Beacons.....	313
do 73—Masters and Mates.....	315
do 74—Seamen.....	319
do 77—Safety of Ships.....	321
do 78—Steamboat Inspection.....	327
do 86—Harbour Masters.....	357
do 95—Fisheries.....	359

• (*The figures denote the numbers at the bottom of the pages.*)

	PAGE.
Acts amended or repealed— <i>Concluded.</i>	
R.S.C., c. 99—General Inspection.....	295
do 102—Petroleum Inspection.....	311
do 103—Cullers.....	365
do 124—Insurance.....	107
do 127—Interest.....	119
do 130—Boards of Trade.....	121
do 138—Judges of Provincial Courts.....	373
1887, c. 39—Duties of Customs.....	235
1888, c. 15—do.....	235
do 53—Railways.....	367
1889, c. 2—Ocean Steamship Subsidies.....	71
do 20—Post Office.....	369
do 39—Judges of Provincial Courts.....	373
1890, c. 20—Duties of Customs.....	235
do 21—do.....	235
do 33—Bills of Exchange.....	371
1891, c. 37—Inspection of Ships.....	325
do 45—Duties of Customs.....	235
1892, c. 21—do.....	235
do 29—Criminal Code.....	375, 377
1893, c. 3—Land Grants to Militia Force.....	123
do 16—Duties of Customs.....	235
do 33—Juvenile Offenders.....	381
Appropriation Act.....	3
BOARDS of Trade, incorporation of, Act amended.....	121
Bribed voters, disfranchisement of.....	85
CANADIAN Pacific Railway Company, land subsidy.....	69
Canadian Pacific Railway, drawback on articles used in.....	289
Civil Service Act amended.....	103
Common School Fund.....	53
Consolidated Revenue and Audit Act amended.....	105
Criminal Code amended.....	375
Cullers Act amended.....	365
DOMINION Lands.....	127
Dominion Notes, Act amended.....	117
Duties of Customs, Acts consolidated and amended.....	235
ELECTIONS Act, Dominion, amended.....	81
Electoral Franchise Act amended.....	79
Electric Light Inspection.....	303
Electrical Measure, Units of.....	299
FISHERIES Act amended.....	359
France, Treaty with.....	49
Franchise Act, Electoral, amended.....	79
Fraudulent Sale or Marking, restraint of.....	297

INDEX.

vii

(The figures denote the numbers at the bottom of the pages.)

	PAGE.
GAME, preservation of, in North-west Territories.....	221
General Inspection Act amended.....	295
HARBOUR Masters Act amended.....	357
Harbours, public.....	329
Holidays, law relating to, amended.....	371
Homestead Exemption Act repealed.....	203
House of Commons, Senate and, Act amended..	75
House of Commons, Examination of Witnesses by.....	95
Houses of Refuge for Females in Ontario.....	383
INDIAN Act amended.....	227
Inland Revenue Act amended..	291
Inspection of Ships Act amended.....	325
Insurance Act amended.....	107
Interest, Act respecting, amended.....	119
Iron and Steel Bounties.....	73
Irrigation of North-west Territories.....	205
JUDGES of Provincial Courts, Act amended.....	373
Juvenile Offenders in New Brunswick, custody of, Act amended.....	381
LABOUR Day. <i>See</i> Holidays.	
Land Titles Act.....	139
Lands, Dominion.....	127
Lighthouses, Buoys, &c., Act amended.....	313
MASTERS and Mates Act amended.....	315
Militia Force in North-west, land grants to.....	123
Montreal Harbour Commissioners, Acts consolidated.....	331
NEW Brunswick, custody of Juvenile Offenders in.....	381
North-west Mounted Police, Acts consolidated.....	129
North-west Territories, Acts amended.....	97
North-west Territories Representation, Act amended.....	91
North-west Territories. <i>See</i> Game, Irrigation, Land.	
OCEAN Steamship Subsidies, Act amended.....	71
Ontario, Houses of Refuge for Females in.....	383
PARLIAMENTARY Witnesses.....	95
Petroleum Inspection Act amended.....	311
Pictou Harbour, Acts respecting, amended.....	355
Post Office Act amended.....	369
Public Harbours.....	329
QUEBEC Government, Railway Subsidies to.....	65
RAILWAY Act amended.....	367
Railway Land Subsidies.....	67
Railway Subsidies.....	55
Railway Subsidies to Government of Quebec.....	65

(The figures denote the numbers at the bottom of the pages.)

	PAGE.
SAFETY of Ships, Act amended.....	321
Sault St. Louis, Seigniorv of.....	125
Seamen's Act amended.....	319
Senate, Speaker of the ..	77
Senate, Examination of Witnesses by.....	95
Senate and House of Commons, Act amended.....	75
Ships, Inspection of, Acts amended.....	325
Steamboat Inspection Act amended.....	327
Steamship Subsidies, Ocean, Act amended.....	71
Supplies for 1893-94 and 1894-95.....	3
TARIFF, Customs.....	235
Treaty with France.....	49
VOTERS, Bribed, Disfranchisement of.....	85
WITNESSES, Parliamentary.....	95
YOUTHFUL Offenders, Arrest, Trial and Imprisonment of.....	377