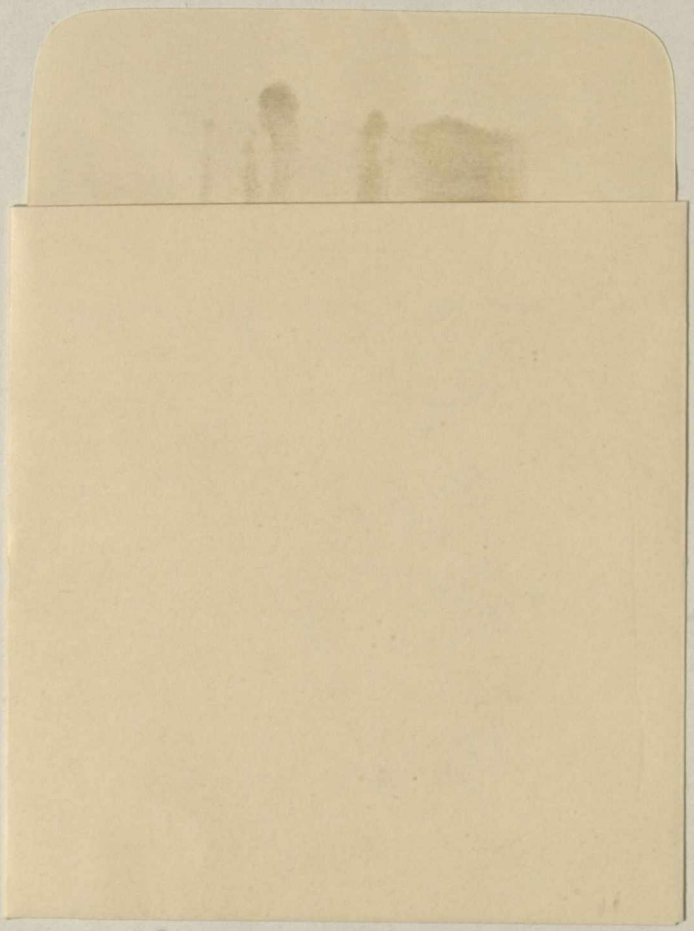

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Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 83.

An Act respecting Banks and Banking.

First reading, March 20, 1923.

The MINISTER OF FINANCE

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
55758 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 83.

An Act respecting Banks and Banking.

(*New matter is printed in italics.*)

R.S., c 29.
1908, c. 7.
1911, c 4.
1912, c. 5.
1913, c. 9.
(C.S.)
1914 (2 Sess.)
c. 3.
1915, c. 1.
1916, c. 10.

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

SHORT TITLE.

Short title.

1. This Act may be cited as *The Bank Act.* 53 V., c. 31, s. 1.

INTERPRETATION.

Definitions.

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

"Association."

(a) "Association" means the Canadian Bankers' Association, incorporated by chapter 93 of the statutes of 1900, intituled *An Act to incorporate the Canadian Bankers' Association;*

"Bank."

(b) "bank" means any bank to which this Act applies;

"Bill of lading."

(c) "bill of lading" includes all receipts for goods, wares or merchandise, accompanied by an undertaking to transport the same from the place where they were received to some other place, by any mode of carriage, whatever, whether by land or water, or partly by land and partly by water;

"Circulation Fund."

(d) "Circulation Fund" means the fund heretofore established and continued by the authority of this Act under the name of the Bank Circulation Redemption Fund;

"Curator."

(e) "Curator" means any person appointed under the authority of this Act by the Canadian Bankers' Association to supervise the affairs of any bank which has suspended payment in specie or Dominion notes of any of its liabilities as they accrue;

"Farmer."

(f) "farmer" includes the owner, occupier, landlord and tenant of a farm;

"Goods, wares and merchandise."

(g) "goods, wares and merchandise" includes, in addition to the things usually understood thereby, products of agriculture, products of the forest, products of the quarry and mine, products of the sea, lakes and rivers, petroleum and crude oil, and other articles of commerce;

(h) "grain" *includes* wheat, oats, barley, rye, *corn*, *buckwheat* and flax;

"Manufacturer."

(i) "manufacturer" includes manufacturers of logs, timber or lumber, maltsters, distillers, brewers, refiners and producers of petroleum, tanners, curers, packers, canners of meat, pork, fish, fruit or vegetables, and any person who produces by hand, art, process or mechanical means any goods, wares or merchandise;

"Minister."

(j) "Minister" means the Minister of Finance and Receiver General;

"President."

(k) "president" does not include an honorary president;

"Products of agriculture."

(l) "products of agriculture," in addition to the direct products of the soil such as hay, grain, roots, vegetables, fruits and other crops, includes milk, cream, butter, cheese, honey, poultry (dead), and eggs, hides, skins and wool, and dried, canned and preserved vegetables and fruits;

"Products of the forests."

(m) "products of * * * * the forest" includes bark, logs, *pulpwood*, spars, railway ties, poles and other timber, shingles, laths, deals, boards, staves and other lumber, and the skins and furs of wild animals;

"Products of the sea, lakes and rivers."

(n) "products of * * * * the sea, lakes and rivers" includes, in addition to fish of all kinds, whether fresh, frozen, salted, dried, canned, preserved in oil or otherwise preserved, whales and seals, their oil, skins and bone, oysters, lobsters and other crustaceans, fresh and canned or otherwise preserved;

"Trustees."

(o) "trustees" means the persons appointed by the Association and by the Minister to receive and hold the central gold reserves, and "trustee" means any one of the trustees, and if one or more of the trustees is a corporation then "trustee" includes each of the officers of such corporation who is responsible for any action taken by the corporation for the purposes of this Act;

"Warehouse receipt."

(p) "warehouse receipt—"

(i) means any receipt given by any person for any goods, wares or merchandise in his actual, visible and continued possession as bailee thereof in good faith and not as of his own property, and,

(ii) includes receipts, given by any person who is the owner or keeper of a harbour, cove, pond, wharf, yard, warehouse, shed, storehouse or other place for the storage of goods, wares or merchandise, for goods, wares and merchandise delivered to him as bailee, and actually in the place or in one or more of the

places owned or kept by him, whether such person is engaged in other business or not, and,

(iii) includes also receipts given by any person in charge of logs or timber in transit from timber limits or other lands to the place of destination of such logs or timber, *and,*

(iv) includes Lake Shippers Clearance Association receipts and all documents recognized by The Canada Grain Act as warehouse receipts. 53 V., c. 31, ss. 2, 54 and 102; 63-64 V., c. 26, ss. 3 and 24; 4-5 E. VII., c. 4, s. 4. Am.; 3-4 G. V., c. 9, s. 2. Am.

Public notice, how given.

3. Where by this Act any public notice is required to be given the notice shall, unless otherwise specified, be given by advertisement—

(*a*) in one or more newspapers published at the place where the chief office of the bank is situate; and,

(*b*) in *The Canada Gazette.*

Sufficiency of publication.

2. When by this Act a notice is required to be published in a newspaper for four weeks or any longer period, publication each week in a weekly newspaper, or once a week during the period in a newspaper published more frequently, shall be a sufficient publication for the purposes of this Act.

Notice of call.

3. When by this Act notice of any call is required to be given to the shareholders the notice shall, unless otherwise specified, be sufficiently given by mailing the notice in the post office, registered and post paid, to the last known post office address of the respective shareholders as shown by the records of the bank, at least thirty days prior to the day on which the call is payable. 3-4 G. V., c. 9, s. 2.

APPLICATION.

General.

To what banks this Act applies.

4. The provisions of this Act apply to the several banks enumerated in Schedule A to this Act, and to every bank incorporated after the first day of January, one thousand nine hundred and *twenty-two,* whether this Act is specially mentioned in its Act of incorporation or not, but not to any other bank, except as hereinafter specially provided. 53 V., c. 31, s. 3. Am.

Bank charters continued to July 1st *1933*, as to some particulars

5. The charters or Acts of incorporation, and any Acts in amendment thereof, of the several banks enumerated in Schedule A to this Act are continued in force until the first day of July, one thousand nine hundred and *thirty-three,* so far as regards, as to each of such banks,—

(*a*) the incorporation and corporate name;

(*b*) the amount of the authorized capital stock, if the same has not been increased or decreased, but if increased or decreased then as increased or decreased before the passing of this Act;

(*c*) the amount of each share of such stock; and,

(*d*) the chief office;

subject to the right of each of such banks to increase or to reduce its authorized capital stock in the manner hereinafter provided.

As to other particulars.

2. As to all other particulars this Act shall form and be the charter of each of the said banks until the first day of July, one thousand nine hundred and *thirty-three*. 3-4 G. V., c. 9, s. 4. Am.

Forfeited or void charters not continued.

6. Nothing in *the next preceding* section shall be deemed to continue in force any charter or Act of incorporation, if, or in so far as it is, under the terms thereof, or under the terms of this Act or of any other Act passed or to be passed, forfeited or rendered void by reason of the non-performance of the conditions of such charter or Act of incorporation, or by reason of insolvency, or for any other reason. 3-4 G. V., c. 9, s. 4. Am.

Banks in course of winding-up.

Act continues to apply for purposes of winding-up.

7. The provisions of this Act shall continue to apply to the banks named in the Schedule to chapter *9* of the statutes of *1913* intituled *An Act respecting Banks and Banking*, and not named in Schedule A to this Act, but only in so far as may be necessary to wind up the business of the said Banks respectively; and the charters or Acts of incorporation of the said Banks, and any Acts in amendment thereof, or any Acts in relation to the said banks now in force, shall respectively continue in force for the purposes of winding up, and for such purposes only. 3-4 G. V., c. 9, s. 5. Am.

INCORPORATION AND ORGANIZATION OF BANKS.

Particulars of Act of incorporation.

8. The capital stock of every bank hereafter incorporated, the name of the bank, the place where its chief office is to be situated, and the names of the provisional directors, shall be declared in the Act of incorporation of every such bank respectively. 53 V., c. 31, s. 9.

Form thereof.

9. An Act of incorporation of a bank in the form set forth in Schedule B to this Act shall be construed to confer upon the bank thereby incorporated all the powers, privileges and immunities, and to subject it to all the liabilities and provisions set forth in this Act. 53 V., c. 31, s. 9.

Capital stock and shares.

10. The capital stock of any bank hereafter incorporated shall be not less than five hundred thousand dollars, and shall be divided into shares of one hundred dollars each. 53 V., c. 31, s. 10.

Provisional directors.

11. The number of provisional directors shall be not less than five.

Tenure of office.

2. The provisional directors shall hold office until directors are elected by the subscribers to the stock, as hereinafter provided. 53 V., c. 31, s. 11; 4-5 E. VII., c. 4, s. 1.

Opening of stock books.

12. For the purpose of organizing the bank, the provisional directors may, after giving ten days public notice thereof, cause stock books to be opened, in which shall be recorded the subscriptions of such persons as desire to become shareholders in the bank.

Where.

2. The stock books shall be opened at the place where the chief office of the bank is to be situate, and elsewhere in the discretion of the provisional directors.

Particulars entered.

3. Each subscriber shall, at the time of subscription, give his post office address, and description, and these particulars shall appear in the stock books in connection with the name of the subscriber and the number of shares subscribed for.

Notice of double liability.

4. There shall be printed in small pica type, or type of larger size, on each page in the stock books upon which subscriptions are recorded, and on every document constituting or authorizing a subscription, on a part of the page and document, respectively, which may be readily seen by the person recording the subscription, or by the person signing the document, a copy of section 125 of this Act.

Time stock books open.

5. The stock books may be kept open for such time as the provisional directors deem necessary.

Recovery of unpaid subscriptions.

6. In case of the non-payment of any instalment or other sum payable by a subscriber on account of his subscription, the provisional directors may, in the corporate name of the bank, sue for, recover, collect and get in any such instalment or sum. 53 V., c. 31, s. 12. Am.

First meeting of subscribers.

13. Whenever a sum not less than five hundred thousand dollars of the capital stock of the bank has been *bona fide* subscribed, and payments in money on account thereof have been made by the subscribers, the total of such payments making a sum not less than two hundred and fifty thousand dollars, and as soon thereafter as the provisional directors have paid thereout to the Minister the sum of two hundred and fifty thousand dollars, the provisional directors may, by public notice published for at least four weeks, call a meeting of the subscribers to the said stock, to be held in the place named in the Act of incorporation

as the chief office of the bank, at such time and at such place as is set forth in the said notice.

What is a bona fide subscription.

2. For the purposes of the foregoing subsection no subscription shall be deemed to have been made *bona fide* or be complete unless and until payment in money equal to at least ten per cent of the amount subscribed has been made on account of such subscription by the subscriber, and such payment, with the date thereof, shall be entered on the stock books opposite to such subscription.

Business at meeting.

3. The subscribers shall, at such meeting,—

(a) determine the day upon which the annual general meeting of the bank is to be held;

(b) elect such number of directors, duly qualified under this Act, not less than five, as they think necessary; and,

(c) provide for the method of filling vacancies in the board of directors until the annual general meeting.

Tenure of directors.

4. Such directors shall hold office until the annual general meeting next succeeding their election.

Provisional directors cease.

5. Upon the election of directors as aforesaid the functions of the provisional directors shall cease. 53 V., c. 31, s. 13; 4-5 E. VII., c. 4, s. 2. Am.

Permission to commence business.

14. The bank shall not issue notes or commence the business of banking until it has obtained from the Treasury Board a certificate permitting it to do so.

No certificate until directors elected.

2. No application for such certificate shall be made until directors have been elected by the subscribers to the stock in the manner hereinbefore required. 53 V., c. 31, s. 14.

Statement of payments by provisional directors.

15. At the time of the application for the certificate, there shall be submitted to the Treasury Board a sworn statement setting forth the several sums of money paid in connection with the incorporation and organization of the bank, and such statement shall, in addition, include a list of all the unpaid liabilities, if any, in connection with or arising out of such incorporation and organization.

To what limited.

2. Prior to the time at which the certificate is given no payments on account of incorporation and organization expenses shall be made out of moneys paid in by subscribers except reasonable sums for the payment of clerical assistance, legal services, office rental, advertising, stationery, postage and expenses of travel, if any.

When certificate may be granted.

3. No certificate shall be given by the Treasury Board until it has been shown to the satisfaction of the Board, by affidavit or otherwise, that all the requirements of this Act and of the special Act of incorporation of the bank, as to the subscriptions to the capital stock, the payment of money by subscribers on account of their subscriptions, the payment required to be made to the Minister, the election of directors, deposit for security of note issue, or other prelimin-

aries, have been complied with, and that the sum so paid is then held by the Minister, and unless it appears to the Board that the expenses of incorporation and organization are reasonable.

Within one year.

4. No such certificate shall be given except within one year from the passing of the Act of incorporation of the bank applying for the said certificate. 53 V., c. 31, s. 15. Am.

If certificate not granted, powers to cease.

16. If the bank does not obtain a certificate from the Treasury Board within one year from the time of the passing of its Act of incorporation, all the rights, powers and privileges conferred on the bank by its Act of incorporation shall thereupon cease and determine, and be of no force or effect whatever.

Ordinary disbursements allowed, but other expenses subject to resolution.

2. If stock books have been opened and subscriptions in whole or in part paid, but no certificate from the Treasury Board obtained within the time limited by the preceding subsection, no part of the money so paid, or accrued interest thereon, shall be disbursed for commissions, salaries, charges for services or for other purposes, except a reasonable amount for payment of clerical assistance, legal services, office rental, advertising, stationery, postage and expenses of travel, if any, unless it is so provided by resolution of the subscribers at a meeting convened after notice, at which the greater part of the money so paid is represented by subscribers or by proxies of subscribers; and each subscriber shall be entitled at such a meeting to one vote for each ten dollars paid on account of his subscription.

Application to court to settle amount of disbursements.

3. If the amount allowed by such resolution for commissions, salaries or charges for services be deemed insufficient by the provisional directors, or directors elected under section 13 of this Act, as the case may be, or if no resolution for such purpose be passed after a meeting has been duly called, then the provisional directors, or directors elected as aforesaid, may apply to a judge of any superior or county court having jurisdiction where the chief office of the bank is fixed by its Act of incorporation, to settle and determine all charges and the reasonableness of the amount of the disbursements already made to which such money and interest, if any, shall be subject, before distribution of the balance to the subscribers.

Notice of meeting and application to court, with statement.

4. Notice of the meeting and notice of the application respectively referred to in the next preceding subsections shall be given by mailing the notice in the post office, registered and post paid, at least twenty-one days prior to the date fixed for such meeting or the hearing of such application, to the several subscribers to their respective post office addresses as contained in the stock books; and each of such notices shall contain a statement, in summary form, of the several amounts for commissions,

salaries, charges for services and disbursements which it is proposed shall be provided by resolution for payment, or settled and determined by a judge, as the case may be.

Voting.

5. Votes of subscribers may be given at such meeting by proxy, the holder of such proxy to be a subscriber, and subscribers may be heard either in person or by counsel on such application.

Ratio payable by subscribers.

6. In order that the sums paid and payable under the provisions of this section may be equitably borne by the subscribers, the provisional directors or the directors, as the case may be, shall, after the amount of such sums is ascertained as herein provided, fix the proportionate part thereof chargeable to each subscriber at the ratio of the number of shares, in respect of which he is a subscriber to the total number of shares *bona fide* subscribed.

Payment of excess.

7. The respective amounts so fixed shall, before return of the sums paid in to the subscriber, be deducted therefrom, and if the respective sums paid in are not as much as the amounts so fixed, then the excess in each case shall be payable forthwith by the subscriber to the provisional directors or the directors, as the case may be.

Deductions.

8. The total of the amounts in excess mentioned in the next preceding subsection which the provisional directors or the directors are unable to get in or collect in what seems to them a reasonable time shall, with any legal costs incurred, be deducted by them from the sums then remaining in their hands to the credit of the several subscribers in the ratio hereinbefore mentioned, the shares in respect of which no such collections have been made being eliminated from the basis of calculation.

Return of excess to subscribers.

9. The provisional directors or directors, after payment by them of the sums payable under this section, shall return to the subscribers, with any interim interest accretions, the respective balances of the moneys paid in by the subscribers. 53 V., c. 31, s. 16. Am.

Deposit, how disposed of if certificate granted.

17. Upon the issue of the certificate in manner hereinbefore provided, the Minister shall forthwith pay to the bank the amount of money so deposited with him as aforesaid, without interest, after deducting therefrom the sum of five thousand dollars required to be deposited under the provisions of this Act for the securing of the notes issued by the bank.

If certificate not granted.

2. In case no certificate is issued by the Treasury Board within the time limited for the issue thereof, the amount so deposited shall be returned to the bank for distribution in the manner provided by this Act.

Minister not bound.

3. In no case shall the Minister be under any obligation to see to the proper application in any way of the amount so returned. 53 V., c. 31, s. 17. Am.

INTERNAL REGULATIONS.

Regulation by by-law.

18. The shareholders of the bank may, at any annual general meeting or at any special general meeting duly called for the purpose, regulate, by by-law, the following matters incident to the management and administration of the affairs of the bank, that is to say:—

(a) The day upon which the annual general meeting of the shareholders for the election of directors shall be held;

(b) The record to be kept of proxies, and the time, not exceeding twenty days, within which proxies must be produced and recorded prior to a meeting in order to entitle the holder to vote thereon;

(c) The number of the directors, which shall be not less than five, and the quorum thereof, which shall be not less than three;

(d) Subject to the provisions hereinafter contained, the qualifications of directors;

(e) The method of filling vacancies in the board of directors, whenever the same occur during each year;

(f) The time and proceedings for the election of directors in case of a failure of any election on the day appointed for it;

(g) The remuneration of the president, vice-president and other directors; and,

(h) The amount of discounts or loans which may be made to directors, either jointly or severally, or to any one firm or person, or to any shareholder, or to corporations.

Copy of by-laws to be sent to shareholders.

2. A copy of the by-laws in force on the first day of July, one thousand nine hundred and *twenty-three*, in respect of the several matters hereinbefore in this section set out, together with a copy of this section of the Act, shall, before the thirty-first day of December, one thousand nine hundred and *twenty-three*, be sent to each shareholder at his last known post office address, as shown by the books of the bank; and after the first day of July, one thousand nine hundred and *twenty-three*, within six months after the end of each successive five year period, a copy of the by-laws, in respect of the said matters, in force at the end of each such period, shall be sent as aforesaid.

Guarantee and pension funds.

3. The shareholders may authorize the directors to establish guarantee and pension funds for the officers and employees of the bank and their families, and to contribute thereto out of the funds of the bank, *but no part of any such guarantee or pension fund, whether contributed out of the funds of the bank or not, shall be invested in the shares of any bank.*

Existing by-laws continued.

4. Until it is otherwise prescribed by by-law under this section, the by-laws of the bank on any matter which may

be regulated by by-law under this section shall remain in force, except as to any provision fixing the qualification of directors at an amount less than that prescribed by this Act. 53 V., c. 31, s. 18; 4-5 E. VII., c. 4, s. 3; 3-4 G. V., c. 9, s. 18. Am.

Exception.

Board of directors.

19. The stock, property, affairs and concerns of the bank shall be managed by a board of directors, who shall be elected annually in the manner hereinafter provided, and shall be eligible for re-election. 53 V., c. 31, s. 19.

Qualifications.

20. Each director shall hold stock of the bank, of which stock he shall be the absolute and sole owner in his individual right and not as trustee or in the right of another, on which not less than—

(a) three thousand dollars have been paid up, when the paid-up capital stock of the bank is one million dollars or less;

(b) four thousand dollars have been paid up, when the paid-up capital stock of the bank is over one million dollars and does not exceed three million dollars;

(c) five thousand dollars have been paid up, when the paid-up capital stock of the bank exceeds three million dollars.

Required stock holdings.

2. No person shall be elected or continue to be a director unless he holds stock, of which he is the owner as aforesaid, paid up to the amount required by this Act, or such greater amount as is required by any by-law in that behalf.

Majority to be British subjects.

3. A majority of the directors shall be natural born or naturalized subjects of His Majesty and domiciled in Canada. 53 V., c. 31, ss. 18 and 19. Am.

Election of directors.

21. The directors shall be elected by the shareholders at the annual general meeting.

At chief office.

2. The election shall take place at the place where the chief office of the bank is situate.

Notice.

3. Public notice of the annual general meeting shall be given by the directors by publishing such notice, for at least four weeks previously to the time of holding the said meeting, in a newspaper published at the place where the chief office of the bank is situate, and by mailing a copy of such notice to each shareholder at his last known post office address, as shown by the books of the bank, at least twenty days prior to the time aforesaid. 53 V., c. 31, s. 19. Am.

Who shall be directors.

22. The persons, to the number authorized to be elected, who have the greatest number of votes at any election, shall be directors. 53 V., c. 31, s. 19.

Provision in case of equality of votes.

23. If it happens at any election that two or more persons have an equal number of votes, and the election or non-election of one or more of such persons as a director or directors depends on such equality, then the directors who have a greater number of votes, or the majority of them, shall, in order to complete the full number of directors, determine which of the said persons so having an equal number of votes shall be a director or directors. 53 V., c. 31, s. 19.

Election of president and vice-president.

24. The directors, as soon as may be after their election shall proceed to elect, by ballot, from their number a president and one or more vice-presidents.

Honorary president.

2. The directors may also elect by ballot one of their number to be honorary president. 53 V., c. 31, s. 19; 4-5 E. VII., c. 4, s. 4. Am.

Vacancies, how filled.

25. If a vacancy occurs in the board of directors the vacancy shall be filled in the manner provided by the by-laws:

Proviso.

Provided that, if the vacancy is not filled, the acts of a quorum of the remaining directors shall not be thereby invalidated. 53 V., c. 31, s. 19.

Vacancy in presidency or vice-presidency.

26. If a vacancy occurs in the office of the president or vice-president, the directors shall, from among themselves, elect a president or a vice-president, who shall continue in office for the remainder of the year. 53 V., c. 31, s. 19. Am.

Postponed election of directors.

27. If an election of directors is not made on the day appointed for that purpose, such election may take place on any other day, according to the by-laws made by the shareholders in that behalf.

Continuance in office.

2. The directors in office on the day appointed for the election of directors shall remain in office until a new election is made. 53 V., c. 31, s. 20.

Meetings of directors.

28. The president, or in his absence a vic-president, shall preside at all meetings of the directors.

Temporary chairman.

2. If at any meeting of the directors both president and vice-presidents are absent, one of the directors present, chosen to act *pro tempore*, shall preside.

Voting.

3. The president, a vice-president or president *pro tempore*, so presiding, shall vote as a director, and shall, if there is an equal division on any question, also have a casting vote.

Record of attendance of Directors.

4. A record shall be kept of the attendance at each meeting of directors. A summary thereof prepared so as to show the total number of directors' meetings held and the number attended by each director shall be sent to each shareholder with the notice of the annual meeting required by Section twenty-one. 53 V., c. 31, s. 21; 3-4 G. V., c. 9, s. 28. Am.

General powers of directors.

29. The directors may make bylaws and regulations, not repugnant to the provisions of this Act, or to any by-law duly passed by the shareholders or to the laws of Canada, with respect to—

(a) the management and disposition of the stock, property, affairs and concerns of the bank;

(b) the duties and conduct of the officers, clerks and servants employed therein; and,

(c) all such other matters as appertain to the business of a bank.

Existing by-laws continued.

2. All by-laws of the bank heretofore lawfully made and now in force with regard to any matter respecting which the directors may make by-laws under this section, including any by-laws for the establishing of guarantee and pension funds for the employees of the bank, shall remain in force until they are repealed or altered by other by-laws made under this Act. 53 V., c. 31, s. 22.

Appointment of officers.

30. The directors may appoint as many officers, clerks and servants as they consider necessary for the carrying on of the business of the bank.

Salaries.

2. Such officers, clerks and servants may be paid such salaries and allowances as the directors consider necessary.

Security.

3. The directors shall, before permitting any general manager, manager, or other officer, clerk or servant of the bank to enter upon the duties of his office, require him to give a bond, guarantee or other security to the satisfaction of the directors, for the due and faithful performance of his duties. 53 V., c. 31, s. 23. Am.

Special general meeting.

31. A special general meeting of the shareholders of the bank, may be called at any time by—

(a) the directors of the bank or any four of them; or,

(b) any number not less than twenty-five of the shareholders, acting by themselves or by their proxies, who are together proprietors of at least one-tenth of the paid-up capital stock of the bank.

Notice.

2. Such directors or shareholders shall give six weeks' previous public notice, specifying therein the object of such meeting.

Place.

3. Such meeting shall be held at the usual place of meeting of the shareholders.

Removal of president, vice-president or director.

4. If the object of the special general meeting is to consider the proposed removal, for maladministration or other specified and apparently just cause, of the president or a vice-president, or of a director of the bank, and if a majority of the votes of the shareholders at the meeting is given for such removal, a director to replace him shall be elected

Another to replace.

or appointed in the manner provided by the by-laws of the bank, or, if there are no by-laws providing therefor, by the shareholders at the meeting.

Choosing another president or vice-president.

5. If it is the president or a vice-president who is removed, his office shall be filled by the directors in the manner provided in case of a vacancy occurring in the office of president or vice-president. 53 V., c. 31, s. 24.

One vote for each share.

32. Every shareholder shall, on all occasions on which the votes of the shareholders are taken, have one vote for each share held by him for at least thirty days before the time of meeting.

Ballot.

2. In all cases when the votes of the shareholders are taken, the voting shall be by ballot.

Majority to determine.

3. All questions proposed for the consideration of the shareholders shall be determined by a majority of the votes of the shareholders present or represented by proxy.

Casting vote.

4. The chairman elected to preside at any meeting of the shareholders shall vote as a shareholder only, unless there is a tie, in which case he shall, except as to the election of a director, have a casting vote.

As to joint holders of shares.

5. If two or more persons are joint holders of shares, any one of the joint holders may be empowered, by letter of attorney from the other joint holder or holders, or a majority of them, to represent the said shares, and to vote accordingly.

Proxies.

6. Shareholders may vote by proxy, but no person other than a shareholder eligible to vote shall be permitted to vote or act as proxy.

Officers not to vote.

7. No general manager, manager, clerk or other subordinate officer of the bank shall vote either in person or by proxy, or hold a proxy for the purpose of voting.

Renewal of proxies.

8. No appointment of a proxy to vote at any meeting of the shareholders of the bank shall be valid for that purpose unless it has been made or renewed in writing within one year last preceding the time of such meeting.

Calls must be paid before voting.

9. No shareholder shall vote, either in person or by proxy, on any question proposed for the consideration of the shareholders of the bank at any meeting of the shareholders, or in any case in which the votes of the shareholders of the bank are taken, unless he has paid all calls made by the directors which are then due and payable. 53 V., c. 31, s. 25. Am.

CAPITAL STOCK.

Increase of capital.

33. The capital stock of the bank may be increased, from time to time, by such percentage, or by such amount, as is determined upon by by-law passed by the shareholders at the annual general meeting, or at any special general meeting called for the purpose.

Approval of Treasury Board.

2. No such by-law shall come into operation, or be of any force or effect, unless and until a certificate approving thereof has been issued by the Treasury Board.

Conditions for approval.

3. No such certificate shall be issued by the Treasury Board unless application therefor is made within three months from the time of the passing of the by-law, nor unless it appears to the satisfaction of the Treasury Board that a copy of the by-law, together with notice of intention to apply for the certificate, has been published for at least four weeks in *The Canada Gazette*, and in one or more newspapers published in the place where the chief office of the bank is situate.

Treasury Board may refuse.

4. Nothing herein contained shall be construed to prevent the Treasury Board from refusing to issue such certificate if it thinks best so to do. 53 V., c. 31, s. 26.

Allotment.

34. Any of the original unsubscribed capital stock, or of the increased stock of the bank, shall, at such time as the directors determine, be allotted to the then shareholders of the bank *pro rata*, at such *price* and on such terms as are fixed by the directors: Provided that—

To present shareholders.

(a) no fraction of a share shall be so allotted;

(b) in no case shall a rate be fixed by the directors, which will make the premium, if any, paid or payable on the stock so allotted, exceed the percentage which the rest or reserve fund of the bank then bears to the paid-up capital stock thereof;

(c) payment shall not be required in greater amounts or at shorter intervals than ten per cent of the price every thirty days; and,

(d) the price of such stock shall be paid in money.

Notice of allotment.

2. Notice of allotment shall be mailed to the shareholders at their last known post office address as shown by the record of the bank, and the directors shall in such notice fix a date not less than ninety days from the day on which the notice is mailed within which the allotment is to be accepted.

Allotment to the public.

3. Any of such allotted stock which is not accepted by a shareholder to whom the allotment has been made, within the time so fixed, or which he declines to accept, together with such shares as remain unallotted because of the provisions of this section that no fraction of a share can be allotted, may be offered for subscription to the public in such manner and on such terms as the directors prescribe.

Distribution of fractions.

4. Any sums received in excess of the rate per share fixed by the directors under this section in respect of fractions of shares offered for subscription to the public shall be rateably distributed to the respective shareholders from whose shares the fractions arose. 53 V., c. 31, s. 27. Am.; 3-4 G.V., c. 9, s. 34. Am.

Reduction of capital.

35. The capital stock of the bank may be reduced by by-law passed by the shareholders at the annual general

meeting, or at a special general meeting called for the purpose.

Approval Treasury Board.

2. No such by-law shall come into operation or be of force or effect until a certificate approving thereof has been issued by the Treasury Board.

Conditions for approval.

3. No such certificate shall be issued by the Treasury Board unless application therefor is made within three months from the time of the passing of the by-law, nor unless it appears to the satisfaction of the Board that—

(a) the shareholders voting for the by-law represent a majority in value of all the shares then issued by the bank; and,

(b) a copy of the by-law, together with notice of intention to apply to the Treasury Board for the issue of a certificate approving thereof, has been published for at least four weeks in *The Canada Gazette*, and in one or more newspapers published in the place where the chief office of the bank is situate.

Treasury Board may refuse.

4. Nothing herein contained shall be construed to prevent the Treasury Board from refusing to issue the certificate if it thinks best so to do.

Statements to be submitted to Treasury Board.

5. In addition to evidence of the passing of the by-law, and of the publication thereof in the manner in this section provided, statements showing—

(a) the amount of stock issued;

(b) the number of shareholders represented at the meeting at which the by-law passed;

(c) the amount of stock held by each such shareholder;

(d) the number of shareholders who voted for the by-law;

(e) the amount of stock held by each of such last mentioned shareholders;

(f) the assets and liabilities of the bank in full; and,

(g) the reasons and causes why the reduction is sought;

shall be laid before the Treasury Board at the time of the application for the issue of a certificate approving the by-law.

Not to affect liability of shareholders.

6. The passing of the by-law, and any reduction of the capital stock of the bank thereunder, shall not in any way diminish or interfere with the liability of the shareholders of the bank to the creditors thereof at the time of the issue of the certificate approving the by-law.

If legislation is asked to sanction reduction.

7. If in any case legislation is sought to sanction any reduction of the capital stock of any bank, a copy of the by-law or resolution passed by the shareholders in regard thereto, together with statements similar to those by this section required to be laid before the Treasury Board, shall, at least one month prior to the introduction into Parliament of the bill relating to such reduction, be filed with the Minister.

Limit of reduction.

8. The capital shall not be reduced below the amount of two hundred and fifty thousand dollars of paid-up stock. 53 V., c. 31, s. 28.

SHARES AND CALLS.

Shares personalty.

36. The shares of the capital stock of the bank shall be personal property.

Books of subscription.

2. For the purpose of disposing of stock which may be offered for subscription to the public under section 34 of this Act, stock books may be opened at the chief office of the bank, or at such of its branches, or elsewhere, as the directors prescribe.

Particulars entered.

3. Each subscriber shall, at the time of subscription, give his post office address, and description, and these particulars shall appear in the stock books in connection with the name of the subscriber and the number of shares subscribed for. 3-4 G. V., c. 9, s. 36.

Notice of double liability.

37. There shall be printed in small pica type, or type of larger size, on each page in the stock books upon which subscriptions are recorded and on every document constituting or authorizing a subscription, on a part of the page and document, respectively, which may be readily seen by the person recording the subscription, or by the person signing the document, a copy of section 125 of this Act. 3-4 G. V., c. 9, s. 37.

Calls on shares.

38. The directors may make such calls of money from the several shareholders for the time being, upon the shares subscribed for by them respectively, as they find necessary.

Number of.

2. Any number of calls may be made by one resolution.

Intervals for calls.

3. Such calls shall be payable at intervals of not less than thirty days.

Notice.

4. Notice of such calls shall be given to the shareholders.

Limitation.

5. No such call shall exceed ten per cent of each share subscribed. 53 V., c. 31, s. 31. Am.

Capital lost to be called for.

39. If any part of the paid-up capital is lost the directors shall, if all the subscribed stock is not paid up, forthwith make calls upon the shareholders to an amount equivalent to the loss: Provided that all net profits shall be applied to make good such loss.

Returns to Minister.

2. Any such loss of capital and the calls, if any, made in respect thereof, shall be mentioned in the next return made by the bank to the Minister. 53 V., c. 31, s. 48.

Recovery of calls and instalments.

Forfeiture.

40. In case of the non-payment of any call, or instalment under an accepted allotment, the directors may, in the corporate name of the bank, sue for, recover, collect and get in any such call or instalment, or may cause and declare the shares in respect of which any such default is made to be forfeited to the bank. 53 V., c. 31, s. 32. Am.

INTERNAL REGULATIONS.

Regulation by by-law.

18. The shareholders of the bank may, at any annual general meeting or at any special general meeting duly called for the purpose, regulate, by by-law, the following matters incident to the management and administration of the affairs of the bank, that is to say:—

(a) The day upon which the annual general meeting of the shareholders for the election of directors shall be held;

(b) The record to be kept of proxies, and the time, not exceeding twenty days, within which proxies must be produced and recorded prior to a meeting in order to entitle the holder to vote thereon;

(c) The number of the directors, which shall be not less than five, and the quorum thereof, which shall be not less than three;

(d) Subject to the provisions hereinafter contained, the qualifications of directors;

(e) The method of filling vacancies in the board of directors, whenever the same occur during each year;

(f) The time and proceedings for the election of directors in case of a failure of any election on the day appointed for it;

(g) The remuneration of the president, vice-president and other directors; and,

(h) The amount of discounts or loans which may be made to directors, either jointly or severally, or to any one firm or person, or to any shareholder, or to corporations.

Copy of by-laws to be sent to shareholders.

2. A copy of the by-laws in force on the first day of July, one thousand nine hundred and *twenty-three*, in respect of the several matters hereinbefore in this section set out, together with a copy of this section of the Act, shall, before the thirty-first day of December, one thousand nine hundred and *twenty-three*, be sent to each shareholder at his last known post office address, as shown by the books of the bank; and after the first day of July, one thousand nine hundred and *twenty-three*, within six months after the end of each successive five year period, a copy of the by-laws, in respect of the said matters, in force at the end of each such period, shall be sent as aforesaid.

Guarantee and pension funds.

3. The shareholders may authorize the directors to establish guarantee and pension funds for the officers and employees of the bank and their families, and to contribute thereto out of the funds of the bank, *but no part of any such guarantee or pension fund, whether contributed out of the funds of the bank or not, shall be invested in the shares of any bank.*

Existing by-laws continued.

4. Until it is otherwise prescribed by by-law under this section, the by-laws of the bank on any matter which may

be regulated by by-law under this section shall remain in force, except as to any provision fixing the qualification of directors at an amount less than that prescribed by this Act. 53 V., c. 31, s. 18; 4-5 E. VII., c. 4, s. 3; 3-4 G. V., c. 9, s. 18. Am.

Exception.

Board of directors.

19. The stock, property, affairs and concerns of the bank shall be managed by a board of directors, who shall be elected annually in the manner hereinafter provided, and shall be eligible for re-election. 53 V., c. 31, s. 19.

Qualifications.

20. Each director shall hold stock of the bank, of which stock he shall be the absolute and sole owner in his individual right and not as trustee or in the right of another, on which not less than—

(a) three thousand dollars have been paid up, when the paid-up capital stock of the bank is one million dollars or less;

(b) four thousand dollars have been paid up, when the paid-up capital stock of the bank is over one million dollars and does not exceed three million dollars;

(c) five thousand dollars have been paid up, when the paid-up capital stock of the bank exceeds three million dollars.

Required stock holdings.

2. No person shall be elected or continue to be a director unless he holds stock, of which he is the owner as aforesaid, paid up to the amount required by this Act, or such greater amount as is required by any by-law in that behalf.

Majority to be British subjects.

3. A majority of the directors shall be natural born or naturalized subjects of His Majesty and domiciled in Canada. 53 V., c. 31, ss. 18 and 19. Am.

Election of directors.

21. The directors shall be elected by the shareholders at the annual general meeting.

At chief office.

2. The election shall take place at the place where the chief office of the bank is situate.

Notice.

3. Public notice of the annual general meeting shall be given by the directors by publishing such notice, for at least four weeks previously to the time of holding the said meeting, in a newspaper published at the place where the chief office of the bank is situate, and by mailing a copy of such notice to each shareholder at his last known post office address, as shown by the books of the bank, at least twenty days prior to the time aforesaid. 53 V., c. 31, s. 19. Am.

Who shall be directors.

22. The persons, to the number authorized to be elected, who have the greatest number of votes at any election, shall be directors. 53 V., c. 31, s. 19.

Provision in case of equality of votes.

23. If it happens at any election that two or more persons have an equal number of votes, and the election or non-election of one or more of such persons as a director or directors depends on such equality, then the directors who have a greater number of votes, or the majority of them, shall, in order to complete the full number of directors, determine which of the said persons so having an equal number of votes shall be a director or directors. 53 V., c. 31, s. 19.

Election of president and vice-president.

24. The directors, as soon as may be after their election shall proceed to elect, by ballot, from their number a president and one or more vice-presidents.

Honorary president.

2. The directors may also elect by ballot one of their number to be honorary president. 53 V., c. 31, s. 19; 4-5 E. VII., c. 4, s. 4. Am.

Vacancies, how filled.

Proviso.

25. If a vacancy occurs in the board of directors the vacancy shall be filled in the manner provided by the by-laws: Provided that, if the vacancy is not filled, the acts of a quorum of the remaining directors shall not be thereby invalidated. 53 V., c. 31, s. 19.

Vacancy in presidency or vice-presidency.

26. If a vacancy occurs in the office of the president or vice-president, the directors shall, from among themselves, elect a president or a vice-president, who shall continue in office for the remainder of the year. 53 V., c. 31, s. 19. Am.

Postponed election of directors.

27. If an election of directors is not made on the day appointed for that purpose, such election may take place on any other day, according to the by-laws made by the shareholders in that behalf.

Continuance in office.

2. The directors in office on the day appointed for the election of directors shall remain in office until a new election is made. 53 V., c. 31, s. 20.

Meetings of directors.

28. The president, or in his absence a vic-president, shall preside at all meetings of the directors.

Temporary chairman.

2. If at any meeting of the directors both president and vice-presidents are absent, one of the directors present, chosen to act *pro tempore*, shall preside.

Voting.

3. The president, a vice-president or president *pro tempore*, so presiding, shall vote as a director, and shall, if there is an equal division on any question, also have a casting vote.

Record of attendance of Directors.

4. A record shall be kept of the attendance at each meeting of directors. A summary thereof prepared so as to show the total number of directors' meetings held and the number attended by each director shall be sent to each shareholder with the notice of the annual meeting required by Section twenty-one. 53 V., c. 31, s. 21; 3-4 G. V., c. 9, s. 28. Am.

General powers of directors.

29. The directors may make bylaws and regulations, not repugnant to the provisions of this Act, or to any by-law duly passed by the shareholders or to the laws of Canada, with respect to—

(a) the management and disposition of the stock, property, affairs and concerns of the bank;

(b) the duties and conduct of the officers, clerks and servants employed therein; and,

(c) all such other matters as appertain to the business of a bank.

Existing by-laws continued.

2. All by-laws of the bank heretofore lawfully made and now in force with regard to any matter respecting which the directors may make by-laws under this section, including any by-laws for the establishing of guarantee and pension funds for the employees of the bank, shall remain in force until they are repealed or altered by other by-laws made under this Act. 53 V., c. 31, s. 22.

Appointment of officers.

30. The directors may appoint as many officers, clerks and servants as they consider necessary for the carrying on of the business of the bank.

Salaries.

2. Such officers, clerks and servants may be paid such salaries and allowances as the directors consider necessary.

Security.

3. The directors shall, before permitting any general manager, manager, or other officer, clerk or servant of the bank to enter upon the duties of his office, require him to give a bond, guarantee or other security to the satisfaction of the directors, for the due and faithful performance of his duties. 53 V., c. 31, s. 23. Am.

Special general meeting.

31. A special general meeting of the shareholders of the bank, may be called at any time by—

(a) the directors of the bank or any four of them; or,

(b) any number not less than twenty-five of the shareholders, acting by themselves or by their proxies, who are together proprietors of at least one-tenth of the paid-up capital stock of the bank.

Notice.

2. Such directors or shareholders shall give six weeks' previous public notice, specifying therein the object of such meeting.

Place.

3. Such meeting shall be held at the usual place of meeting of the shareholders.

Removal of president, vice-president or director.

4. If the object of the special general meeting is to consider the proposed removal, for maladministration or other specified and apparently just cause, of the president or a vice-president, or of a director of the bank, and if a majority of the votes of the shareholders at the meeting is given for such removal, a director to replace him shall be elected or appointed in the manner provided by the by-laws of the bank, or, if there are no by-laws providing therefor, by the shareholders at the meeting.

Another to replace.

Choosing another president or vice-president.

5. If it is the president or a vice-president who is removed, his office shall be filled by the directors in the manner provided in case of a vacancy occurring in the office of president or vice-president. 53 V., c. 31, s. 24.

One vote for each share.

32. Every shareholder shall, on all occasions on which the votes of the shareholders are taken, have one vote for each share held by him for at least thirty days before the time of meeting.

Ballot.

2. In all cases when the votes of the shareholders are taken, the voting shall be by ballot.

Majority to determine.

3. All questions proposed for the consideration of the shareholders shall be determined by a majority of the votes of the shareholders present or represented by proxy.

Casting vote.

4. The chairman elected to preside at any meeting of the shareholders shall vote as a shareholder only, unless there is a tie, in which case he shall, except as to the election of a director, have a casting vote.

As to joint holders of shares.

5. If two or more persons are joint holders of shares, any one of the joint holders may be empowered, by letter of attorney from the other joint holder or holders, or a majority of them, to represent the said shares, and to vote accordingly.

Proxies.

6. Shareholders may vote by proxy, but no person other than a shareholder eligible to vote shall be permitted to vote or act as proxy.

Officers not to vote.

7. No general manager, manager, clerk or other subordinate officer of the bank shall vote either in person or by proxy, or hold a proxy for the purpose of voting.

Renewal of proxies.

8. No appointment of a proxy to vote at any meeting of the shareholders of the bank shall be valid for that purpose unless it has been made or renewed in writing within one year last preceding the time of such meeting.

Calls must be paid before voting.

9. No shareholder shall vote, either in person or by proxy, on any question proposed for the consideration of the shareholders of the bank at any meeting of the shareholders, or in any case in which the votes of the shareholders of the bank are taken, unless he has paid all calls made by the directors which are then due and payable. 53 V., c. 31, s. 25. Am.

CAPITAL STOCK.

Increase of capital.

33. The capital stock of the bank may be increased, from time to time, by such percentage, or by such amount, as is determined upon by by-law passed by the shareholders at the annual general meeting, or at any special general meeting called for the purpose.

Approval of Treasury Board.

2. No such by-law shall come into operation, or be of any force or effect, unless and until a certificate approving thereof has been issued by the Treasury Board.

Conditions for approval.

3. No such certificate shall be issued by the Treasury Board unless application therefor is made within three months from the time of the passing of the by-law, nor unless it appears to the satisfaction of the Treasury Board that a copy of the by-law, together with notice of intention to apply for the certificate, has been published for at least four weeks in *The Canada Gazette*, and in one or more newspapers published in the place where the chief office of the bank is situate.

Treasury Board may refuse.

4. Nothing herein contained shall be construed to prevent the Treasury Board from refusing to issue such certificate if it thinks best so to do. 53 V., c. 31, s. 26.

Allotment.

34. Any of the original unsubscribed capital stock, or of the increased stock of the bank, shall, at such time as the directors determine, be allotted to the then shareholders of the bank *pro rata*, at such *price* and on such terms as are fixed by the directors: Provided that—

To present shareholders.

(a) no fraction of a share shall be so allotted;

(b) in no case shall a rate be fixed by the directors, which will make the premium, if any, paid or payable on the stock so allotted, exceed the percentage which the rest or reserve fund of the bank then bears to the paid-up capital stock thereof;

(c) payment shall not be required in greater amounts or at shorter intervals than ten per cent of the price every thirty days; and,

(d) the price of such stock shall be paid in money.

Notice of allotment.

2. Notice of allotment shall be mailed to the shareholders at their last known post office address as shown by the record of the bank, and the directors shall in such notice fix a date not less than ninety days from the day on which the notice is mailed within which the allotment is to be accepted.

Allotment to the public.

3. Any of such allotted stock which is not accepted by a shareholder to whom the allotment has been made, within the time so fixed, or which he declines to accept, together with such shares as remain unallotted because of the provisions of this section that no fraction of a share can be allotted, may be offered for subscription to the public in such manner and on such terms as the directors prescribe.

Distribution of fractions.

4. Any sums received in excess of the rate per share fixed by the directors under this section in respect of fractions of shares offered for subscription to the public shall be rateably distributed to the respective shareholders from whose shares the fractions arose. 53 V., c. 31, s. 27. Am.; 3-4 G.V., c. 9, s. 34. Am.

Reduction of capital.

35. The capital stock of the bank may be reduced by by-law passed by the shareholders at the annual general

meeting, or at a special general meeting called for the purpose.

Approval Treasury Board.

2. No such by-law shall come into operation or be of force or effect until a certificate approving thereof has been issued by the Treasury Board.

Conditions for approval.

3. No such certificate shall be issued by the Treasury Board unless application therefor is made within three months from the time of the passing of the by-law, nor unless it appears to the satisfaction of the Board that—

(a) the shareholders voting for the by-law represent a majority in value of all the shares then issued by the bank; and,

(b) a copy of the by-law, together with notice of intention to apply to the Treasury Board for the issue of a certificate approving thereof, has been published for at least four weeks in *The Canada Gazette*, and in one or more newspapers published in the place where the chief office of the bank is situate.

Treasury Board may refuse.

4. Nothing herein contained shall be construed to prevent the Treasury Board from refusing to issue the certificate if it thinks best so to do.

Statements to be submitted to Treasury Board.

5. In addition to evidence of the passing of the by-law, and of the publication thereof in the manner in this section provided, statements showing—

(a) the amount of stock issued;

(b) the number of shareholders represented at the meeting at which the by-law passed;

(c) the amount of stock held by each such shareholder;

(d) the number of shareholders who voted for the by-law;

(e) the amount of stock held by each of such last mentioned shareholders;

(f) the assets and liabilities of the bank in full; and,

(g) the reasons and causes why the reduction is sought;

shall be laid before the Treasury Board at the time of the application for the issue of a certificate approving the by-law.

Not to affect liability of shareholders.

6. The passing of the by-law, and any reduction of the capital stock of the bank thereunder, shall not in any way diminish or interfere with the liability of the shareholders of the bank to the creditors thereof at the time of the issue of the certificate approving the by-law.

If legislation is asked to sanction reduction.

7. If in any case legislation is sought to sanction any reduction of the capital stock of any bank, a copy of the by-law or resolution passed by the shareholders in regard thereto, together with statements similar to those by this section required to be laid before the Treasury Board, shall, at least one month prior to the introduction into Parliament of the bill relating to such reduction, be filed with the Minister.

Limit of reduction.

8. The capital shall not be reduced below the amount of two hundred and fifty thousand dollars of paid-up stock. 53 V., c. 31, s. 28.

SHARES AND CALLS.

Shares personalty.

36. The shares of the capital stock of the bank shall be personal property.

Books of subscription.

2. For the purpose of disposing of stock which may be offered for subscription to the public under section 34 of this Act, stock books may be opened at the chief office of the bank, or at such of its branches, or elsewhere, as the directors prescribe.

Particulars entered.

3. Each subscriber shall, at the time of subscription, give his post office address, and description, and these particulars shall appear in the stock books in connection with the name of the subscriber and the number of shares subscribed for. 3-4 G. V., c. 9, s. 36.

Notice of double liability.

37. There shall be printed in small pica type, or type of larger size, on each page in the stock books upon which subscriptions are recorded and on every document constituting or authorizing a subscription, on a part of the page and document, respectively, which may be readily seen by the person recording the subscription, or by the person signing the document, a copy of section 125 of this Act. 3-4 G. V., c. 9, s. 37.

Calls on shares.

38. The directors may make such calls of money from the several shareholders for the time being, upon the shares subscribed for by them respectively, as they find necessary.

Number of.

2. Any number of calls may be made by one resolution.

Intervals for calls.

3. Such calls shall be payable at intervals of not less than thirty days.

Notice.

4. Notice of such calls shall be given to the shareholders.

Limitation.

5. No such call shall exceed ten per cent of each share subscribed. 53 V., c. 31, s. 31. Am.

Capital lost to be called for.

39. If any part of the paid-up capital is lost the directors shall, if all the subscribed stock is not paid up, forthwith make calls upon the shareholders to an amount equivalent to the loss: Provided that all net profits shall be applied to make good such loss.

Returns to Minister.

2. Any such loss of capital and the calls, if any, made in respect thereof, shall be mentioned in the next return made by the bank to the Minister. 53 V., c. 31, s. 48.

Recovery of calls and instalments.

40. In case of the non-payment of any call, or instalment under an accepted allotment, the directors may, in the corporate name of the bank, sue for, recover, collect and get in any such call or instalment, or may cause and

Forfeiture.

declare the shares in respect of which any such default is made to be forfeited to the bank. 53 V., c. 31, s. 32. Am.

Appointment of auditors.

6. The shareholders shall at each annual general meeting appoint two persons, not members of the same firm, whose names are included in the last published list, to audit the affairs of the bank. No person shall be appointed for more than three years in succession to audit the affairs of any one bank nor shall a member of any firm be appointed if any member or members of the firm have either alone or in the aggregate acted for three years in succession as auditor or auditors respectively of the affairs of the bank.

Vacancy.

7. If any vacancy should occur in the office of auditor of a bank, notice thereof shall forthwith be given by the bank to the Minister, who shall thereupon appoint some other person included in the published list for the year to serve for the unexpired term of the person previously appointed.

Remuneration of Auditors.

8. The remuneration of auditors shall be fixed by the shareholders at the time of their appointment, and in the event of any vacancy and the appointment of another auditor under the next preceding subsection, the remuneration so fixed shall be divided according to the length of time each auditor acted as auditor of the bank.

Powers and rights of auditors.

9. Every auditor of a bank shall have a right of access to the books and accounts, cash, securities, documents and vouchers of the bank, and shall be entitled to require from the directors and officers of the bank such information and explanation as may be necessary for the performance of the duties of the auditors.

Procedure and scope of audit.

10. The Minister may from time to time require that the auditors of a bank shall report to him upon the adequacy of the procedure adopted by the bank for the safety of its creditors and shareholders, and as to the sufficiency of their own procedure in auditing the affairs of the bank; and the Minister may at his discretion enlarge or extend the scope of the audit, or direct that any other or particular examination be made or procedure established in the particular case as the public interest may seem to require.

Duty with respect to directors.

11. It shall be the duty of the auditors to report to the general manager and to the directors in writing any transactions or conditions affecting the well being of the bank which are not satisfactory to them, and which in their opinion require rectification, and without restricting the generality of this requirement they shall report specifically to the general manager and to the directors from time to time upon any loans exceeding one per cent of the paid-up capital of the bank which in their judgment are inadequately secured, but this provision shall not be construed to relieve any director from the due and proper discharge of the duties of a director. The report shall be transmitted or delivered by the auditors to the general manager at his office and to each director at his last known post office address.

Report of Auditors.

12. The auditors shall make a report to the shareholders on the statement of the affairs of the bank to be submitted by the directors to the shareholders under Section 54 of this Act during their tenure of office; and the report shall state—

(a) whether or not they have obtained all the information and explanations they have required;

(b) whether, in their opinion, the transactions of the bank which have come under their notice have been within the powers of the bank;

(c) whether, in their opinion, the statement referred to in the report discloses the true condition of the bank;

(d) whether the statement is as shewn by the books of the bank.

Attached to annual statement and read.

13. The auditors' report shall be attached to the statement submitted by the directors to the shareholders under section 54 of this Act, and the report shall be read before the shareholders in the annual general meeting.

Audit and report on further statements.

14. Any further statement of the affairs of the bank submitted by the directors to the shareholders under section 55 of this Act shall be subject to audit and report, and the report of the auditors thereon shall state—

(a) whether or not they have obtained the information and explanation they have required;

(b) whether, in their opinion, such further statement discloses to the extent thereof the true condition of the bank.

Attached to statement and read.

15. The auditors' report shall be attached to the further statement referred to in the next preceding subsection, and shall be read before the shareholders at the meeting to which such further statement is submitted, and a copy of the statement and report shall be *supplied to any shareholder applying therefor.*

Copies.

Auditor not to undertake other employment for bank.

16. No auditor and no member of any firm of auditors shall be eligible for appointment as auditor of a bank hereunder if he or any member of his firm while acting as auditor of a bank accepts any retainer or undertakes any employment on behalf of or at the instance of such bank, or any officer thereof, whether at the expense of the bank or not, other than that of auditor hereunder. 3-4 G. V., c. 9, s. 56. Am.

AUDITORS' REPORT TO MINISTER.

Examination by auditor appointed by Minister.

56A. The Minister may direct and require any auditor appointed under the next preceding section of this Act, or any other auditor whom he may select, to examine and inquire specially into any of the affairs or business of the bank, and the auditor so appointed or selected, as the case may be, shall, at the conclusion of his examination and inquiry, report fully to the Minister the results thereof.

Powers of auditor.

2. For the purposes of this section the auditor appointed or selected as aforesaid shall have all the rights and powers given to an auditor under the next preceding section.

Remuneration.

3. For the performance of the duties imposed by this section the auditor shall be paid as remuneration, out of the Consolidated Revenue Fund, such sum as the Governor in Council may direct.

To be deemed auditor of bank.

4. The person selected by the Minister under this section shall, for the purposes of section 153 of this Act, be deemed to be an auditor of the bank. 3-4 G. V., c. 9, s. 56 A.

DIVIDENDS.

Quarterly or half yearly dividends.

57. The directors of the bank shall, subject to the provisions of this Act, declare quarterly or half yearly dividends of so much of the profits of the bank as to the majority of them seems advisable.

Notice.

2. The directors shall give public notice, published for at least four weeks, of the payment of such dividends previously to the date fixed for such payment.

Where payable.

3. Dividends shall, on and after the date fixed for payment, be payable at the chief office of the bank, and at such of its branches, and at such other places, as the directors prescribe.

Books closed.

4. The directors may close the transfer books during a certain time, not exceeding fifteen days, before the payment of each dividend.

Liability of bank.

5. The liability of any bank under any law, custom or agreement to pay dividends heretofore or hereafter declared and payable on its capital stock shall continue notwithstanding any statute of limitations or any enactment or law relating to prescription. 53 V., c. 31, ss. 47, 90; R.S., c. 29, ss. 36 (4), 126. Am.

No prescription.

Dividend not to impair capital.

58. No dividend or bonus shall be declared so as to impair the paid-up capital of the bank.

Directors liable for such dividend.

2. The directors who knowingly and wilfully concur in the declaration or making payable of any dividend or bonus, whereby the paid-up capital of the bank is impaired, shall be jointly and severally liable for the amount of such dividend or bonus, as a debt due by them to the bank. 53 V., c. 31, s. 48.

Dividend limited unless there is a certain reserve.

59. No division of profits, either by way of dividends or bonus, or both combined, or in any other way, exceeding the rate of eight per cent per annum, shall be made by the bank, unless, after making the same, the bank has a rest or reserve fund, equal to at least thirty per cent of its paid-up capital after *providing all the appropriations necessary for ascertained and estimated losses.*

Personal liability of directors.

2. The directors who knowingly and wilfully concur in any division of profits exceeding the rate of eight per cent per annum, unless after making the same the bank has a rest or reserve fund equal to at least thirty per cent of its paid up capital after making the appropriations necessary to provide for losses, shall be jointly and severally liable for the amount so divided, as a debt due by them to the bank. 3-4 G. V., c. 9, s. 59. Am.

CASH RESERVES.

Cash reserves in Dominion notes.

60. The bank shall hold in Dominion notes not less than forty per cent of the cash reserves which it has in Canada.

Supply of Dominion notes.

2. The Minister shall make such arrangements as are necessary for ensuring the delivery of Dominion notes to any bank, in exchange for an equivalent amount of gold coin lawfully current at the several branch offices of the Department of Finance *established for the redemption of Dominion notes under the provisions of The Dominion Notes Act, 1914.*

Redemption.

3. Such notes shall be redeemable at any of the branch offices mentioned in subsection 2 hereof. 53 V., c. 31, s. 50. Am.; 3-4 G. V., c. 9, s. 60. Am.

ISSUE AND CIRCULATION OF NOTES.

Issue of notes.

61. The bank may issue and re-issue its notes payable to bearer on demand and intended for circulation: Provided that—

Proviso.

(a) the bank shall not, during any period of suspension of payment of its liabilities, issue or re-issue any of its notes; and,

(b) if, after any such suspension, the bank resumes business without the consent in writing of the curator, hereinafter provided for, it shall not issue or re-issue any of its notes until authorized by the Treasury Board so to do.

$5, or multiples.

2. No such note shall be for a sum less than five dollars, or for any sum which is not a multiple of five dollars.

Amount limited.

3. Except as hereinafter provided, the total amount of the notes of a bank in circulation at any time shall not exceed the aggregate of—

(a) the amount of the unimpaired paid-up capital of the bank; and,

(b) the amount of current gold coin and of Dominion notes held for the bank in the central gold reserves hereinafter mentioned.

Appointment of trustees.

4. The Association may, with the approval of the Minister, appoint three trustees and the Minister may appoint a fourth trustee, and the trustees so appointed shall receive such amounts in current gold coin and Dominion notes, or either, as any bank may desire from time to time to deposit with them. The amounts so deposited are herein referred to as "central gold reserves" and shall be held and dealt with in accordance with the provisions of this Act.

"Central gold reserves."

By-laws respecting.

5. The Association may make by-laws, rules and regulations under section 124 of this Act respecting the custody and management of the central gold reserves and the carrying out of the provisions of this Act relating to such reserves.

Excess of notes over paid up capital.

6. When and so long as the amount of the notes of a bank in circulation in excess of its unimpaired paid-up capital is less than the amount deposited by it in the central gold reserves, the excess of the amount so deposited shall belong to the bank as its property, and the bank may apply to the trustees for a return of the excess last mentioned, and upon receiving from the bank a statement signed by the chief accountant and by the general manager or other principal officer next in authority in the management of the affairs of the bank at the time the statement is signed, and otherwise in the form provided by said by-laws, rules or regulations, setting forth to the best of the information and belief of these officers the amount of the notes of the bank in circulation on the date of such statement, the trustees shall return the whole or part of the deposit of the bank, as the case may be. On and from the date when such statement is transmitted by registered post or delivered to the trustees, the amount applied for shall, for the purpose of the statement to be made by the trustees to the Minister under subsection 7 of this section, and for the purpose of calculating the total amount of the authorized note circulation of the bank, be deemed to have been withdrawn from the central gold reserves and shall not be taken into account in such statement nor included in such calculation; provided always that should the total amount of the notes of the bank in circulation be found, by reason of such withdrawal, to be in excess of the circulation of the bank authorized by this Act the bank shall not be deemed to be released or relieved from any of the penalties imposed by this Act for circulation of the notes of a bank in excess of the amount authorized by this Act.

Statement to be sent to Minister.

7. The trustees shall prepare and transmit by registered post or deliver to the Minister within the first twenty days of each month a statement to be signed by them showing the amount on each juridical day of the preceding month of the deposit of each bank in the central gold reserves and not withdrawn or deemed to be withdrawn under the provisions of this section.

Inspection and audit of gold coin and notes.

8. The Minister shall, from time to time, and not less frequently than twice in each year, cause an inspection and audit of the gold coin and Dominion notes held by the trustees to be made by officers of the Department of Finance.

Particulars of inspection.

9. It shall be the duty of such officers—

(a) to inspect and ascertain the amount of the gold coin and Dominion notes held by the trustees for the respective banks at the date of inspection; and,

(b) to ascertain from the books and accounts, documents and vouchers of the trustees the amounts of gold coin and Dominion notes held by the trustees for the

respective banks at any preceding date named by the Minister.

Powers of inspecting officer.

10. Every such officer shall have a right of access to the gold coin and Dominion notes held and to the books and accounts, documents and vouchers of the trustees, and shall be entitled to require from the trustees such information and explanation as may be necessary for the performance of his duties.

When bank insolvent.

11. Should the bank become insolvent within the meaning of this Act, the amount held for it in the central gold reserves shall be paid by the trustees to the liquidator or other person entitled by law to collect and receive the assets of the bank and shall be applied in redeeming the notes of such bank in circulation and for no other purpose, or in making the payment to the Minister required by section 116 of this Act.

Vacancy in office of trustee.

12. When a vacancy in the office of a trustee appointed by the Association occurs, by resignation, death or other cause, the trustee to fill the vacancy shall, subject to the approval of the Minister, be appointed by the Association; and when a vacancy occurs in the office of a trustee appointed by the Minister, the trustee to fill the vacancy shall be appointed by the Minister.

Remuneration of trustees.

13. The remuneration of trustees, including that of the trustee appointed by the Minister, and all charges and expenses incidental to the establishment and maintenance of the central gold reserves, shall be borne by the Association as the Association may, by by-law, rule or regulation, determine.

Additional issue during moving of crops.

14. During the usual season of moving the crops, that is to say, from and including the first day of September in any year to and including the last day of February next ensuing in addition to the said amount of notes hereinbefore authorized to be issued for circulation, the bank may issue its notes to an amount not exceeding fifteen per cent of the combined unimpaired paid-up capital and rest or reserve fund of the bank as stated in the statutory monthly return made by the bank to the Minister for the month immediately preceding that in which the additional amount is issued.

Notice of additional issue.

15. Whenever, under the authority of the next preceding subsection of this section, the issue of an additional amount of notes of the bank has been made, the general manager, or other principal officer next in authority in the management of the affairs of the bank for the time being, shall forthwith give notice thereof by registered letter addressed to the Minister and to the president of the Association.

Interest on additional issue.

16. While its notes in circulation are in excess of the aggregate referred to in subsection 3 of this section, the bank shall pay interest to the Minister at such rate, not exceeding five per cent per annum, as is fixed by the Governor in Council, on the amount of its notes in circulation

in excess from day to day; and the interest so paid shall form part of the Consolidated Revenue Fund.

Return by bank.

17. A return shall be made and sent by the bank to the Minister showing the amount of its notes in circulation for each juridical day during any month in which any amount of notes in excess of the amount of the unimpaired paid-up capital of the bank has been issued or is outstanding.

Time and form of return.

18. Such return shall be made up and sent within the first thirty days after the last day of the month in which any such amount in excess has been issued or is outstanding, and shall be accompanied by declarations which shall be a part of the return, and the declarations shall be in the form set forth in Schedule *H* to this Act, and shall be signed by the chief accountant, and by the president or a vice-president or the director then acting as president, and by the general manager or other principal officer next in authority in the management of the affairs of the bank at the time at which the declaration is signed. 53 V., c. 31, s. 51; 63-64 V., c. 26, s. 10; 7-8 E. VII., c. 7, s. 1; 2 G. V., c. 5, s. 4. Am.; 3-4 G. V., c. 9, s. 61. Am.

Signatures thereto.

Note issue at agency in British possessions other than Canada.

62. Notwithstanding the provisions of the last preceding section any bank may issue and re issue, at any branch, agency or office of the bank in any British colony or possession other than Canada, notes of the bank payable to bearer on demand and intended for circulation in such colony or possession, for the sum of one pound sterling each, or for any multiple of such sum, or for the sum of five dollars each, or for any multiple of such sum of the dollars in commercial use in such colony or possession, if the issue or reissue of such notes is not forbidden by the laws of such colony or possession.

Governor in Council to fix rate for circulation.

2. No issue of notes of the denomination of five such dollars, or any multiple thereof, shall be made in any such British colony or possession unless and until the Governor in Council, on the report of the Treasury Board, determines the rate, in Canadian currency, at which such notes shall be circulated as forming part of the total amount of the notes in circulation within the meaning of the last preceding section.

Redemption.

3. The notes so issued shall be redeemable at par at any branch, agency or office of the bank in the colony or possession in which they are issued for circulation, and not elsewhere, except as in this section specially provided; and the place of redemption of such notes shall be legibly printed or stamped across the face of each note so issued.

Redemption if agency is abolished.

4. In the event of the bank ceasing to have a branch or agency or office in any such British colony or possession, all notes issued in such colony or possession under the provisions of this section shall become payable and redeemable at the rate of four dollars and eighty-six and two-thirds

cents per pound sterling, or, in the case of the issue of notes of the denomination of five dollars, or any multiple thereof, of the dollars in commercial use in such colony or possession, at the rate established by the Governor in Council as required by this section, in the same manner as notes of the bank issued in Canada are payable and redeemable.

Total amount of circulation.

5. The amount of the notes at any time in circulation in any such colony or possession, issued under the provisions of this section, shall, at the rate mentioned in the last preceding subsection, form part of the total amount of the notes in circulation within the meaning of the last preceding section, and, except as herein otherwise specially provided, shall be subject to all the provisions of this Act.

No re-issue in Canada.

6. No notes issued for circulation in a British colony or possession other than Canada shall be re-issued in Canada.

Section limited.

7. Nothing in this section shall be construed to authorize any bank—

(a) to increase the total amount of its notes in circulation in Canada and elsewhere beyond the limit fixed by the last preceding section; or,

(b) to issue or re-issue in Canada notes payable to bearer on demand, and intended for circulation, for a sum less than five dollars, or for a sum which is not a multiple of five dollars. 4 E. VII., c. 3, ss. 1, 2, 3 and 4.

Pledge of notes prohibited.

63. The bank shall not pledge, assign, or hypothecate its notes; and no advance or loan made on the security of the notes of a bank shall be recoverable from the bank or its assets. 53 V., c. 31, s. 25.

Bank circulation redemption fund continued.

64. The moneys heretofore paid to and now deposited with the Minister by the banks to which this Act applies, constituting the fund known as the Bank Circulation Redemption Fund, shall continue to be held by the Minister for the purposes and subject to the provisions in this section mentioned and contained.

$5,000 to be retained upon issue of certificate.

2. The Minister shall, upon the issue of a certificate under this Act authorizing a bank to issue notes and commence the business of banking, retain, out of any moneys of such bank then in his possession, the sum of five thousand dollars, which sum shall be held for the purposes of this section, until the annual adjustment hereinafter provided for takes place in the year then next following.

Adjustment.

3. The amount at the credit of such bank shall, at such next annual adjustment, be adjusted by payment to or by the bank of such sum as is necessary to make the amount

Five per cent of average circulation.

of money at the credit of the bank equal to five per cent of the average amount of its notes in circulation from the time it commenced business to the time of such adjustment and such sum shall thereafter be adjusted annually as hereinafter provided.

Circulation Fund.

4. The amounts heretofore and from time to time hereafter paid, to be retained and held by the Minister as by this section provided, shall continue to form and shall form the Circulation Fund.

Its purposes.

5. The Circulation Fund shall continue to be held as heretofore for the sole purpose of payment, in the event of the suspension by a bank of payment in specie or Dominion notes of any of its liabilities as they accrue, of the notes then issued or re-issued by such bank, intended for circulation, and then in circulation, and interest thereon.

Fund to bear interest.

6. The Circulation Fund shall bear interest at the rate of three per cent per annum.

Adjustment annually.

7. The Circulation Fund shall be adjusted, as soon as possible after the thirtieth day of June in each year, in such a way as to make the amount at the credit of each bank contributing thereto, unless herein otherwise specially provided, equal to five per cent of the average note circulation of such bank during the then last preceding twelve months.

Average note circulation, how determined.

8. The average note circulation of a bank during any period shall be determined from the average of the amount of its notes in circulation, as shown by the monthly returns for such period made by the bank to the Minister; and where, in any return the greatest amount of notes in circulation at any time during the month is given, such amount shall, for the purposes of this section, be taken to be the amount of the notes of the bank in circulation during the month to which such return relates: Provided, however, that in determining the average note circulation of a bank under this subsection the daily average for each month of the amount of the bank's deposit (if any) in the central gold reserves which has not been withdrawn or deemed to be withdrawn within the meaning of this Act shall be deducted from the greatest amount of the notes of the bank in circulation at any time during the month.

Proviso.

Rights of Minister.

9. The Minister shall, with respect to all notes paid out of the Circulation Fund, have the same rights as any other holder of notes of the bank: Provided that all such notes, and all interest thereon, so paid by the Minister, after the amount at the credit of such bank in the Circulation Fund, and all interest due or accruing due thereon, has been exhausted, shall bear interest, at the rate of three per cent per annum, from the time such notes and interest are paid until such notes and interest are repaid to the Minister by or out of the assets of such bank. 53 V., c. 31, s. 54; 63-64 V., c. 26, s. 13; 3-4 G.V., c. 9, s. 64.

Proviso.

Notes of bank suspending payment to bear interest.

65. In the event of the suspension by a bank of payment in specie or Dominion notes of any of its liabilities as they accrue, the notes of the bank, issued or re-issued, intended for circulation, and then in circulation, shall bear interest at the rate of five per cent per annum, from the day

of the suspension to such day as is named by the directors, or by the liquidator, receiver, assignee, or other proper official, for the payment thereof.

Notice of time for payment.

2. Notice of such day shall be given by advertisement in at least three consecutive issues of a daily newspaper, published in the place in which the chief office of the bank is situate, and if there is no daily newspaper published there, then by advertisement in two consecutive issues of any weekly newspaper published in that place.

As to notes not then presented.

3. If any notes presented for payment on or after any day named for payment thereof are not paid, all notes then unpaid and in circulation shall continue to bear interest until such further day is named for payment thereof, of which day notice shall be given in manner hereinbefore provided.

Notes not redeemed to be paid out of Circulation Fund.

4. If the directors of the bank or the liquidator, receiver, assignee or other proper official fails to make arrangements within two months from the day of the suspension of payment by the bank, for the payment of all of its notes and interest thereon, the Minister may make arrangements for the payment out of the Circulation Fund, of the notes remaining unpaid and all interest thereon, and the Minister shall give such notice of the payment as he thinks expedient.

Interest to cease.

5. Notwithstanding anything herein, all interest upon such notes shall cease upon and from the date named by the Minister for such payment.

Government not liable.

6. Nothing herein shall be construed to impose any liability upon the Government of Canada, or upon the Minister, beyond the amount available from time to time out of the Circulation Fund. 53 V., c. 31, s. 54; 63-64 V., c. 26, s. 11. Am.

Payment from fund.

66. All payments made from the Circulation Fund shall be without regard to the amount contributed thereto by the bank in respect of whose notes the payments are made.

If fund exceeded.

2. If the payments from the Circulation Fund exceed the amount contributed to the Circulation Fund by the bank so suspending payment, and all interest due or accruing due to such bank thereon, the other banks to which this Act applies shall, on demand, make good to the Circulation Fund the amount of the excess, proportionately to the amount which each such other bank had or should have contributed to the Circulation Fund, at the time of the suspension of the bank in respect of whose notes the payments are made: Provided that—

Proviso.

(*a*) each of such other banks shall only be called upon to make good to the Circulation Fund its share of the excess in payments not exceeding in any one year one per cent of the average amount of its notes in circulation;

(*b*) such circulation shall be ascertained in such manner as the Minister decides; and,

(*c*) the Minister's decision shall be final.

Amounts recovered, how distributed.

3. All amounts recovered and received by the Minister from the bank on account of which such payments were made shall, after the amount of such excess has been made good as aforesaid, be distributed among the banks contributing to make good such excess, proportionately to the amount contributed by each. 53 V., c. 31, s. 54; 63-64 V., c. 26, s. 12.

Refund of deposit if bank is wound up.

67. In the event of the winding-up of the business of a bank by reason of insolvency or otherwise, the Treasury Board may, on the application of the directors, or of the liquidator, receiver, assignee or other proper official, and on being satisfied that proper arrangements have been made for the payment of the notes of the bank and any interest thereon, pay over to the directors, liquidator, receiver, assignee or other proper official, the amount of the Circulation Fund at the credit of the bank, or such portion thereof as it thinks expedient. 53 V., c. 31, s. 54.

Treasury Board rules.

68. The Treasury Board may make all such rules and regulations as it thinks expedient with reference to—

(*a*) the payment of any moneys out of the Circulation Fund, and the manner, place and time of such payment;

(*b*) the collection of all amounts due to the Circulation Fund;

(*c*) all accounts to be kept in connection therewith; and,

(*d*) generally the management of the Circulation Fund and all matters relating thereto. 53 V., c. 31, s. 54.

Minister may enforce payments.

69. The Minister may, in his official name, by action in the Exchequer Court of Canada, enforce payment, with costs of action, of any sum due and payable by any bank which should form part of the Circulation Fund. 53 V., c. 31, s. 54.

Arrangements to be made for circulation at par, and redemption.

70. The bank shall make such arrangements as are necessary to ensure the circulation at par, in any and every part of Canada, of all notes issued or re-issued by it and intended for circulation; and towards this purpose the bank shall establish agencies for the redemption and payment of its notes *at the places at which the Governor in Council has established branch offices of the Department of Finance for the redemption of Dominion notes*, and at such other places as are from time to time designated by the Treasury Board. 53 V., c. 31, s. 55. Am.; 3-4 G. V., c. 9, s. 54. Am.

Bank must take its own notes.

71. The bank shall always receive in payment its own notes at par at any of its branches, agencies or offices, and whether they are made payable there or not.

Payment in Dominion notes.

72. The bank, when making any payment shall, on the request of the person to whom the payment is to be made, pay the same, or such part thereof, not exceeding one hundred dollars, as such person requests, in Dominion notes for one, two or five dollars each, at the option of such person.

No torn or defaced notes.

2. No payment, whether in Dominion notes or bank notes, shall be made by the bank in bills that are unclean or torn or partially defaced by excessive handling.

Disinfection of notes.

3. The Treasury Board may make regulations providing for the disinfection and sterilization by the several banks of all bank notes and Dominion notes which have come into the bank's possession before a re-issue thereof to the public; and the bank, its officers, clerks and servants, shall carry out and execute the regulations made under the authority of this section. 53 V., c. 31, s. 57. Am.

Bills or notes binding though not sealed.

73. The bills or notes of the bank signed by the president, a vice-president, the general manager or other officer appointed by the directors of the bank to sign the same, promising the payment of money to any person, or to his order, or to the bearer, though not under the corporate seal of the bank, shall be binding and obligatory on the bank, in like manner and with the like force and effect as they would be upon any private person, if issued by him in his private or natural capacity, and shall be assignable in like manner as if they were so issued by a private person in his natural capacity.

Directors may depute officer to sign.

2. The directors of the bank may, from time to time, authorize or depute the general manager, a manager or other officer of the bank, or any director other than the president or a vice-president, or any manager of any branch or office of discount and deposit of the bank, to sign the notes of the bank intended for circulation. 53 V., c. 31, s. 58. Am.

Bills may be signed by machinery.

74. All bank notes and bills whereon the name of any person entrusted or authorized to sign such notes or bills on behalf of the bank is impressed by machinery provided for that purpose, by or with the authority of the bank, shall be good and valid to all intents and purposes, as if such notes and bills had been subscribed in the proper handwriting of the person entrusted or authorized by the bank to sign the same respectively, and shall be bank notes and bills within the meaning of all laws and statutes whatever, and may be described as bank notes or bills in all indictments and civil or criminal proceedings whatever : Provided that if all such names are impressed by machinery,

at least one such name to each note or bill, together with a distinguishing device and number, shall be impressed or engraved under the authority of the bank after the notes are received by the bank from the engraver and printer, and shall not be otherwise impressed or engraved. 53 V., c. 31, s. 29. Am.

Counterfeit or fraudulent notes to be stamped.

75. Every officer charged with the receipt or disbursement of public moneys, and every officer of any bank, and every person acting as or employed by any banker, shall stamp or write in plain letters, upon every counterfeit or fraudulent note issued in the form of a Dominion or bank note, and intended to circulate as money, which is presented to him at his place of business, the word "Counterfeit," "Altered" or "Worthless."

If wrongfully stamped.

2. If such officer or person wrongfully stamps any genuine note he shall, upon presentation, redeem it at the face value thereof. 53 V., c. 31, s. 62.

BUSINESS AND POWERS OF A BANK.

Business and powers of bank.

76. The bank may—

(a) open branches, agencies and offices;

(b) engage in and carry on business as a dealer in gold and silver coin and bullion;

(c) deal in, discount and lend money and make advances upon the security of, and take as collateral security for any loan made by it, bills of exchange, promissory notes and other negotiable securities, or the stock, bonds, debentures and obligations of municipal and other corporations, whether secured by mortgage or otherwise, or Dominion, provincial, British, foreign, and other public securities; and,

(d) engage in and carry on such business generally as appertains to the business of banking.

Exceptions.

2. Except as authorized by this Act, the bank shall not, either directly or indirectly,—

(a) deal in the buying or selling, or bartering of goods, wares and merchandise, or engage or be engaged in any trade or business whatsoever;

(b) purchase, or deal in, or lend money, or make advances upon the security or pledge of any share of its own capital stock, or of the capital stock of any bank; or,

(c) lend money or make advances upon the security, mortgage or hypothecation of any lands, tenements or immovable property, or of any ships or other vessels, or upon the security of any goods, wares and merchandise. 53 V., c. 31, s. 64.

(d) lend to or on the security of the general manager, assistant general manager, branch manager, or any officer, clerk or servant of the bank without the approval

of the directors any amount or amounts exceeding in the aggregate one thousand dollars and not exceeding ten thousand dollars.

(e) lend to or on the security of the general manager, assistant general manager, branch manager, or any officer, clerk or servant of the bank any amount or amounts exceeding in the aggregate ten thousand dollars. 53 V., c. 31, s. 64; 3-4 G. V., c. 9, s. 76. Am.

Bank to have lien upon the stock of its debtors.

77. The bank shall have a privileged lien, for any debt or liability for any debt to the bank, on the shares of its own capital stock, and on any unpaid dividends of the debtor or person liable, and may decline to allow any transfer of the shares of such debtor or person until the debt is paid.

Sale of shares.

2. The bank shall, within twelve months after the debt has accrued and become payable, sell such shares: Provided

Notice.

that notice shall be given to the holder of the shares of the intention of the bank to sell the same, by mailing the notice, in the post office, post paid, to the last known address of the holder, as shown by the records of the bank, at least thirty days prior to the sale.

Transfer.

3. Upon the sale being made the president, a vice-president or the general manager shall execute a transfer of the shares to the purchaser thereof in the usual transfer book of the bank.

Effect of transfer.

4. Such transfer shall vest in the purchaser all the rights in or to the said shares which were possessed by the holder thereof, with the same obligation of warranty on his part as if he were the vendor thereof, but without any warranty from the bank or by the officer of the bank executing the transfer. 53 V., c. 31, s. 65. Am.

Collateral securities may be sold.

78. The stock, bonds, debentures or securities, acquired and held by the bank as collateral security, may, in case of default in the payment of the debt, for the securing of which they were so acquired and held, be dealt with, sold and conveyed, either in like manner and subject to the same restrictions as are herein provided in respect of stock of the bank on which it has acquired a lien under this Act, or in like manner as and subject to the restrictions under which a private individual might in like circumstances deal with, sell and convey the same: Provided that the bank shall not be obliged to sell within twelve months.

Right of sale may be waived.

2. The right so to deal with and dispose of such stock, bonds, debentures or securities in manner aforesaid may be waived or varied by any agreement between the bank and the owner of the stock, bonds, debentures or securities. 53 V., c. 31, s. 66. Am.

Acquisition of real estate.

79. The bank may acquire and hold real and immovable property for its actual use and occupation and the management of its business, and may sell or dispose of the same,

and acquire other property in its stead for the same purpose.

Return to Minister.

2. The bank shall annually, during the month of January, *transmit or deliver* to the Minister a return showing in detail the fair market value of its real and immovable property held under this section *either in its own name or in the name of a trustee or of a corporation controlled by the bank.*

Particulars.

3. Such return shall state separately each parcel of real property held by the bank and as to each such parcel shall state—

(a) the registered owner thereof, if the bank is not the registered owner;

(b) the amount of any mortgage thereon, and if more than one parcel is subject to the same mortgage, the parcels subject to such mortgage shall be segregated in such return and identified therewith;

(c) the extent (if any) to which each such parcel is not held for the actual use and occupation of the bank;

How signed.

and such return shall be signed by the chief accountant, and by the president, or a vice-president, or the director then acting as president, and by the general manager or other principal officer of the bank next in authority in the management of the affairs of the bank at the time at which the said return is made. 3-4 G. V., c. 9, s. 79. Am.

Mortgages and hypotheques of realty, *and agreements of sale.*

80. The bank may take, hold and dispose of—

(a) mortgages and hypotheques upon real *and* personal, immovable *and* movable property.

(b) the rights of vendors or purchasers under agreements for the sale or purchase of real and personal, immovable and movable property.

by way of additional security for debts contracted to the bank in the course of its business.

As to personalty.

2. The rights, powers and privileges which the bank is by this Act declared to have, or to have had, in respect of real or immovable property mortgaged to it, shall be held and possessed by it in respect of any personal or movable property which is mortgaged or hypothecated to the bank. 53 V., c. 31, s. 68; 3-4 G. V., c. 9, s. 80. Am.

Purchases of realty.

81. The bank may purchase any lands or real or immovable property offered for sale—

(a) under execution, or in insolvency, or under the order or decree of a court, as belonging to any debtor to the bank; or,

(b) by a mortgagee or other encumbrancer, having priority over a mortgage or other encumbrance held by the bank; or,

(c) by the bank under a power of sale given to it for that purpose, notice of such sale by auction to the highest bidder having been first given by advertisement for

four weeks in a newspaper published in the county or electoral district in which such lands or property is situate,

in cases in which, under similar circumstances, an individual could so purchase, without any restriction as to the value of the property which it may so purchase, and may acquire a title thereto as any individual, purchasing at sheriff's sale, or under a power of sale, in like circumstances could do, and may take, have, hold and dispose of the same at pleasure. 53 V., c. 31, s. 69. Am.

Bank may acquire absolute title to mortgaged premises.

82. The bank may acquire and hold an absolute title in or to real or immovable property mortgaged to it as security for a debt due or owing to it, either by the obtaining of a release of the equity of redemption in the mortgaged property, or by procuring a foreclosure, or by other means whereby, as between individuals, an equity of redemption can, by law, be barred, or a transfer of title to real or immovable property can, by law, be effected, and may purchase and acquire any prior mortgage or charge on such property.

No Act or law to prevent.

2. Nothing in any charter, Act or law shall be construed as ever having been intended to prevent or as preventing the bank from acquiring and holding an absolute title to and in any such mortgaged real or immovable property, whatever the value thereof, or from exercising or acting upon any power of sale contained in any mortgage given to or held by the bank, authorizing or enabling it to sell or convey any property so mortgaged. 53 V., c. 31, s. 71; 63-64 V., c. 26, s. 14.

Property to be sold within certain time.

83. No bank shall hold any real or immovable property, howsoever acquired, except such as is required for its own use, for any period exceeding seven years from the date of the acquisition thereof, or any extension of such period as in this section provided, and such property shall be absolutely sold or disposed of, within such period or extended period, as the case may be, so that the bank shall no longer retain any interest therein unless by way of security.

Extension of time.

2. The Treasury Board may direct that the time for the sale or disposal of any such real or immovable property shall be extended for a further period or periods, not to exceed five years.

Twelve years.

3. The whole period during which the bank may so hold such property under the foregoing provisions of this section shall not exceed twelve years from the date of the acquisition thereof.

Property not sold liable to forfeiture.

4. Any real or immovable property, not required by the bank for its own use, held by the bank for a longer period than authorized by the foregoing provisions of this section shall be liable to be forfeited to His Majesty for the use of the Dominion of Canada: Provided that—

Proviso.

(*a*) no such forfeiture shall take effect until the expiration of at least six calendar months after notice in writing to the bank by the Minister of the intention of His Majesty to claim the forfeiture; and,

(*b*) the bank may, notwithstanding such notice, before the forfeiture is effected sell or dispose of the property free from liability to forfeiture.

Provisions apply to realty now held.

5. The provisions of this section shall apply to any real or immovable property heretofore acquired by the bank and held by it at the time of the coming into force of this Act. 63-64 V., c. 26, s. 14.

Loans on standing timber.

84. The bank may lend money upon the security of standing timber *or* the rights or licenses held by persons to cut or remove such timber. 3-4 G.V., c. 9, s. 84, Am.

Loans to receiver or liquidator under Winding-up Acts *and to trustee under Bankruptcy Act.*

84A. The bank may lend money to a receiver, to a receiver and manager, to a liquidator appointed under any Winding-up Act, *or to a trustee under the Bankruptcy Act,* provided such receiver, receiver and manager, liquidator, *or trustee,* has been duly authorized or empowered to borrow; and, in respect of any money so lent, the bank may take security, with or without personal liability, from such receiver, receiver and manager, liquidator *or trustee* to such an amount, and upon such property and assets, as may be directed or authorized by any court of competent jurisdiction. 63-64 V., c. 26, s. 16. Am.; 3-4 G.V., c. 9, s. 84A. Am.

Advances for building ships.

85. Every bank advancing money in aid of the building of any ship or vessel shall have the same right of acquiring and holding security upon such ship or vessel, while building and when completed, either by way of mortgage, hypothèque, hypothecation, privilege or lien thereon, or purchase or transfer thereof, as individuals have in the province wherein the ship or vessel is being built.

Rights and obligations.

2. The bank may, for the purpose of obtaining and enforcing such security, avail itself of all such rights and means, and shall be subject to all such obligations, limitations and conditions, as are, by the law of such province, conferred or imposed upon individuals making such advances. 53 V., c. 31, s. 72.

Warehouse receipts and bills of lading.

86. The bank may acquire and hold any warehouse receipt or bill of lading as collateral security for the payment of any debt incurred in its favour, or as security for any liability incurred by it for any person, in the course of its banking business.

Effect of taking.

2. Any warehouse receipt or bill of lading so acquired shall vest in the bank, from the date of the acquisition thereof,—

(*a*) all the right and title to such warehouse receipt or bill of lading and to the goods covered thereby of the previous holder or owner thereof; or,

(*b*) all the right and title to the goods, wares and merchandise mentioned therein of the person from whom such goods, wares and merchandise were received or acquired by the bank, if the warehouse receipt or bill of lading is made directly in favour of the bank, instead of to the previous holder or owner of such goods, wares and merchandise. 53 V., c. 31, s. 73; 63-64 V., c. 26, s. 15. Am.

When previous holder is an agent.

87. If the previous holder of such warehouse receipt or bill of lading is any person—

(*a*) entrusted with the possession of the goods, wares and merchandise mentioned therein, by or by the authority of the owner thereof; or,

(*b*) to whom such goods, wares and merchandise are, by or by the authority of the owner thereof, consigned; or,

(*c*) who, by or by the authority of the owner of such goods, wares and merchandise, is possessed of any bill of lading, receipt, order or other document covering the same, such as is used in the course of business as proof of the possession or control of goods, wares and merchandise, or as authorizing or purporting to authorize, either by endorsement or by delivery, the possessor of such a document to transfer or receive the goods, wares and merchandise thereby represented;

the bank shall be, upon the acquisition of such warehouse receipt or bill of lading, vested with all the right and title of the owner of such goods, wares and merchandise, subject to the right of the owner to have the same retransferred to him if the debt or liability, as security for which such warehouse receipt or bill of lading is held by the bank, is paid.

Presumption of possession.

2. Any person shall be deemed to be the possessor of such goods, wares and merchandise, bill of lading, receipt, order or other document as aforesaid—

(*a*) who is in actual possession thereof; or,

(*b*) for whom, or subject to whose control such goods, wares and merchandise are, or bill of lading, receipt, order, or other document is held by any other person. 53 V., c. 31, s. 73; 63-64 V., c. 26, s. 15. Am.

Loans to certain wholesale dealers.

88. The bank may lend money to any wholesale purchaser or shipper of or dealer in products of agriculture, the forest, quarry and mine, or the sea, lakes and rivers, or to any wholesale purchaser or shipper of or dealer in live stock or dead stock or the products thereof, upon the security of such products, or of such live stock or dead stock or the products thereof.

Grain.

2. The bank may lend money to a farmer upon the security of his threshed grain grown upon the farm.

Loans to wholesale manufacturers.

3. The bank may lend money to any person engaged in business as a wholesale manufacturer of any goods, wares and merchandise, upon the security of the goods, wares and merchandise manufactured by him, or procured for such manufacture.

Removal of goods.

4. If, with the consent of the bank, the products, goods, wares and merchandise, live stock or dead stock or the products thereof, upon the security of which money has been loaned under the authority of this section, are removed and other products, goods, wares and merchandise, livestock or dead stock or the products thereof of substantially the same character are respectively substituted therefor, then

Substitution.

to the extent of the value of the products, goods, wares and merchandise, or live stock or dead stock or the products thereof so removed, the products, goods, wares and merchandise, live stock or dead stock or the products thereof so substituted shall be covered by such security as if originally covered thereby; but failure to obtain the consent of the bank to any such substitution shall not affect the validity of the security either as respects any products, goods,

Security.

wares and merchandise, or live stock or dead stock or the products thereof actually substituted as aforesaid or in any other particular.

Owner may give the security.

5. Any such security, as mentioned in the foregoing provisions of this section, may be given by the owner of the said products, goods, wares and merchandise, stock or products thereof, or grain.

Form of security.

6. The security may be taken in the form set forth in Schedule C to this Act, or to the like effect.

Same rights as upon warehouse receipts.

7. The bank shall, by virtue of such security, acquire the same rights and powers in respect of the products, goods, wares and merchandise, stock or products thereof, or grain covered thereby as if it had acquired the same by virtue of a warehouse receipt; provided, however, that the wages, salaries or other remuneration of persons employed by any wholesale purchaser, shipper or dealer, by any wholesale manufacturer, or by any farmer in connection with any of the several wholesale businesses referred to, or in connection with the farm, owing in respect of a period not exceeding three months, shall be a charge upon the property covered by the said security in priority to the claim of the bank thereunder, and such wages, salaries or other remuneration shall be paid by the bank if the bank takes possession or in any way disposes of the said security or of the products, goods, wares and merchandise, stock or products thereof, or grain covered thereby.

Loans for purchase of seed grain.

8. The bank may lend money to the owner, tenant or occupier of land for the purchase of seed grain upon the security of any crop to be grown from such seed grain.

Security.

9. The security *taken under subsection eight of this section* may be taken in the form set forth in Schedule D to this Act or in a form to the like effect.

First lien upon seed grain and crop.

10. The bank shall by virtue of such security acquire a first and preferential lien and claim for the sum secured and interest thereon upon the seed grain purchased and the crop covered by the security, as well before as after the severance of the crop from the soil, and upon the grain threshed therefrom, and the bank shall by virtue of such security acquire the same rights and powers in respect of such seed grain and of the grain so threshed as if it had acquired such rights and powers by virtue of a warehouse receipt.

Same rights as upon warehouse receipts.

Right to enter and take possession in case of default, etc.

11. The bank shall have the right, through its servants or agents, in case of default in payment of the money lent or in case of neglect to care for and harvest the crop, or in case of any attempt to dispose of the crop without the consent of the bank, or in case of the seizure of the crop under process of law, to enter upon the land upon which the crop is grown, to take possession of, care for and harvest the crop and thresh the grain therefrom.

Loan for Live Stock Raising.

12. The bank may lend money to a farmer and to any person engaged in stock raising upon the security of his live stock. *The provisions of subsection 4 of this section, making live stock substituted for live stock removed subject to the security, shall apply to the live stock substituted by the farmer or other person engaged in stock raising.* "Live stock" for the purposes of this section means horses and mares, bulls, cows, oxen, bullocks, steers, heifers and calves, sheep and swine and the offspring of any of such animals.

Security.

13. The security taken under subsection twelve of this section may be taken in the form set forth in schedule E to this Act or in a form to the like effect.

Entry, seizure and sale.

14. The bank shall by virtue of the security taken under subsection *twelve* of this section have full power, right and authority, if the bills or notes therein mentioned or described or any of them are not paid according to their tenor, to enter upon the premises upon which the live stock mentioned in the security are, to take possession of or seize such live stock, and before or after such taking possession of or seizure, to sell such live stock, or such part thereof as may be necessary to realize the amount due and payable, at public auction, not less than five days after,—

(a) notice of the time and place of such sale has appeared in a newspaper published in or nearest to the place where the sale is to be made, and,

(b) posting a notice in writing or in print of the time and place of such sale in or at the post office nearest to the place where the sale is to be made.

Disposal of proceeds of sale.

15. After all necessary and reasonable expenses in connection with such seizure and sale have been deducted and prior privileges, liens or pledges existing in favour of third parties and for which claims may have been filed with the party making the sale have been satisfied, the balance of the proceeds of the sale shall be applied in payment of the said bills or notes and the surplus if any returned to the grantor. 53 V., c. 31, s. 74; 63-64 V., c. 26, s. 17. Am.; 3-4 G. V., c. 9, s. 88; 5 G. V., c. 1. Am.; 6-7 G. V., c. 10. Am.

88A. *Any person intending to give a bank security under the authority of section eighty-eight of this Act must give notice of such intention before any loan is made by the bank to such person and the security taken, by signing a document which may be in the form set out in Schedule F to this Act or to the like effect.*

Notice of intention to give security.

To be registered.

Such document shall be registered in the manner hereinafter provided, and, after this section comes into force, any security subsequently taken under the authority of section eighty-eight of this Act, before such document is registered, shall be null and void as against the creditors of such person and as against subsequent purchasers or mortgagees in good faith. A notice of intention when registered shall be deemed to be notice for the purposes of this section in respect of all securities taken by the bank from such person, under said authority, during the period of three years after the date of registration.

Where to be registered.

2. The document mentioned in the last preceding subsection shall be registered in the office of the Assistant Receiver General (hereinafter called the Assistant Receiver) in the province in which the place of business, or principal place of business in case the person has more than one place of business, of the person is situate. If the person has no place of business then the document shall be registered in the office of the Assistant Receiver in the province in which such person resides. "Place of business" and "principal place of business" shall, in the case of a company incorporated in Canda, be deemed to be the place where the head office or chief place of business of the company is situate, or if a foreign corporation, then the place of business of such corporation for the purposes of this section shall be the place at which civil process in the province in which the loan is made can be served upon the company. "Assistant Receiver" in this section includes anyone acting for the Assistant Receiver.

Manner of registration.

3. The Assistant Receiver shall number consecutively every notice received by him and shall endorse thereon the number and the hour and date of receiving it, and shall file the notice and enter, in alphabetical order, in a book to be kept by him, the name of every person who has given notice of such intention, with the number endorsed thereon opposite to each name. The Assistant Receiver shall endorse over his signature on a copy of the document, to be supplied by the

bank, for the records of the bank, the date of registration and number, and the production of the copy with such endorsation and signature shall be conclusive evidence in all courts of the registration and of the time of registration as thereon endorsed.

Cancellation.

4. The notice of intention may be cancelled by the Assistant Receiver in the book containing such registration at the place where the registration is entered on receipt by him from the bank named in the document registered of a certificate duly signed on behalf of the bank to the effect that each and every security given to the bank by the person has been released, or that no security was given to the bank, as the case may be, and such certificate shall bear on the face thereof the number and date endorsed on the original document on file in the office of the Assistant Receiver. The Assistant Receiver shall number consecutively every release received by him and shall endorse thereon the number and the hour and date of its receipt and shall file the release.

Register open to inspection.

5. Every person, upon payment of the proper fees, shall have access to and be entitled to inspect the registration book and any document registered or filed pursuant to this section.

Fees.

6. For services under this Act, the Assistant Receiver shall be entitled to the following fees, for which he shall be accountable to the Consolidated Revenue Fund:—

For registration of each notice and endorsation of copy over signature	*25c.*
For production of registration book for inspection	*25c.*
For production of any notice for inspection	*25c.*
For registration of each certificate of release	*25c.*

Date.

7. This section shall come into force on the first day of August, nineteen hundred and twenty-three.

Goods manufactured from articles pledged.

89. If goods, wares and merchandise are manufactured or produced from the goods, wares and merchandise, or any of them, included in or covered by any warehouse receipt, or included in or covered by any security given under *section 88 of this Act*, while so covered, the bank holding such warehouse receipt or security shall hold or continue to hold such goods, wares and merchandise, during the process and after the completion of such manufacture or production, with the same right and title, and for the same purposes and upon the same conditions, as it held or could have held the original goods, wares and merchandise.

Prior claim of bank over unpaid vendor.

2. All advances made on the security of any bill of lading or warehouse receipt, or of any security given under *section 88 of this Act*, shall give to the bank making the advances a claim for the repayment of the advances on the products or stock, goods, wares and merchandise therein mentioned, or into which they have been converted, prior to and by preference over the claim of any unpaid vendor:

Proviso.

Provided that such preference shall not be given over the claim of any unpaid vendor who had a lien upon the

products or stock, goods, wares and merchandise at the time of the acquisition by the bank of such warehouse receipt, bill of lading, or security, unless the same was acquired without knowledge on the part of the bank of such lien.

Sale of goods on non-payment of debt.

3. In the event of the non-payment at maturity of any debt or liability secured by a warehouse receipt or bill of lading, or secured by any security given under *section 88 of this Act*, the bank may sell the products or stock, goods, wares and merchandise or grain, mentioned therein, or so much thereof as will suffice to pay such debt or liability with interest and expenses, returning the surplus, if any, to the person from whom the warehouse receipt, bill of lading, or security, or the products or stock, goods, wares and merchandise or grain mentioned therein, as the case may be, were acquired: Provided that such power of sale shall be exercised subject to the following provisions namely:—

Proviso.

Notice of sale of saw-logs, railway ties and lumber.

(a) No sale, without the consent in writing of the owner of any products of the forest shall be made under this Act until notice of the time and place of such sale has been given by a registered letter, mailed in the post office, post paid, to the last known address of the pledgor thereof, at least thirty days prior to the sale thereof;

Notice of sale of goods.

(b) No such products or stock, other than products of the forest, and no goods, wares and merchandise, and no grain, shall be sold by the bank under this Act without the consent of the owner, until notice of the time and place of sale has been given by a registered letter, mailed in the post office, post paid, to the last known address of the pledgor thereof, at least ten days prior to the sale thereof;

Sale by auction.

(c) Every sale, under such power of sale, without the consent of the owner, shall be made by public auction, after notice thereof by advertisement, in at least two newspapers published in or nearest to the place where the sale is to be made, stating the time and place thereof; and, if the sale is in the province of Quebec, then at least one of such newspapers shall be a newspaper published in the English language, and one other such newspaper shall be a newspaper published in the French language. 53 V., c. 31, ss. 76, 77 and 78; 63-64 V., c. 26, s. 19. Am.

Conditions under which bank may take security.

90. The bank shall not acquire or hold any warehouse receipt or bill of lading, or any such security as aforesaid, to secure the payment of any bill, note, debt, or liability, unless such bill, note, debt or liability is negotiated or contracted,—

(a) at the time of the acquisition thereof by the bank; or,

(*b*) upon the written promise or agreement that such warehouse receipt or bill of lading or security would be given to the bank:

Proviso.

Provided that such bill, note, debt or liability may be renewed, or the time for the payment thereof extended, without affecting any such security.

2. The bank may—

Exchanging of warehouse receipt for bill of lading and *vice versa*.

(*a*) on the shipment of any products or stock, goods, wares and merchandise, or grain, for which it holds a warehouse receipt, or any such security as aforesaid, surrender such receipt or security and receive a bill of lading in exchange therefor; or,

(*b*) on the receipt of any products or stock, goods, wares and merchandise, or grain, for which it holds a bill of lading, or any such security as aforesaid, surrender such bill of lading or security, store the products or stock, goods, wares and merchandise, or grain, and take a warehouse receipt therefor, or ship the products or stock, goods, wares and merchandise, or grain, or part of them, and take another bill of lading therefor. 53 V., c. 31, s. 75; 63-64 V., c. 26, s. 18.

Interest at 7 per cent may be charged.

91. The bank may stipulate for, take, reserve or exact any rate of interest or discount not exceeding seven per cent per annum and may receive and take in advance any such rate, but no higher rate of interest shall be recoverable by the bank.

Return to Minister.

2. The bank shall make a quarterly return to the Minister, as of the last juridical day of the months of March, June, September and December in each year, giving such particulars as may be prescribed by regulations made by the Treasury Board of the interest and discount rates charged by the bank.

Signature to returns.

3. Such returns shall be made up and sent in within the first thirty days after the respective juridical days aforesaid, and shall be signed by the same persons as are required to sign the monthly returns made to the Minister under section 112 of this Act. 53 V., c. 31, s. 80. Am.

Any rate may be allowed.

92. The bank may allow any rate of interest whatever upon money deposited with it.

Liability of bank on deposits.

2. The liability of the bank, under any law, custom or agreement to repay moneys heretofore or hereafter deposited with it and interest, if any, shall continue, notwithstanding any statute of limitations, or any enactment or law relating to prescription. 53 V., c. 31, s. 90; R.S., c. 29, s. 126.

Percentage chargeable for collection.

93. When any note, bill, or other negotiable security or paper, payable at any of the bank's places or seats of business, branches, agencies or offices of discount and deposit in Canada, is discounted at any other of the bank's

places or seats of business, branches, agencies or offices of discount and deposit, the bank may, in order to defray the expenses attending the collection thereof, receive or retain in addition to the discount thereon, a percentage calculated upon the amount of such note, bill, or other negotiable security or paper, not exceeding one-eighth of one per cent; provided that the bank may make a minimum charge of fifteen cents. 53 V., c. 31, s. 82.

Agency charges.

94. The bank may, in discounting any note, bill or other negotiable security or paper, *bona fide* payable at any place in Canada, other than that at which it is discounted, and other than one of its own places or seats of business, branches, agencies or offices of discount and deposit in Canada, receive and retain, in addition to the discount thereon, a sum not exceeding one-fourth of one per cent on the amount thereof; provided that the bank may make a minimum charge of twenty-five cents. 53 V., c. 31, s. 83.

Deposits may be received from persons unable to contract.

95. The bank may, subject to the provisions of this section, without the authority, aid, assistance or intervention of any other person or official being required,—

(a) receive deposits from any person whomsoever, whatever his age, status or condition in life, and whether such person is qualified by law to enter into ordinary contracts or not; and,

(b) from time to time repay any or all of the principal thereof, and pay the whole or any part of the interest thereon to such person, unless before such repayment the money so deposited in the bank is lawfully claimed as the property of some other person.

Payments by consent.

2. In the case of any such lawful claim the money so deposited may be paid to the depositor with the consent of the claimant, or to the claimant with the consent of the depositor.

Deposit limited to *$2,000.*

3. If the person making any such deposit could not, under the law of the province where the deposit is made, deposit and withdraw money in and from a bank without this section, the total amount to be received from such person on deposit shall not, at any time, exceed the sum of *two thousand* dollars. 53 V., c. 31, s. 84; 53 V., c. 31, s. 80. Am.; 3-4 G. V., c. 9, s. 95 Am.

Bank not bound to see to trust in deposits.

96. The bank shall not be bound to see to the execution of any trust, whether expressed, implied or constructive, to which any deposit made under the authority of this Act is subject.

Receipt of one of two joint depositors sufficient.

2. Except only in the case of a lawful claim, by some other person, before repayment the receipt of the person in whose name any such deposit stands, or, if it stands in the names of two persons, the receipt of one, or, if it stands in

Or of a majority.

the names of more than two persons, the receipt of a majority of such persons, shall, notwithstanding any trust to which such deposit is then subject, and whether or not the bank sought to be charged with such trust, and with which the deposit has been made, had notice thereof, be a sufficient discharge to all concerned for the payment of any money payable in respect of such deposit.

Application.

3. The bank shall not be bound to see to the application of the money paid upon such receipt.

Garnishee order affects only branch where served.

4. *An attaching or garnishee order shall only affect and bind moneys to the credit of the debtor at the branch, agency or office of the bank where such order or notice thereof is served. 53 V., c. 31, s. 84; 3-4 G. V, c. 9, s. 96. Am.*

If depositor dies, claim not exceeding $500, how proved.

97. If a person dies, having a deposit with the bank not exceeding the sum of five hundred dollars, the production to the bank of—

(a) any authenticated copy of the probate of the will of the deceased depositor, or of letters of administration of his estate, or of letters of verification of heirship, or of the act of curatorship or tutorship, granted by any court in Canada having power to grant the same, or by any court or authority in England, Wales, Ireland or any British colony, or of any testament, testamentary or testament dative expede in Scotland; or,

(b) an authentic notarial copy of the will of the deceased depositor, if such will is in notarial form, according to the law of the province of Quebec; or,

(c) if the deceased depositor died out of His Majesty's dominions, any authenticated copy of the probate of his will, or letters of administration of his property, or other document of like import, granted by any court or authority having the requisite power on such matters;

shall be sufficient justification and authority to the directors for paying such deposit, in pursuance of and in conformity to such probate, letters of administration, or other documents as aforesaid.

Deposit of copy of document.

2. When the authenticated copy or other document of like import is produced to the bank under subsection 1 of this section, there shall be deposited with the bank a true copy thereof. 63-64 V., c. 26, s. 20.

DOMINION GOVERNMENT CHEQUES.

Dominion government cheques to be paid at par.

98. The bank shall not charge any discount or commission for the cashing of any official cheque of the Government of Canada or of any department thereof, whether drawn on the bank cashing the cheque or on any other bank, *nor upon any cheque drawn in favor of the Government of Canada or any department thereof, and tendered for deposit*

to the credit of the Receiver General of Canada. 53 V., c. 31, s. 103; 3-4 G. V., c. 9, s. 98. Am.

PURCHASE OF THE ASSETS OF A BANK.

Bank may sell assets to another bank.

99. Any bank may sell the whole or any portion of its assets to any other bank which may purchase such assets; and the selling and purchasing banks may, for such purposes, enter into an agreement of sale and purchase, which agreement shall contain all the terms and conditions connected with the sale and purchase of such assets.

Consent of Minister.

2. No agreement by a bank to sell the whole or any portion of its assets to another bank shall be made unless and until the Minister, in writing, consents that an agreement under subsection 1 of this section may be entered into between the two banks. 63-64 V., c. 26, s. 33. Am.

Consideration.

100. The consideration for any such sale and purchase may be as agreed upon between the selling and purchasing banks.

If in shares of capital stock.

2. If the consideration, or any portion thereof, is shares of the capital stock of the purchasing bank, the agreement shall provide for the amount of the shares of the purchasing bank to be paid to the selling bank.

Not considered issued until sold or distributed.

3. Until such shares so paid to the selling bank have been sold by such bank, or have been distributed among and accepted by the shareholders of such bank, they shall not be considered issued shares of the purchasing bank for the purposes of its note circulation. 63-64 V., c. 26, s. 34.

Agreement of sale to be submitted to selling shareholders at meeting.

101. The agreement of sale and purchase shall be submitted to the shareholders of the selling bank, either at the annual general meeting of such bank or at a special general meeting thereof called for the purpose.

Copy to each shareholder by mail.

2. A copy of the agreement shall be mailed, post paid, to each shareholder of such bank to his last known address, at least four weeks previously to the date of the meeting at which the agreement is to be submitted, together with a notice of the time and place of the holding of such meeting. 63-64 V., c. 26, s. 35.

Agreement may be executed f they approve.

102. If at such meeting the agreement is approved by resolution carried by the votes of shareholders, present or represented by proxy, representing not less than two-thirds of the amount of the subscribed capital stock of the bank, the agreement may be executed under the seals of the banks, parties thereto, and application may be made to the Governor in Council, through the Minister, for approval thereof.

Approval of Governor in Council.

2. Until the agreement is approved by the Governor in Council it shall not be of any force or effect. 63-64 V., c. 26, s. 36.

Approval of shareholders of purchasing bank.

103. If the agreement provides for the payment of the consideration for such sale and purchase, in whole or in part, in shares of the capital stock of the purchasing bank, and for such purpose it is necessary to increase the capital stock of such bank, the agreement shall not be executed on behalf of the purchasing bank, unless nor until it is approved by the shareholders thereof at the annual general meeting, or at a special general meeting of such shareholders. 63-64 V., c. 26, s. 37.

Necessary increase of stock may be approved.

104. The Governor in Council may, on the application for his approval of the agreement, approve of the increase of the capital stock of the purchasing bank, which is necessary to provide for the payment of the shares of such bank to the selling bank, as provided in the said agreement. 63-64 V., c. 26, s. 38.

Ordinary provisions for increase not to apply.

105. The provisions of this Act with regard to—

(a) the increase of the capital stock of the bank by by-law of the shareholders approved by the Treasury Board; and,

(b) the allotment and sale of such increased stock;

shall not apply to any increase of stock made or provided for under the authority of the last two preceding sections. 63-64 V., c. 26, s. 38.

Conditions on which Governor in Council may approve agreement.

106. The approval of the Governor in Council shall not be given to the agreement, unless—

(a) the consent of the Minister as prescribed by subsection 2 of section 99 of this Act has been given;

(b) the approval of the agreement is recommended by the Treasury Board;

(c) the application for approval thereof is made, by or on behalf of the bank executing it, within three months from the date of execution of the agreement; and,

(d) it appears to the satisfaction of the Governor in Council that all the requirements of this Act in connection with the approval of the agreement by the shareholders of the selling and purchasing banks have been complied with, and that, after the approval by the shareholders of the selling bank, notice of the intention of the banks to apply to the Governor in Council for the approval of the agreement has been published for at least four weeks in *The Canada Gazette*, and in one or more newspapers published in places where the chief offices of the banks are situate.

Information.

2. Such banks shall afford all information that the Minister requires.

Approval may be refused.

3. Nothing herein contained shall be construed to prevent the Governor in Council or the Treasury Board from

refusing to approve of the agreement or to recommend its approval. 63-64 V., c. 26, s. 39. Am.

Further conditions.

107. The agreement shall not be approved of unless it appears that—

(a) proper provisions have been made for the payment of the liabilities of the selling bank;

(b) the agreement provides for the assumption and payment by the purchasing bank of the notes of the selling bank issued and intended for circulation, outstanding and in circulation; and,

(c) the amounts of the notes of both the purchasing and selling banks, issued for circulation, outstanding and in circulation, as shown by the then last monthly returns of the banks, do not together exceed the then paid-up capital of the purchasing bank and the amount (if any) held for both of the said banks in the central gold reserves referred to in section 61 of this Act; or if the amount of such notes does exceed such paid-up capital and the amount so held, an amount in cash, equal to the excess of such notes over such paid-up capital and the amount so held, has been deposited by the purchasing bank with the Minister.

Deposit.

2. The amount so deposited under paragraph *(c)* of subsection 1 of this section shall be held by the Minister as security for the redemption of the said excess of notes; and when the amount of the notes of the two banks outstanding and in circulation is less than the aggregate of the paid-up capital of the purchasing bank, the amount aforesaid (if any) held in the central gold reserves, together with the amount so deposited, the difference shall, from time to time, be repaid by the Minister out of the deposit, to the extent thereof, to the purchasing bank, but without interest, on the application of such bank, and on the production of such evidence as the Minister may require to show the amount of the notes of the two banks then outstanding and in circulation. 63-64 V., c. 27, s. 1. Am.

Notes of selling bank to become notes of purchasing bank.

108. The notes of the selling bank so assumed and to be paid by the purchasing bank shall, on the approval of the agreement, be deemed to be, for all intents and purposes, notes of the purchasing bank issued for circulation; and the purchasing bank shall be liable in the same manner and to the same extent as if it had issued them for circulation.

Circulation Fund.

2. The amount at the credit of the selling bank in the Circulation Fund shall, on the approval of the agreement, be transferred to the credit of the purchasing bank.

As to withdrawal of deposit in central gold reserves.

3. The trustees shall not permit any part of the deposit (if any) of the selling bank in the central gold reserves to be withdrawn under the provisions of this Act after the last juridical day of the month in which notice of intention to

apply to the Governor in Council for approval of the agreement has been given and pending such approval, unless and until the trustees are notified in writing by the Minister of his consent thereto; and on the approval of the agreement the trustees shall hold the deposit (if any) for and as if such deposit had been originally made by the purchasing bank.

Notes to be called in.

4. The notes of the selling bank shall not be re-issued, but shall be called in, redeemed and cancelled as quickly as possible. 63-64 V., c. 26, s. 41.

Evidence of approval by Governor in Council.

109. The approval by the Governor in Council of the agreement shall be evidenced by a certified copy of the order in council approving thereof.

Order in council conclusive.

2. A copy of such order in council or extract thereof, and a copy of such agreement, purporting to be certified to be true by the clerk or assistant or acting clerk of the King's Privy Council for Canada shall, in all courts of justice and for all purposes, be *prima facie* evidence of the said agreement, and of its due execution, and of its approval by the Governor in Council, and of the regularity of all proceedings in connection therewith. 63-64 V., c. 26, s. 42. Am.

On approval of Governor in Council the assets pass.

110. On the agreement being approved of by the Governor in Council, the assets therein referred to as sold and purchased shall, in accordance with and subject to the terms thereof, and without any further conveyance, become vested in the purchasing bank.

Further assurance.

2. The selling bank shall, from time to time, subject to the terms of the agreement, execute such formal and separate conveyances, assignments and assurances, for registration purposes or otherwise, as are reasonably required to confirm or evidence the vesting in the purchasing bank of the full title or ownership of the assets referred to in the agreement. 63-64 V., c. 26, s. 43.

Selling bank to cease business and be wound up.

111. As soon as the agreement is approved of by the Governor in Council, the selling bank shall cease to issue or re-issue notes for circulation, and shall cease to transact any business, except such as is necessary to enable it to carry out the agreement, to realize upon any assets not included in the agreement, to pay and discharge its liabilities, and generally to wind up its business; and the charter or Act of incorporation of such bank, and any Acts in amendment thereof then in force, shall continue in force only for the purposes in this section specified. 63-64 V., c. 26, s. 44.

RETURNS.

Monthly returns.

112. *The bank shall, within the first twenty-eight days of each month, transmit or deliver to the Minister a return in the form set forth in Schedule G to this Act.*

What return shall show.

2. *Such return shall exhibit the condition of the bank on the last juridical day of the month last preceding.*

When return last received may be used.

3. Notwithstanding anything in this section, whenever, in the usual course of the post, the return of a branch or agency for the last juridical day of the month, mailed at the branch or agency on or before the second day of the following month, does not reach—

(a) the chief office of the bank on or before the eighteenth day of the month; or,

(b) the office of the general manager, if the office of the general manager is at a place other than the chief office of the bank, on or before the fifteenth day of the month,

the return last received from any such branch, exhibiting as far as that branch is concerned the condition of the bank at the date for which it purports to be made, may be used in the *preparation* of the monthly return called for by this section.

Special returns.

4. The Minister may also call for special returns from any bank, whenever, in his judgment, they are necessary to afford a full and complete knowledge of its condition.

Within 30 days from demand.

5. *The bank shall transmit or deliver such* special returns within thirty days from the date of the demand therefor by the Minister: Provided that the Minister may extend the time *therefor* for such further period, not exceeding thirty days, as he thinks expedient. 3-4 G. V., c. 9, s. 112 and 113.

Return accompanied by declaration.

113. *Every return provided for or required under the last preceding section shall be accompanied by declarations which shall be a part of the return, and the declarations shall be in the form set forth in Schedule G to this Act, and* shall be signed by the chief accountant or by the acting chief accountant, and by the president, or a vice president, or the director then acting as president, and by the general manager or other principal officer of the bank next in authority in the management of the affairs of the bank at the time at which the declaration is signed, *and such return shall be deemed to have been prepared, approved and concurred in by the persons severally who have so signed the same.*

How signed.

Names of directors, president and vice-president sent to Minister.

2. As soon as may be after the annual general meeting there shall be sent to the Minister the names of the directors elected thereat and the names of the president and vice-presidents, and should any vacancy occur in the membership of the board of directors, or in the office of president, or vice-president, the Minister shall forthwith be notified of the name of the person by whom the vacancy has been filled.

Vacancy.

Notice to Minister of change of officers.

3. If any change is made in the holder of the office of chief accountant or of general manager, the Minister shall forthwith be notified of the name of the person by whom the vacancy has been filled.

Return to show true position.

4. Notwithstanding anything in the last preceding section contained it shall not, except as to the chief accountant or acting chief accountant of the bank, be sufficient for the purposes of any return provided for or required under the said section that such return agrees with the books of the bank, but the return shall set forth the true financial position of the bank on the last juridical day of the month last preceding the date of the return according to the latest information possessed by or reasonably available to the officers or any of them who sign the return; and without restricting the generality of this subsection the president, vice-president, or director acting as president, and the general manager or other principal officer of the bank who have severally signed any such return shall be deemed so to have ascertained the true financial position of the bank on the last day of the month last preceding the day of the declaration of any dividend.

Current loans not to include.

5. For the purposes of any return provided for or required under the last preceding section, or for the purposes of any statement or balance sheet prepared and issued by a bank, there shall not be included amongst "current loans", any loan in respect of which,—

(a) the borrower has not for a period of twelve months preceding the date of such return, statement or balance sheet, paid the interest thereon at the rate agreed, in cash, unassisted by the bank;

(b) the bank has taken possession of the property or any part of the property covered by any security given by the borrower with the intention of realizing thereon, or has realized or taken any step or proceeding for the purpose of realizing upon any security given by the borrower;

(c) the bank has commenced an action at law to recover from the borrower the amount of the loan or any part thereof;

(d) the borrower has made an abandonment of his estate for the benefit of his creditors or any of them; or,

(e) there is other cause, sufficient in the opinion of the manager of the branch of the bank where such loan is domiciled, or in the opinion of any director or officer of the bank who prepares, signs, approves or concurs in such return, statement or balance sheet, for deeming such loan not to be a current loan.

Controlled corporations.

6. Whenever a bank carries on any part of its operations in the name of a corporation controlled by such bank, then the assets and the liabilities of such corporation shall for the purposes of any return required under the last preceding section, or for the purposes of any statement prepared and issued by the bank, be deemed to be assets and liabilities of the bank, and whenever the capital stock of such corporation is not wholly owned by the bank, the shares not owned by the bank shall for the purposes only of such return or statement be included therein as a liability of the bank.

Amounts written off bank premises.

7. Whenever a bank has appropriated, out of its profits for any period, with the consent and approval of its shareholders had and obtained at any annual or special general

meeting, any sum for the writing down of its bank premises or other assets, no portion of such sum so appropriated shall be again taken into account for the purposes of any return required under the last preceding section, or for the purposes of any statement prepared and issued by the bank, without the consent and approval of its shareholders, in like manner first had and obtained.

Appropriations for losses.

8. For the purposes of any return provided for or required under the last preceding section, the "Appropriation Account" shall be the total amount estimated or ascertained to be necessary to provide for losses, due to any cause whatsoever, according to the latest information which can be made available therefor. 3-4 G. V., c. 9, s. 112. Am.

Annual returns of unpaid dividends and balances.

114. The bank shall, within *thirty* days after the close of each calendar year, transmit or deliver to the Minister a return—

(a) of all dividends which have remained unpaid for more than five years; and,

(b) of all amounts or balances in respect of which no transactions have taken place, or upon which no interest has been paid, during the five years prior to the date of such return:

Provided that, in the case of moneys deposited for a fixed period, the said term of five years shall be reckoned from the date of the termination of such fixed period.

What return shall show.

2. The return mentioned in the last preceding subsection shall set forth—

(a) the name of each shareholder or creditor to whom such dividends, amounts or balances are, according to the books of the bank, payable;

(b) the last known address of each such shareholder or creditor;

(c) the amount due to each such shareholder or creditor;

(d) the branch or agency of the bank at which the last transaction took place;

(e) the date of such last transaction; and,

(f) if such shareholder or creditor is known to the bank to be dead, the names and addresses of his legal representatives, so far as known to the bank.

Further annual return.

3. The bank shall likewise, within *thirty* days after the close of each calendar year, transmit or deliver to the Minister a return of all certified cheques, drafts or bills of exchange, issued by the bank to any person, and remaining unpaid for more than five years prior to the date of such return, setting forth so far as known,—

Particulars.

(a) the names of the persons to whom, or at whose request, such drafts, certified cheques, or bills of exchange were issued;

(b) the addresses of such persons;

(c) the names of the payees of such drafts or bills of exchange;

(d) the amounts and dates of such certified cheques, drafts or bills of exchange;

(e) the names of the places where such certified cheques, drafts or bills of exchange were payable; and,

(f) the branches or agencies of the bank respectively from which such drafts, certified cheques, or bills of exchange were issued.

Amounts under five dollars.

4. If a dividend, amount or balance, certified cheque, draft, or bill of exchange is for a less sum than five dollars, and returns in respect thereof have been made under the preceding provisions of this section for five consecutive years, the bank may hereafter omit from the respective returns particulars required by the said provisions with regard to any such dividend, amount or balance, certified cheque, draft or bill of exchange.

Declarations and signatures.

5. The returns required by the foregoing provisions of this section shall be accompanied by declarations which shall be a part of the return, and the declarations shall be in the form set forth in Schedule *I* to this Act, and shall be signed by the chief accountant, and by the president or a vice-president or the director then acting as president, and by the general manager or other principal officer of the bank next in authority in the management of the affairs of the bank at the time at which the declaration is signed.

Notice that dividend draft or cheque remains unpaid.

6. The bank shall transmit by registered post to the person to whom any such dividend, amount or balance is payable, and to the person to whom (in so far as known to the bank) and to the person at whose request any such draft, certified cheque or bill of exchange was issued, to the last known post office address of each person as shown by the books of the bank, a notice in writing stating that such dividend remains unpaid, or that in respect of such amount or balance no transaction has taken place or no interest has been paid, or that such draft, certified cheque or bill remains unpaid, as the case may be.

When notice to be given.

7. The notice called for by the next preceding subsection is required to be given once only, namely, during the month of January next after the end of the first five year period in respect of which—

(a) the dividend has remained unpaid; or,

(b) no transaction has taken place or no interest has been paid in connection with such amount or balance; or,

(c) the draft, certified cheque or bill has remained unpaid.

Certified annual list of shareholders transmitted to Minister.

8. The bank shall, within *thirty* days after the close of each calendar year, transmit or deliver to the Minister a list, certified by the general manager or other principal officer of the bank next in authority in the management of

the affairs of the bank at the time at which the list is certified, and by the officer of the bank in charge of the register of shareholders, to be a correct list and in accordance with the books of the bank with regard thereto; and the list shall show—

(a) the names of the shareholders of the bank on the last day of such calendar year, with their last known post office addresses and descriptions;

(b) the number of shares then held by them respectively; and,

(c) the amount paid thereon.

Laid before Parliament.

9. The Minister shall lay such returns and lists before Parliament at the next session thereof. 53 V., c. 31, ss. 87 and 88; 63-64 V., 26, s. 21. Am.; 3-4 G. V., c. 9, s. 114. Am.

PAYMENTS TO THE MINISTER UPON WINDING UP.

Unclaimed moneys paid to Minister on winding up of bank.

115. If, in the event of the winding-up of the business of the bank in insolvency, or under any general winding-up Act, or otherwise, any moneys payable by the liquidator, either to shareholders or depositors, remain unclaimed,—

(a) for the period of three years from the date of suspension of payment by the bank; or,

(b) for a like period from the commencement of the winding-up of such business; or,

(c) until the final winding-up of such business, if the business is finally wound up before the expiration of the said three years;

With interest.

such moneys and all interest thereon shall, notwithstanding any statute of limitations or other Act relating to prescription, be paid to the Minister, to be held by him subject to all rightful claims on behalf of any person other than the bank.

Governor in Council may order payment to person entitled.

2. If a claim to any moneys so paid is thereafter established to the satisfaction of the Treasury Board, the Governor in Council shall, on the report of the Treasury Board, direct payment thereof to be made to the person entitled thereto, together with interest on the principal sum thereof,

Interest.

at the rate of three per cent per annum for a period not exceeding six years from the date of payment thereof to the Minister as aforesaid: Provided that no such interest shall be paid or payable on such principal sum unless interest thereon was payable by the bank paying the same to the Minister.

Bank discharged.

3. Upon payment to the Minister as herein provided, the bank and its assets shall be held to be discharged from further liability for the amounts so paid. 53 V., c. 31, s. 88.

116. Upon the winding-up of a bank in insolvency or under any general winding-up Act, or otherwise, the assig-

Circulation outstanding at distribution of assets.

nees, liquidators, directors, or other officials in charge of such winding-up shall, before the final distribution of the assets, or within three years from the commencement of the suspension of payment by the bank, whichever shall first happen, pay over to the Minister a sum, out of the assets of the bank, equal to the difference between the amount then outstanding of the notes intended for circulation issued by the bank, together with any interest on such outstanding notes which may have accrued under section 65 of this Act, and the aggregate of the amount at the credit of the bank in the Circulation Fund and the amount (if any) paid to the Minister by the trustees under section 61 of this Act.

Bank relieved.

2. Upon such payment being made, the bank and its assets shall be relieved from all further liability in respect of such outstanding notes.

Minister to redeem.

3. The sum so paid shall be held by the Minister and applied for the purpose of redeeming, whenever presented, such outstanding notes, without interest, except such as may have been paid over under this section. 53 V., c. 31, s. 88. Am.

CURATOR.

Association to appoint curator.

117. The Association shall, if a bank suspends payment in specie or Dominion notes of any of its liabilities as they accrue, forthwith appoint a curator to supervise the affairs of such bank.

Removal.

2. The Association may at any time remove the curator, and may appoint another person to act in his stead. 63-64 V., c. 26, s. 24.

Appointment by Association.

118. The appointment of the curator shall be made in the manner provided for in the by-law of the Association made in that behalf as hereinafter provided.

If no by-law.

2. If there is no such by-law the appointment shall be made in writing by the president of the Association, or by the person acting as president. 63-64 V., c. 26, s. 25.

Powers and duties of curator.

119. The curator shall assume supervision of the affairs of the bank, and of all necessary arrangements for the payment of the notes of the bank issued for circulation, and, at the time of his appointment, outstanding and in circulation.

Generally.

2. The curator shall generally have all powers and shall take all steps and do all things necessary or expedient to protect the rights and interests of the creditors and shareholders of the bank, and to conserve and ensure the proper disposition, according to law, of the assets of the bank; and, for the purposes of this section, he shall have free and full access to all books, accounts, documents and papers of the bank.

Supervision.

3. The curator shall continue to supervise the affairs of the bank until he is removed from office, or until the bank resumes business, or until a liquidator is duly appointed to wind up the business of the bank. 63-64 V., c. 26, s. 26.

Officers and clerks to assist curator.

120. The president, vice-president, directors, general manager, managers, clerks and officers of the bank shall give and afford to the curator all such information and assistance as he requires in the discharge of his duties. 63-64 V., c. 26, s. 27.

No act of directors valid unless approved by curator.

121. No by-law, regulation, resolution or act, touching the affairs or management of the bank, passed, made or done by the directors during the time the curator is in charge of the bank, shall be of any force or effect until approved in writing by the curator. 63-64 V., c. 26, s. 27.

Curator to make returns as required by Minister.

122. The curator shall make all returns and reports, and shall give all information to the Minister, touching the affairs of the bank, that the Minister requires of him. 63-64 V., c. 26, s. 28.

Remuneration of curator.

123. The remuneration of the curator for his services, and his expenses and disbursements in connection with the discharge of his duties, shall be fixed and determined by a judge of a superior court in the province where the chief office of the bank is situate, and shall be paid out of the assets of the bank, and, in case of the winding-up of the bank, shall rank on the estate equally with the remuneration of the liquidator. 63-64 V., c. 26, s. 29.

BY-LAWS OF THE CANADIAN BANKERS' ASSOCIATION.

By-laws.

124. The Association may, at any meeting thereof, with the approval of two-thirds in number of the banks represented at such meeting, if the banks so approving have at least two-thirds in par value of the paid up-capital of the banks so represented, make by-laws, rules and regulations respecting—

As to what subjects.

(a) all matters relating to the appointment or removal of the curator, and his powers and duties;

(b) the supervision of the making of the notes of the banks which are intended for circulation, and the delivery thereof to the banks;

(c) the inspection of the disposition made by the banks of such notes;

(d) the destruction of notes of the banks;

(e) the custody and management of the central gold reserves and the carrying out of the provisions of this Act relating to such reserves; and,

(f) the imposition of penalties for the breach or non-observance of any by-law, rule or regulation made by virtue of this section.

Approval by Treasury Board.

2. No such by-law, rule or regulation, and no amendment or repeal thereof, shall be of any force or effect until approved by the Treasury Board.

Notice to other banks

3. Before any such by-law, rule or regulation, or any amendment or repeal thereof is so approved, the Treasury Board shall submit it to every bank which is not a member of the Association, and give to each such bank an opportunity of being heard before the Treasury Board with respect thereto.

Enforcement of by-laws.

4. The Association shall have all powers necessary to carry out, or to enforce the carrying out, of any by-law, rule or regulation, or any amendment thereof, so approved by the Treasury Board. 63-64 V., c. 26, ss. 30 and 31.

INSOLVENCY.

Double liability of shareholders.

125. In the event of the property and assets of the bank being insufficient to pay its debts and liabilities, each shareholder of the bank shall be liable for the deficiency, to an amount equal to the par value of the shares held by him, in addition to any amount not paid up on such shares.

"Shareholder" defined.

2. "Shareholder," within the meaning of this section, shall include an undisclosed principal and, to the extent of his interest, a *cestui que trust*, on whose behalf or for whose benefit shares in the capital stock of the bank are held. 53 V., c. 31, s. 89.

Suspension for 90 days to constitute insolvency.

126. Any suspension by the bank of payment of any of its liabilities as they accrue, in specie or Dominion notes, shall, if it continues for ninety days consecutively, or at intervals within twelve consecutive months, constitute the bank insolvent, and work a forfeiture of its charter or Act of incorporation, so far as regards all further banking operations. 53 V., c. 31, s. 91.

Charter to remain in force for calls and winding up.

127. The charter or Act of incorporation of the bank shall, in the case mentioned in the next preceding section, remain in force only for the purpose of enabling the directors, or other lawful authority, to make and enforce the calls mentioned in the next following section of this Act, and to wind up the business of the bank. 53 V., c. 31, s. 91. Am.

If no proceedings within 3 months thereafter, directors to make calls.

128. If any suspension of payment in full, in specie or Dominion notes, of all or any of the notes or other liabilities of the bank, continues for three months after the expiration of the time which, under the two last preceding sections would constitute the bank insolvent, and if no proceedings

are taken under any Act for the winding-up of the bank, the directors shall make calls on the shareholders thereof, to the amount they deem necessary to pay all the debts and liabilities of the bank not exceeding the limit of liability of the shareholders hereinbefore specified, without waiting for the collection of any debts due to the bank or the sale of any of its assets or property.

Intervals. 2. Such calls shall be payable at intervals of thirty days.

Notice. 3. Notice of such calls shall be given to the shareholders.

Number. 4. Any number of such calls may be made by one resolution.

Amount. 5. No such call shall exceed twenty per cent on each share.

Payment. 6. Payment of such calls may be enforced in like manner as payment of calls on unpaid stock may be enforced.

First call. 7. The first of such calls may be made within ten days after the expiration of the said three months.

Procedure. 8. In the event of proceedings being taken, under any Act, for the winding-up of the bank in consequence of the insolvency of the bank, the said calls shall be made in the manner prescribed for the making of such calls in such Act.

Forfeiture for non-payment. 9. Any failure on the part of any shareholder liable to any such call to pay the same when due, shall work a forfeiture by such shareholder of all claim in or to any part of the assets of

Proviso. the bank: Provided that such call, and any further call thereafter, shall nevertheless be recoverable from him as if no such forfeiture had been incurred. 53 V., c. 31, ss. 92, 93 and 94. Am.

Liability of directors not diminished. **129.** Nothing in the four sections last preceding shall be construed to alter or diminish the additional liabilities of the directors as herein mentioned and declared. 53 V., c. 31, s. 95.

Liability of shareholders who have transferred their stock. **130.** *(a)* Persons who, having been shareholders of the bank, have only transferred their shares, or any of them, to others, as hereinbefore provided, within sixty days before the commencement of the suspension of payment by the bank; and,

Or whose subscriptions have been cancelled. *(b)* Persons whose subscriptions to the stock of the bank have been forfeited, in manner hereinbefore provided, within the said period of sixty days before the commencement of the suspension of payment by the bank; shall be liable to all calls on the shares held or subscribed for by them, as if they held such shares at the time of such suspension of payment, saving their recourse against those by whom such shares were then actually held. 53 V. c. 31, s. 96.

Order of charges. **131.** In the case of the insolvency of any bank,—

Notes. *(a)* the payment of the notes issued or re-issued by such bank, intended for circulation, and then in circulation,

together with any interest paid or payable thereon as hereinbefore provided, shall be the first charge upon the assets of the bank;

Dominion Government.

(b) the payment of any amount due to the Government of Canada, in trust or otherwise, shall be the second charge upon such assets;

Provincial governments.

(c) the payment of any amount due to the government of any of the provinces, in trust or otherwise, shall be the third charge upon such assets; and,

Penalties.

(d) the amount of any penalties for which the bank is liable shall not form a charge upon the assets of the bank, until all other liabilities are paid. 53 V., c. 31, s. 53.

OFFENCES AND PENALTIES.

Payments of Incorporation and Organization expenses.

Offences.

131A. If prior to the time at which the certificate permitting the bank to issue notes and commence the business of banking has been obtained from the Treasury Board, any provisional director or director authorizes or is a party to the payment of, or receives, out of moneys paid in by subscribers or interest thereon, any sum for commission, salary or charges for services in connection with or arising out of the incorporation or organization of the bank, it shall be an offence against this Act.

Payments of expenses prior to obtaining Treasury Board certificate.

After certificate obtained.

2. If after the certificate has been obtained from the Treasury Board, any director authorizes payment of, or any general manager or other officer of the bank pays or causes to be paid any money for or on account of the incorporation or organization expenses of the bank, except and unless the sum so paid is mentioned or included in the statement submitted to the Treasury Board at the time at which the application is made under this Act to the Board for a certificate permitting the bank to issue notes and commence the business of banking, it shall be an offence against this Act.

When no certificate obtained.

3. If no certificate from the Treasury Board has been obtained within the time limited by this Act, it shall be an offence against this Act for any provisional director or director to authorize or be a party to the payment of, or to receive, out of moneys paid in by subscribers, any sum for commission, salary or charges for services in connection with or arising out of the incorporation or organization of the bank, unless provision has been made pursuant to section 16 of this Act for payment. 3-4 G. V., c. 9, s. 131A.

Penalty for bank officers obtaining gifts or showing favour.

131B. Every one is guilty of an offence and liable, upon conviction on indictment, to two years' imprisonment or to a fine not exceeding two thousand five hundred dollars,

or to both, and, upon summary conviction, to imprisonment for six months, with or without hard labour, or to a fine not exceeding one hundred dollars, or both, who—

(a) being a director, general manager, manager, or other executive officer of a bank, corruptly accepts or obtains, or agrees to accept or attempts to obtain, from any person for himself or for any other person, any gift or consideration as an inducement or reward for doing or forbearing to do, or for having, after this Act comes into force, done or forborne to do, any act relating to the bank's business or affairs, or for showing or forbearing to show favour or disfavour to any person with relation to the bank's business or affairs; or,

Penalty for offering gifts or showing favour to bank officers.

(b) corruptly gives or agrees to give or offers any gift or consideration to any director, general manager, manager, or other executive officer of a bank as an inducement or reward or consideration to such director, general manager, manager, or other executive officer of the bank, for doing or forbearing to do, or for having, after this Act comes into force, done or forborne to do any act relating to the bank's business or affairs, or for showing or forbearing to show favour or disfavour to any person with relation to the bank's business or affairs.

"Consideration" defined.

2. In this section "consideration" includes valuable consideration of any kind. 3-4 G. V., c. 9, s. 131a.

Commencement of Business.

Commencing business; Labour certificate.

132. Every director or provisional director of any bank and every other person who, before the obtaining of the certificate from the Treasury Board, by this Act required, permitting the bank to issue notes or commence business, issues or authorizes the issue of any note of such bank, or transacts or authorizes the transaction of any business in connection with such bank, except such as is by this Act authorized to be transacted before the obtaining of such certificate, is guilty of an offence against this Act. 3-4 G. V., c. 9, s. 132.

Offence.

Sale and Transfer of Shares.

Sale and transfer of shares contrary to regulations.

133. Any person, whether principal, broker or agent, who wilfully sells or transfers or attempts to sell or transfer—

(a) any share or shares of the capital stock of any bank by a false number; or,

(b) any share or shares of which the person making such sale or transfer, or in whose name or on whose behalf the same is made, is not at the time of such sale, or attempted sale, the registered owner; or,

or to both, and, upon summary conviction, to imprisonment for six months, with or without hard labour, or to a fine not exceeding one hundred dollars, or both, who—

(a) being a director, general manager, manager, or other executive officer of a bank, corruptly accepts or obtains, or agrees to accept or attempts to obtain, from any person for himself or for any other person, any gift or consideration as an inducement or reward for doing or forbearing to do, or for having, after this Act comes into force, done or forborne to do, any act relating to the bank's business or affairs, or for showing or forbearing to show favour or disfavour to any person with relation to the bank's business or affairs; or,

Penalty for offering gifts or showing favour to bank officers.

(b) corruptly gives or agrees to give or offers any gift or consideration to any director, general manager, manager, or other executive officer of a bank as an inducement or reward or consideration to such director, general manager, manager, or other executive officer of the bank, for doing or forbearing to do, or for having, after this Act comes into force, done or forborne to do any act relating to the bank's business or affairs, or for showing or forbearing to show favour or disfavour to any person with relation to the bank's business or affairs.

"Consideration" defined.

2. In this section "consideration" includes valuable consideration of any kind. 3-4 G. V., c. 9, **s.** 131B.

Commencement of Business.

Commencing business without certificate.

132. Every director or provisional director of any bank and every other person who, before the obtaining of the certificate from the Treasury Board, by this Act required, permitting the bank to issue notes or commence business, issues or authorizes the issue of any note of such bank, or transacts or authorizes the transaction of any business in connection with such bank, except such as is by this Act authorized to be transacted before the obtaining of such certificate, is guilty of an offence against this Act. 3-4 G. V., c. 9, s. 132.

Offence.

Sale and Transfer of Shares.

Sale and transfer of shares contrary to requirements.

133. Any person, whether principal, broker or agent, who wilfully sells or transfers or attempts to sell or transfer—

(a) any share or shares of the capital stock of any bank by a false number; or,

(b) any share or shares of which the person making such sale or transfer, or in whose name or on whose behalf the same is made, is not at the time of such sale, or attempted sale, the registered owner; or,

(c) any share or shares, without the assent to such sale of the registered owner thereof;

Offence. is guilty of an offence against this Act. 53 V., c. 31, s. 37.

Cash Reserves.

Penalty for cash reserve not held in prescribed notes.

134. Every bank which at any time holds in Dominion notes less than forty per cent of the cash reserves which it has in Canada shall incur a penalty of five hundred dollars for each such offence. 53 V., c. 31, s. 50. Am.

Issue and Circulation of Notes.

Excess of circulation.

135. If the total amount of the notes of the bank in circulation at any time exceeds the amount authorized by this Act the bank shall, —

(a) if the amount of such excess is not over one thousand dollars, incur a penalty equal to the amount of such excess; or,

(b) if the amount of such excess is over one thousand dollars, and not over twenty thousand dollars, incur a penalty of one thousand dollars; or,

(c) if the amount of such excess is over twenty thousand dollars, and not over one hundred thousand dollars, incur a penalty of ten thousand dollars; or,

(d) if the amount of such excess is over one hundred thousand dollars, and not over two hundred thousand dollars, incur a penalty of fifty thousand dollars; or,

(e) if the amount of such excess is over two hundred thousand dollars, incur a penalty of one hundred thousand dollars. 53 V., c. 31, s. 51.

Unauthorized issue of notes for circulation.

136. Every person, except a bank to which this Act applies, who issues or re-issues, makes, draws, or endorses any bill, bond, note, cheque or other instrument, intended to circulate as money, or to be used as a substitute for money, for any amount whatsoever, shall incur a penalty of four hundred dollars.

Penalty, recovery of.

2. Such penalty shall be recoverable with costs, in any court of competent jurisdiction, by any person who sues for the same.

Appropriation.

3. A moiety of such penalty shall belong to the person suing for the same, and the other moiety to His Majesty for the public uses of Canada.

Intention presumed.

4. If any such instrument is made for the payment of a less sum than twenty dollars, and is payable either in form or in fact to the bearer thereof, or at sight, or on demand, or at less than thirty days thereafter, or is overdue, or is in any way calculated or designed for circulation, or as a substitute for money, the intention to pass the same as money shall be presumed, unless such instrument is—

Exceptions.

(a) a cheque on some chartered bank paid by the maker directly to his immediate creditor; or,

(b) a promissory note, bill of exchange, bond or other undertaking for the payment of money made or delivered by the maker thereof to his immediate creditor; and,

(c) not designed to circulate as money or as a substitute for money. 53 V., c. 31, s. 60.

Defacement of notes.

137. Every person who mutilates, cuts, tears or perforates with holes any Dominion or bank note, or who in any way defaces a Dominion or bank note, whether by writing, printing, drawing or stamping thereon, or by attaching or affixing thereto anything in the nature or form of an advertisement shall, on summary conviction, be liable to a penalty not exceeding twenty dollars.

Penalty.

Issue, by bank, of notes not disinfected or sterilized.

2. Every officer, clerk and servant of a bank who, for the bank, re-issues to the public any bank notes or Dominion notes which have not been disinfected and sterilized in accordance with the regulations made by the Treasury Board under the authority of this Act shall, on the information of any person, on summary conviction, be liable to a penalty not exceeding twenty dollars.

Penalty.

3. In the event of the conviction of any officer, clerk or servant of a bank under this section, the bank shall thereby incur a penalty of fifty dollars. 53 V., c. 31, s. 61. Am.

Issuing notes during period of suspension.

138 *(a)* Every person who, being president, vice-president, director, general manager, manager, clerk or other officer of the bank, issues or re-issues, during any period of suspension of payment by the bank of its liabilities, any notes of the bank payable to bearer on demand, and intended for circulation, or authorizes or is concerned in any such issue or re-issue; and,

Or without authority of Treasury Board.

(b) if, after any such suspension, the bank resumes business without the consent in writing of the curator, hereinbefore provided for, every person who being president, vice-president, director, general manager, manager, clerk or other officer of the bank issues or re-issues, or authorizes or is concerned in the issue or re-issue of any such notes before being thereunto authorized by the Treasury Board; and,

And accepting such notes.

(c) every person who accepts, receives or takes, or authorizes or is concerned in, the acceptance, receipt or taking of any such notes, knowing the same to have been so issued or re-issued, from the bank, or from such president, vice-president, director, general manager, manager, clerk or other officer of the bank, in payment or part payment, or as security for the payment of any amount due or owing to such person by the bank;

Penalty.

is guilty of an indictable offence, and liable to imprisonment for a term not exceeding seven years, or to a fine not exceeding two thousand dollars, or to both. 63-64 V., c. 26, s. 10.

Pledging of notes by officers of bank.

139. *(a)* Every person who, being the president, vice-president, director, general manager, manager, clerk or other officer of the bank, pledges, assigns, or hypothecates, or authorizes, or is concerned in the pledge, assignment or hypothecation of the notes of the bank; and,

Accepting.

(b) every person who accepts, receives or takes, or authorizes or is concerned in the acceptance or receipt or taking of such notes as a pledge, assignment or hypothecation;

Penalty.

shall be liable to a fine of not less than four hundred dollars and not more than two thousand dollars, or to imprisonment for not more than two years, or to both. 53 V., c. 31, s. 52.

Issuing notes fraudulently.

140. *(a)* Every person who, being the president, vice-president, director, general manager, manager, clerk or other officer of a bank, with intent to defraud, issues or delivers, or authorizes or is concerned in the issue or delivery of notes of the bank intended for circulation and not then in circulation; and,

Knowingly accepting.

(b) every person who, with knowledge of such intent, accepts, receives or takes, or authorizes or is concerned in the acceptance, receipt or taking of such notes;

Penalty.

shall be guilty of an indictable offence, and liable to imprisonment for a term not exceeding seven years, or to a fine not exceeding two thousand dollars, or to both. 53 V., c. 31, s. 52.

Annual Statement and Auditors' Report.

Issue of annual statement without auditors' report.

140A. If any copy of the statement or of the profit and loss account submitted under section 54 of this Act, which has not been signed as required by that section, is issued, circulated or published, or if any copy of such statement is issued, circulated or published without having a copy of the auditor's report attached thereto, the bank, and every director, general manager or other officer of the bank who is knowingly a party to the default, shall be liable to a fine not exceeding two hundred and fifty dollars. 3-4 G. V., c. 9, s. 140A.

Penalty.

Warehouse Receipts, Bills of Lading and other Securities.

Bank acquiring warehouse receipt or bill of lading.

141. If any bank, to secure the payment of any bill, note, debt or liability, acquires or holds—

(a) any warehouse receipt or bill of lading; or,

(b) any instrument such as is by this Act authorized to be taken by the bank to secure money lent,—

(i) to any wholesale purchaser, or shipper of or dealer in products of agriculture, the forest, quarry and mine, or the sea, lakes and rivers, or to any wholesale purchaser or shipper of or dealer in live or dead stock, and the products thereof, upon the security of such products, or of such live or dead stock, or the products thereof;

(ii) to any person engaged in business as a wholesale manufacturer of any goods, wares and merchandise upon the security of the goods, wares and merchandise manufactured by such person, or procured for such manufacture;

(iii) to any farmer upon the security of threshed grain;

(iv) to any owner, tenant or occupier of land for the purchase of seed grain upon the security of any crop to be grown from such seed grain; or,

(v) to any farmer or person engaged in stock raising upon the security of live stock;

Except in certain cases.

such bank shall, unless—

(a) such bill, note, debt or liability is negotiated or contracted at the time of the acquisition by the bank of such warehouse receipt, bill of lading or security; or,

(b) such bill, note, debt or liability is negotiated or contracted upon the written promise or agreement that such warehouse receipt, bill of lading or security would be given to the bank; or,

(c) the acquisition or holding by the bank of such warehouse receipt, bill of lading or security is otherwise authorized by this Act;

Penalty.

incur a penalty not exceeding five hundred dollars. 53 V., c. 31, s. 79; 3-4 G. V., c. 9, s. 141. Am.

Non-compliance with requirements for sale.

142. If any debt or liability to the bank is secured by—

(a) any warehouse receipt or bill of lading; or,

(b) any other security such as is mentioned in the last preceding section;

and is not paid at maturity, such bank shall, if it sells the products or stock, goods, wares and merchandise or grain covered by such warehouse receipt, bill of lading or security, under the power of sale conferred upon it by this Act, without complying with the provisions to which the exercise of such power of sale is, by this Act, made subject, incur a penalty not exceeding five hundred dollars. 53 V., c. 31, s. 79; 63-64 V., c. 26, s. 18.

Penalty.

Making false statements—

143. Every person is guilty of an indictable offence and liable to imprisonment for a term not exceeding two years who wilfully makes any false statement—

In warehouse receipt or bill of lading.

(a) in any warehouse receipt or bill of lading given under the authority of this Act to any bank; or,

In security upon products.

(b) in any instrument given to any bank under the authority of this Act, as security for any loan of money made by the bank to any wholesale purchaser or shipper of or dealer in products of agriculture, the forest, quarry and mine, or the sea, lakes and rivers, or of any wholesale purchaser, or shipper of or dealer in live or dead stock or the products thereof, *or farmer or person engaged in stock raising*, whereby any such products or stock is assigned or transferred to the bank as security for the payment of such loan; or,

In security upon manufactures.

(c) in any instrument given to any bank under the authority of this Act, as security for any loan of money made by the bank to any person engaged in business as a wholesale manufacturer of any goods, wares and merchandise, whereby any of the goods, wares and merchandise manufactured by him, or procured for such manufacture, are transferred or assigned to the bank as security for the payment of such loan; or,

In security upon grain.

(d) in any instrument given to any bank under the authority of this Act as security for any loan of money made by the bank to a farmer *or to the owner, tenant or occupier of land* whereby any grain is transferred or assigned to the bank as security for the payment of such loan. 53 V., c. 31, s. 75. Am.; 3-4 G. V., c. 9, s. 143. Am.

Wilfully disposing of or withholding goods covered by security.

144. Every person who, having possession or control of any products or stock, goods, wares and merchandise, or grain covered by any warehouse receipt or bill of lading or by any such security as in the last preceding section mentioned, and having knowledge of such receipt, bill of lading or security, without the consent of the bank in writing, and before the advance, bill, note, debt or liability thereby secured has been fully paid,—

(a) wilfully alienates or parts with any such products or stock, goods, wares or merchandise, or grain; or,

(b) wilfully withholds from the bank possession of any such products or stock, goods, wares and merchandise, or grain, upon demand, after default in payment of such advance, bill, note, debt or liability;

Penalty.

is guilty of an indictable offence, and liable to imprisonment for a term not exceeding two years. 53 V., c. 31, s. 75; 63-64 V., c. 26, s. 18. Am.

Bank not selling shares subject to privileged lien.

145. *(a)* If any bank having, by virtue of the provisions of this Act, a privileged lien for any debt or liability for any debt to the bank, on the shares of its own capital stock of the debtor or person liable, neglects to sell

such shares within twelve months after such debt or liability has accrued and become payable; or,

Or selling without notice.

(b) If any such bank sells any such shares without giving notice to the holder thereof of the intention of the bank to sell the same, by mailing such notice in the post office, post paid, to the last known address of such holder, at least thirty days prior to such sale;

Penalty.

such bank shall incur, for each such offence, a penalty not exceeding five hundred dollars. 53 V., c. 31, s. 79.

Prohibited Business.

Bank doing prohibited business.

146. If any bank, except as authorized by this Act, either directly or indirectly—

(a) deals in the buying or selling or bartering of goods, wares and merchandise, or engages or is engaged in any trade or business whatsoever; or,

(b) purchases, deals in, or lends money or makes advances upon the security or pledge of any share of its own capital stock, or of the capital stock of any bank; or,

(c) lends money or makes advances upon the security, mortgage or hypothecation of any lands, tenements or immovable property, or of any ships or other vessels, or upon the security of any goods, wares and merchandise;

(d) lends to or on the security of the general manager, assistant general manager, branch manager, or any officer, clerk or servant of the bank without the approval of the directors any amount or amounts exceeding in the aggregate one thousand dollars and not exceeding ten thousand dollars;

(e) lends to or on the security of the general manager, assistant general manager, branch manager, or any officer, clerk or servant of the bank any amount or amounts exceeding in the aggregate ten thousand dollars;

Penalty.

such bank shall incur a penalty not exceeding five hundred dollars. 53 V., c. 31, s. 79; 3-4 G. V., c. 9, s. 146. Am.

Hypothecation of notes prohibited.

146A. It shall be an offence against this Act for any director, officer, clerk or servant of the bank to pledge, assign or hypothecate the notes of the bank on behalf of the bank. 3-4 G. V., c. 9, s. 146A.

Payment of liabilities of bank after suspension.

146B. If a bank suspends payment in specie or Dominion notes of any of its liabilities as they accrue, then, so long as such suspension continues, it shall be an offence against this Act for any director, officer, clerk or servant of the bank who has knowledge of such suspension to pay or cause to be paid to any person any debt or liability of the bank unless with the consent of a curator or liquidator duly appointed. 3-4 G. V, c. 9, s. 146B.

Returns.

Bank not making monthly.

147. Every bank which neglects to *transmit or deliver* to the Minister, within the first twenty-*eight* days of any month, any monthly return by this Act required to be made up and sent in within the said twenty-*eight* days, exhibiting the condition of the bank on the last juridical day of the month last preceding, and signed in the manner and by the persons by this Act required, shall incur a penalty of fifty dollars for each and every day, after the expiration of such time during which *such neglect continues.* 53 V., c. 31, s. 85 Am.; 3-4 G. V., c. 9, s. 147. Am.

Penalty.

Neglecting return of additional issue of notes.

147A. Every bank which neglects to *transmit or deliver* to the Minister, within the first thirty days after the last day of the month in which any amount of its notes in excess of the amount of the unimpaired paid-up capital of the bank has been issued or is outstanding, a return showing the amount of its notes in circulation for each juridical day during such month, and signed in the manner and by the persons by this Act required, shall incur a penalty of fifty dollars for each and every day, after the expiration of such time, during which *such neglect continues.* 7-8 E. VII, c. 7, s. 2, Am.; 3-4 G. V., c. 9, s. 147A. Am.

Penalty.

Neglecting return of value of property.

147B. Every bank which neglects *to transmit or deliver* to the Minister during the month of January in each year a return showing in detail the fair market value of its real and immovable property held under section seventy-nine of this Act, *together with the other information prescribed by the said section, and signed in the manner and by the persons by this Act required,* shall incur a penalty of fifty dollars for each and every day, after the expiration of such time, during which *such neglect continues.* 3-4 G. V., c. 9, s. 147B. Am.

Penalty.

Neglecting quarterly return.

147C. Every bank which neglects to *transmit or deliver* to the Minister a quarterly return as of the last juridical day of the months of March, June, September and December in each year, giving such particulars as may be prescribed by regulations made by the Treasury Board of the interest and discount rates charged by the bank, such returns to be made up and sent in within the first thirty days after the respective juridical days aforesaid, and signed by the persons by this Act required, shall incur a penalty of fifty dollars for each and every day, after the expiration of such time, during which *such neglect continues.* 3-4 George V., c. 9, s. 147C. Am.

Penalty.

Not making returns required by Minister.

148. Every bank which neglects to *transmit or deliver* to the Minister, within thirty days from the date of the

demand therefor by the Minister, or, if such time is extended by the Minister, within such extended time, not exceeding thirty days, as the Minister may allow, any special return, signed in the manner and by the persons by this Act required, which under the provisions of this Act, the Minister may, for the purpose of affording a full and complete knowledge of the condition of the bank, call for, shall incur a penalty of five hundred dollars for each and every day during which such neglect continues. 53 V., c. 31, s. 80; 3-4 G. V., c. 9, s. 148. Am.

Penalty.

Bank not making annual returns of returns and dividends and bills.

149. Every bank which neglects to transmit or deliver to the Minister, within thirty days after the close of any calendar year, a return, signed in the manner and by the persons and setting forth the particulars by this Act required in that behalf, of all certified cheques, drafts or bills of exchange issued by the bank to any person and remaining unpaid for more than five years prior to the date of such return, shall incur a penalty of fifty dollars for each and every day during which such neglect continues. 63-64 V., c. 26, s. 21; 3-4 G. V., c. 9, s. 149. Am.

Penalty.

Not returning annual list.

150. Every bank which neglects to transmit or deliver to the Minister, within thirty days after the close of any calendar year, a certified list, as by this Act required, showing—

(a) the names of the shareholders of the bank on the last day of such calendar year, with their last known post office addresses and descriptions;

(b) the number of shares then held by such shareholders respectively; and,

(c) the amount paid thereon.

Penalty.

shall incur a penalty of fifty dollars for each and every day during which such neglect continues. 53 V., c. 31, s. 82. Am.; 3-4 G. V., c. 9, s. 150. Am.

Not making annual returns of dividends, balances and bills.

151. Every bank which neglects to transmit or deliver to the Minister, within thirty days after the close of any calendar year, a return, signed in the manner and by the persons by this Act required, of all dividends which have remained unpaid for more than five years, and also of all amounts or balances in respect of which no transactions have taken place, or upon which no interest has been paid, during the five years prior to the date of such return, and also of all certified cheques, drafts or bills of exchange issued by the bank and remaining unpaid for more than five years prior to the date of such return, as required by the provisions of this Act in the several cases respectively mentioned, shall incur a penalty of fifty dollars for each and every day during which such neglect continues.

Penalty.

demand therefor by the Minister, or, if such time is extended by the Minister, within such extended time, not exceeding thirty days, as the Minister may allow, any special return, signed in the manner and by the persons by this Act required, which under the provisions of this Act, the Minister may, for the purpose of affording a full and complete knowledge of the condition of the bank, call for, shall incur a penalty of five hundred dollars for each and every day during which such neglect continues. 53 V., c. 31, s. 86; 3-4 G. V., c. 9, s. 148. Am.

Penalty.

Bank not making annual returns of drafts and bills.

149. Every bank which neglects to transmit or deliver to the Minister, within *thirty* days after the close of any calendar year, a return, signed in the manner and by the persons and setting forth the particulars by this Act required in that behalf, of all certified cheques, drafts or bills of exchange issued by the bank to any person and remaining unpaid for more than five years prior to the date of such return, shall incur a penalty of fifty dollars for each and every day during which such neglect continues. 63-64 V., c. 26, s. 21; 3-4 G. V., c. 9, s. 149. Am.

Penalty.

Not returning annual list.

150. Every bank which neglects to transmit or deliver to the Minister, within *thirty* days after the close of any calendar year, a certified list, as by this Act required, showing—

(a) the names of the shareholders of the bank on the last day of such calendar year, with their last known post office addresses and descriptions;

(b) the number of shares then held by such shareholders respectively; and,

(c) the amount paid thereon,

shall incur a penalty of fifty dollars for each and every day during which such neglect continues. 53 V., c. 31, s. 87. Am.; 3-4 G. V., c. 9, s. 150. Am.

Penalty.

Not making annual returns of dividends, balances, drafts and bills.

151. Every bank which neglects to transmit or deliver to the Minister, within *thirty* days after the close of any calendar year, a return, signed in the manner and by the persons by this Act required, of all dividends which have remained unpaid for more than five years, and also of all amounts or balances in respect of which no transactions have taken place, or upon which no interest has been paid, during the five years prior to the date of such return, and also of all certified cheques, drafts or bills of exchange issued by the bank and remaining unpaid for more than five years prior to the date of such return, as required by the provisions of this Act in the several cases respectively mentioned, shall incur a penalty of fifty dollars for each and every day during which such neglect continues.

Penalty.

Period of 5 years.

2. The said term of five years shall, in case of moneys deposited for a fixed period, be reckoned from the date of the termination of such fixed period. 53 V., c. 31, s. 88; 3-4 G. V., c. 9, s. 151. Am.

Date of posting return or list.

152. If any return or list, mentioned in either of the last eight preceding sections, is transmitted by post, the date appearing, by the post office stamp or mark upon the envelope or wrapper inclosing the return or list received by the Minister, as the date of deposit in the post office of the place at which the chief office of the bank was situated shall be taken *prima facie*, for the purpose of any of the said sections, to be the day upon which such return or list was transmitted to the Minister. 53 V., c. 31, ss. 85 and 86; 63-64 V., c. 26, s. 22. Am.

Making false or deceptive statement in account or return.

153. *Every president, vice-president, director, auditor, general manager or other officer of the bank or trustee who knowingly prepares, signs, approves or concurs in any account, statement, return, report or document respecting the affairs of the bank containing any false or deceptive statement, and every person who,* with intent to deceive or mislead any person, *uses* any false or deceptive statement in any account, statement, return, report or document respecting the affairs of the bank, *shall be guilty of* an indictable offence punishable, unless a greater punishment is in any case by law prescribed therefor, by imprisonment for a term not exceeding five years.

Penalty.

Liability of officers.

2. Every president, vice-president, director, auditor, general manager or other officer of the bank or trustee who negligently prepares, signs, approves or concurs in any account, statement, return, report or document respecting the affairs of the bank containing any false or deceptive statement shall be guilty of an indictable offence punishable, unless a greater punishment is in any case by law prescribed therefor, by imprisonment for a term not exceeding three years.

3. Every president, vice-president, director, auditor, general manager, or other officer of the bank who knowingly prepares, signs, approves or concurs in any return respecting the affairs of the bank provided for or required by Section 112 of this Act which does not set forth the true financial position of the bank on the last juridical day of the month last preceding the date of the return according to the latest information possessed by or reasonably available to the aforesaid officers, or any of them who sign, approve or concur in the return, or any knowledge respecting the true financial position of the bank which was by law at the date of the return imputed to any such officer and which by the requirements of this Act should have been set forth in the return, shall be guilty of an indictable offence punishable, unless a greater punishment is in any case prescribed therefor, by imprisonment for a term not exceeding three years. 53 V., c. 31, s. 99. Am.; 3-4 G. V., c. 9, s. 153. Am.

Calls in the case of Suspension of Payment.

Director refusing to make calls on suspension of bank.

154. *(a)* If any suspension of payment in full, in specie or Dominion notes, of all or any of the notes or other liabilities of the bank continues for three months after the expiration of the time which, under the provisions of this Act, would constitute the bank insolvent; and,

(b) if no proceedings are taken under any Act for the winding-up of the bank; and,

(c) if any director of the bank refuses to make or enforce, or to concur in the making or enforcing of any call on the shareholders of the bank, to any amount which the directors deem necessary to pay all the debts and liabilities of the bank;

Penalty.

such director shall be guilty of an indictable offence, and liable—

(a) to imprisonment for any term not exceeding two years; and,

(b) personally for any damages suffered by any such default. 53 V., c. 31, s. 92.

Undue Preference to the Bank's Creditors.

Officers giving undue preference to any creditor.

155. Every person who, being the president, vice-president, director, general manager, manager, or other officer of the bank, wilfully gives or concurs in giving to any creditor of the bank any fraudulent, undue or unfair preference over other creditors, by giving security to such creditor, or by changing the nature of his claim, or otherwise howsoever, is guilty of an indictable offence, and liable—

Penalty.

(a) to imprisonment for a term not exceeding two years; and,

Damages.

(b) for all damages sustained by any person in consequence of such preference. 53 V., c. 31, s. 97. Am.

Use of the Title "Bank," etc.

Unauthorized use of title "bank," etc.

156. Every person using the word "bank," or the words "savings bank," "banking company," "banking house," "banking association," or "banking institution," or any word or words of import equivalent thereto in any foreign language, in a sign or in an advertisement, or in a title to represent or describe his business or any part of his business without being authorised so to do by this Act, or by some other Act in force in that behalf, is guilty of an offence against this Act.

Offence.

Unauthorized use of words "banker," "private banker."

2. Every person who uses in a sign or in an advertisement or in a title to represent or describe his business words in a foreign language of import equivalent to the word

"banker," or equivalent to the words "private banker," without being authorized so to do by this Act or by some other Act in force in that behalf, is guilty of an offence against this Act. 53 V., c. 31, s. 100. Am.

Offence.

Person receiving money on deposit.

156A. *Every person who receives money on deposit or receives money for transmission to a foreign country without being authorized so to do, either by or under the authority of a statute lawfully enacted, shall be guilty of an offence against this Act, unless a license to receive money on deposit and to receive money for transmission to a foreign country has been granted to such person by the city, town or other municipal division in which he carries on business. The license, or a renewal thereof, shall be valid for the period of one year from the date on which the same was granted.*

Offence.

License required.

2. Such license shall not be granted or renewed unless—

(a) the aldermen or members of the council of the city, town or other municipal division or a majority of them, by resolution passed at a regular meeting, or special meeting called for the purpose, declare that the person applying for a license, or renewal thereof, is a fit and proper person to receive such license; and,

Municipal approval.

(b) a deposit has been made by such person with the city, town or other municipal division in which the person carries on business, of bonds, debentures or stocks of Canada, or a province thereof, or of a Canadian city or municipality, of a market value at least equal to twenty-five per cent of the amount of the money on deposit and of the money received for transmission but in respect of which no foreign exchange has been purchased and delivered, but in no case shall the market value of such deposit be less than ten thousand dollars.

Deposit required.

Purpose of deposit.

3. The bonds, debentures and stocks so deposited shall be held as security for payment, pro rata, to depositors in the event of the insolvency of such person, and the income therefrom shall be paid while so held to the person depositing.

Securities to value of 25%.

4. The market value of the bonds, debentures or stocks so deposited shall be, at all times during the currency of the license, at least equal to twenty-five per cent of the amount of the money on deposit and of the money received for transmission but in respect of which no foreign exchange has been actually purchased and delivered; and, if the market value of the securities deposited as aforesaid is at any time less than twenty-five per cent of the amount of the money on deposit and of the money received for transmission but in respect of which no foreign exchange has been purchased and delivered, such person shall be guilty of an offence against this Act.

Penalty if not maintained.

No application certain cases.

5. This section shall not apply to persons engaged in agriculture, or in any industry, or in any common employment or occupation, who for co-operative purposes have entered into a voluntary organization and received money on deposit, to be loaned to the members of the organization

or otherwise applied as such members or a majority of them, or the representatives of a majority, direct.

Company receiving money on deposit.

156B. *A body corporate, authorized by or under the authority of a statute lawfully enacted, to receive money on deposit or receive money for transmission to a foreign country, shall, before receiving money as aforesaid, have paid up capital, paid up in money, to the amount of at least fifty thousand dollars and shall have and maintain thereafter investments of a market value at least equal to the said amount:*

Requirements.

i. *In the bonds, debentures, stocks or other securities of or guaranteed by:*

(a) *The Dominion of Canada,*

(b) *Any Province of Canada,*

(c) *The United Kingdom or any Colony or dependency thereof,*

(d) *Or any municipal or school corporation in Canada:*

ii. *in first mortgages or hypothecs upon improved free hold real estate in Canada;*

Offence.

and every officer of such body corporate shall be guilty of an offence against this Act if money is received by the company on deposit or received for transmission to a foreign country before there has been compliance with the provisions of this Section.

No application certain cases.

2. This section shall not apply to any body corporate, duly authorised as aforesaid to receive money on deposit—

(a) if the furnishing of co-operative credit be either the sole or one of the objects or purposes of incorporation and if the money so received be loaned to the members; or,

(b) if the money so received, other than money received for transmission to a foreign country, be, and continues to be until repaid to the depositor, invested in securities in which a trustee may invest under the law of the province in which the body corporate carries on business.

Penalty for Offence against this Act.

Offence against this Act.

157. Every person committing an offence, declared to be an offence against this Act, shall be liable to a fine not exceeding one thousand dollars, or to imprisonment for a term not exceeding five years, or to both, in the discretion of the court before which the conviction is had. 53 V., c. 31, s. 101.

Penalty.

PROCEDURE.

Penalties enforceable at suit of Attorney General or Minister.

158. The amount of all penalties imposed upon a bank or person for any violation of this Act shall, unless otherwise provided by this Act, be recoverable and enforceable, with costs, at the suit of His Majesty instituted by the Attorney General of Canada, or by the Minister.

Appropriation.

2. Such penalties shall, unless otherwise provided by this Act, belong to the Crown for the public uses of Canada:

Proviso.

Provided that the Governor in Council, on the report of the Treasury Board, may direct that any portion of any penalty be remitted, or paid to any person, or applied in any manner deemed best adapted to attain the objects of this Act, and to secure the due administration thereof. 53 V., c. 31, s. 98. Am.

Repeal 1913, c. 9. 1915, c. 1. 1916, c. 10.

159. *Chapter 9 of the Statutes of 1913, Chapter 1 of the Statutes of 1915 and Chapter 10 of the Statutes of 1916 are repealed.*

Commencement of Act.

160. This Act shall come into force on the first day of July, one thousand nine hundred and *twenty-three.*

SCHEDULE A.

	Name of Bank	*Chief Office of Bank*
1.	The Bank of Montreal	Montreal.
2.	The Bank of Nova Scotia	Halifax.
3.	The Bank of Toronto	Toronto.
4.	The Molsons Bank	Montreal.
5.	La Banque Nationale	Quebec.
6.	La Banque Provinciale du Canada	Montreal.
7.	The Union Bank of Canada	Winnipeg.
8.	The Canadian Bank of Commerce	Toronto.
9.	The Royal Bank of Canada	Montreal.
10.	The Dominion Bank	Toronto.
11.	The Bank of Hamilton	Hamilton.
12.	The Standard Bank of Canada	Toronto.
13.	La Banque d'Hochelaga	Montreal.
14.	The Imperial Bank of Canada	Toronto.
15.	The Home Bank of Canada	Toronto.
16.	The Sterling Bank of Canada	Toronto.
17.	The Weyburn Security Bank	Weyburn.

SCHEDULE B.

An Act to incorporate the————————Bank.

Whereas the persons hereinafter named have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. [*Insert names of those applying for incorporation; the full name, address and description of each director must be given*], together with such persons as become shareholders

in the corporation by this Act created, are incorporated under the name of [*insert name of bank*] hereinafter called "the Bank."

2. The persons named in section 1 of this Act shall be the provisional directors of the Bank.

3. The capital stock of the Bank shall be————dollars.

4. The chief office of the Bank shall be at————.

5. This Act shall, subject to the provisions of section 16 of The Bank Act, remain in force until the first day of July, in the year one thousand nine hundred and *thirty-three.*

53 V., c. 31, Sch. B.; 63-64 V., c. 26, s. 45. Am.

SCHEDULE C.

In consideration of an advance of————dollars made by the————Bank to A. B., for which the said Bank holds the following bills or notes: (*describe the bills or notes, if any*), [*or*, in consideration of the discounting of the following bills or notes by the————Bank for A. B.; (*describe the bills or notes*),] the products of agriculture, the forest, quarry and mine, [*or*, the sea, lakes and rivers, *or*, the live stock or dead stock, or, the products thereof, *or* the goods, wares and merchandise, *or*, the grain, (*as the case may be*),] mentioned below are hereby assigned to the said Bank as security for the payment on or before the————day of————of the said advance, together with interest thereon at the rate of————per cent per annum from the————day of————[*or*, of the said bills or notes, or renewals thereof, or substitutions therefor, and interest thereon, *or as the case may be*].

This security is given under the provisions of section eighty-eight of The Bank Act, and is subject to the provisions of the said Act.

The said products of agriculture, the forest, quarry and mine, [*or*, the sea, lakes and rivers, *or*, the live stock or dead stock, or the products thereof, *or*, the goods, wares and merchandise, *or*, the grain, (*as the case may be*),] are now owned by————, and are now in the possession of————, and are free from any mortgage, lien or charge thereon (*or as the case may be*), and are in (*place or places where the goods are*), and are the following (*description of property assigned*).

Dated, etc.

(*N.B.—The bills or notes and the property assigned may be set out in schedules annexed.*)

63-64 V., c. 26, s. 46 and Sch. C.

SCHEDULE D.

In consideration of an advance of dollars made by the Bank to A.B., for which the said bank holds the following bills or notes: (*describe the bills or notes, if any*) [*or*, In consideration of the discounting of the following bills or notes by the Bank for A. B.: (*describe the bills or notes*)] and inasmuch as the said advance [*or* the said discounting, *as the case may be*] was made on the representation that seed grain would be purchased with the advance [*or* proceeds of the discounting, *as the case may be*] and would be sown upon land in the province of situate and being

the seed grain purchased and the crop grown from the grain so sown upon the land aforesaid and the grain threshed therefrom are hereby assigned to the said bank as security for the payment, on or before the day of , of the said advance, together with interest at the rate of per cent per annum from the day of [*or*, of the said bills or notes, or renewals thereof, or substitutions therefor, and interest thereon, *as the case may be*].

This security is given under the provisions of subsection 8 of section 88 of *The Bank Act* and is subject to the provisions of the said Act.

Dated at

5 G. V, c. 1, Sch. G. Am.

SCHEDULE E.

In consideration of an advance of dollars, made by the Bank to A. B., for which the said Bank holds the following bills or notes (*describe the bills or notes, if any*) [*or*, in consideration of the discounting of the following bills or notes by the Bank for A. B. (*describe the bills or notes*)], and, inasmuch as the said advance (*or* the said discounting, *as the case may be*) is made upon the security of the following live stock:

the said live stock are hereby assigned to the said Bank as security for the payment, on or before the day of of the said advance together with interest at the rate of per centum per annum from the day of

(*or*, of the said bills or notes or renewals thereof or substitutions therefor, and interest thereon, *as the case may be*).

This security is given under the provisions of subsection twelve of section eighty-eight of *The Bank Act*, and is subject to the provisions of the said Act.

Dated at

3-4 G. V, c. 9, Sch. H. Am.

SCHEDULE F.

To Whom it May Concern:

.....

(*name of person, firm or company. P.O. address*) *hereby gives notice that it is*———— *intention to give security under the authority of section 88 of The Bank Act, to the*————*Bank*————.

Dated at————*this*————*day of*————.

.....

SCHEDULE G.

Return of the liabilities and assets of the————Bank on the————day of————, 19—

Liabilities.

1. Notes in circulation.....$
2. Balance due to Dominion Government after deducting advances for credits, pay-lists, etc.....
3. *Advances under the Finance Act*.....
4. Balances due to provincial governments....
5. Deposits by the public, payable on demand in Canada.....
6. Deposits by the public, payable after notice or on a fixed day, in Canada.....
7. Deposits elsewhere than in Canada.....
8. Loans from other banks in Canada, secured, including bills re-discounted.....
9. Deposits made by and balances due to other banks in Canada.....
10. Due to banks and banking correspondents in the United Kingdom.....
11. Due to banks and banking correspondents elsewhere than in Canada and the United Kingdom.....
12. Bills payable.....
13. Letters of credit *outstanding*.....
14. Liabilities not included under foregoing heads.....
15. *Dividends declared and unpaid*.....

16. *Appropriation Account*.....
17. *Contingent Reserves, including undistributed profits*.....
18. Rest or Reserve Fund.....
19. Capital paid up.....

$

Assets.

1. Current gold and subsidiary coin..... { In Canada $ / Elsewhere $ } $
2. Dominion notes..... { In Canada $ / Elsewhere $ } $
3. Notes of other banks.....
4. *United States and other foreign currencies*..
5. Cheques on other banks.....
6. Loans to other banks in Canada, secured, including bills re-discounted.....
7. Deposits made with and balances due from other banks in Canada.....
8. Due from banks and banking correspondents in the United Kingdom.....
9. Due from banks and banking correspondents, elsewhere than in Canada and the United Kingdom.....
10. Dominion government and provincial government securities.....
11. Canadian municipal securities, and British, foreign and colonial public securities other than Canadian.....
12. Railway and other bonds, debentures and stocks.....
13. Call and short (not exceeding thirty days) loans in Canada on stocks, debentures and bonds.....
14. Call and short (not exceeding thirty days) loans elsewhere than in Canada.....
15. Other current loans and discounts in Canada
16. Other current loans and discounts elsewhere than in Canada.....
17. Loans to the Government of Canada.....
18. Loans to provincial governments.....
19. Loans to cities, towns, municipalities and school districts.....
20. Over due debts.....
21. Real estate other than bank premises.....
22. Mortgages on real estate sold by the bank..
23. Bank premises, at not more than cost, less amounts (if any) written off.....
24. Liabilities of customers under letters of credit as per contra.....

25. Deposit with the Minister of Finance for the security of note circulation.....
26. Deposit in the central gold reserves.....
27. Other assets not included under the foregoing heads.....

$

Capital authorized.....$
Capital subscribed.....
Rate per cent of last dividend declared..... per cent.
Aggregate amount of loans to directors and firms of which they are partners, *and loans for which they are guarantors*, $————
Average amount of current gold and subsidiary coin held during the month, $————
Average amount of Dominion notes held during the month, $————
Greatest amount of notes *of the bank* in circulation at any time during the month, $————

Branch and Agency returns *used* in the *preparation of the foregoing* and antedating the last juridical day of the month aforesaid are as follows:—

Branch or Agency.	*Date of such return.*

I declare that the above return is correct according to the books of the bank.

E. F.,
Chief Accountant, (or Acting Chief Accountant, as the case may be).

We declare that the foregoing return is to the best of our knowledge and belief correct, and shows truly and clearly the financial position of the bank, *as required by sections 112 and 113 of the Bank Act;* and we further declare that the Bank has never, at any time during the period to which the said return relates, held in Dominion notes less than forty per cent. of the cash reserves which it has in Canada.

(Place).....this.....day of.....19..

A. B.,
President, (Vice-President, or Director acting as President, as the case may be).

C. D.,
General Manager, (or other principal officer, as the case may be).

3-4 G. V, c. 9, Sch. D. Am.

SCHEDULE H.

Return of the————————Bank————————showing the amount of its notes in circulation for each juridical day during the month of————————, 19—.

Day of the Month.	*Paid-up Capital.*	**Reserve Fund.*	*Deposit Gold Coin and Dominion Notes.*	*Circulation.*	*Excess (if any).*

** N.B.—Returns for the months of March to August, inclusive, need not have the Reserve Fund column.*

I declare that the above return has been prepared under my directions and is correct according to the books of the bank.

E.F.,
Chief Accountant, (*or* Acting Chief Accountant, *as the case may be*).

We declare that the foregoing return is made up from the books of the bank, and that to the best of our knowledge and belief it is correct.

(Place)————————this————day of————, 19—.

A.B.,
President, (Vice-President, *or* Director acting as President, *as the case may be*).

C.D.,
General Manager, (*or other principal officer, as the case may be*).

3-4 G.V, c. 9, Sch. E.

SCHEDULE I.

Return of unpaid dividends, balances and amounts, certified cheques, drafts and bills of exchange of the——— Bank at the close of the calendar year 19—, made in accordance with the provisions of subsections 1 to 5, inclusive, of section 114 of The Bank Act.

.....

.....

.....

I declare that the above return has been prepared under my directions and is correct according to the books of the bank.

E.F.,
Chief Accountant, *(or* Acting Chief Accountant, *as the case may be).*

We declare that the foregoing return is made up from the books of the bank, and that to the best of our knowledge and belief it is correct.

(Place)———————this———day of———, 19—.

A.B.,
President, (Vice-President, *or* Director acting as President, *as the case may be).*

C.D.,
General Manager, *(or other principal officer, as the case may be).*

3-4 G. V, c. 9, Sch. F.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 83.

An Act respecting Banks and Banking.

(Reprinted as amended and reported by the Select Standing Committee on Banking and Commerce.)

The MINISTER OF FINANCE

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
61848 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 83.

R.S., c 29.
1908, c. 7.
1911, c 4.
1912, c. 5.
1913, c. 9. (C.S.)
1914 (2 Sess.) c. 3.
1915, c. 1.
1916, c. 10.

An Act respecting Banks and Banking.

(*New matter is printed in italics.*)

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

SHORT TITLE.

Short title.

1. This Act may be cited as *The Bank Act.* 53 V., c. 31, s. 1.

INTERPRETATION.

Definitions.

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

"Association."

(a) "Association" means the Canadian Bankers' Association, incorporated by chapter 93 of the statutes of 1900, intituled *An Act to incorporate the Canadian Bankers' Association;*

"Bank."

(b) "bank" means any bank to which this Act applies;

"Bill of lading."

(c) "bill of lading" includes all receipts for goods, wares or merchandise, accompanied by an undertaking to transport the same from the place where they were received to some other place, by any mode of carriage, whatever;

"Circulation Fund."

(d) "Circulation Fund" means the fund heretofore established and continued by the authority of this Act under the name of the Bank Circulation Redemption Fund;

"Curator."

(e) "Curator" means any person appointed under the authority of this Act by the Canadian Bankers' Association to supervise the affairs of any bank which has suspended payment in specie or Dominion notes of any of its liabilities as they accrue;

"Farmer."

(f) "farmer" includes the owner, occupier, landlord and tenant of a farm;

"Goods, wares and merchandise."

(g) "goods, wares and merchandise" includes, in addition to the things usually understood thereby, products of agriculture, products of the forest, products of the quarry and mine, products of the sea, lakes and rivers, petroleum and crude oil, and other articles of commerce;

(h) "grain" *includes* wheat, oats, barley, rye, *corn*, *buckwheat* and flax;

"Manufacturer."

(i) " manufacturer " includes manufacturers of logs, timber or lumber, maltsters, distillers, brewers, refiners and producers of petroleum, tanners, curers, packers, canners of meat, pork, fish, fruit or vegetables, and any person who produces by hand, art, process or mechanical means any goods, wares or merchandise;

"Minister."

(j) "Minister" means the Minister of Finance and Receiver General;

"President."

(k) "president" does not include an honorary president;

"Products of agriculture."

(l) "products of agriculture," in addition to the direct products of the soil such as hay, grain, roots, vegetables, fruits and other crops, includes milk, cream, butter, cheese, honey, poultry (dead), and eggs, hides, skins and wool, and dried, canned and preserved vegetables and fruits;

"Products of the forests."

(m) "products of * * * * the forest" includes bark, logs, *pulpwood*, *piling*, spars, railway ties, poles, *mining* and *all* other timber, shingles, laths, deals, boards, staves and *all* other lumber, and the skins and furs of wild animals;

"Products of the sea, lakes and rivers."

(n) "products of * * * * the sea, lakes and rivers" includes, in addition to fish of all kinds, whether fresh, frozen, salted, dried, canned, preserved in oil or otherwise preserved, whales and seals, their oil, skins and bone, oysters, lobsters and other crustaceans, fresh and canned or otherwise preserved;

'Trustees."

(o) "trustees" means the persons appointed by the Association and by the Minister to receive and hold the central gold reserves, and "trustee" means any one of the trustees, and if one or more of the trustees is a corporation then "trustee" includes each of the officers of such corporation who is responsible for any action taken by the corporation for the purposes of this Act;

"Warehouse receipt."

(p) "warehouse receipt—"

(i) means any receipt given by any person for any goods, wares or merchandise in his actual, visible and continued possession as bailee thereof in good faith and not as of his own property, and,

(ii) includes receipts, given by any person who is the owner or keeper of a harbour, cove, pond, wharf, yard, warehouse, shed, storehouse or other place for the storage of goods, wares or merchandise, for goods, wares and merchandise delivered to him as bailee, and actually in the place or in one or more of the

places owned or kept by him, whether such person is engaged in other business or not, and,

(iii) includes also receipts given by any person in charge of logs or timber in transit from timber limits or other lands to the place of destination of such logs or timber, *and*,

(iv) includes Lake Shippers Clearance Association receipts and all documents recognized by The Canada Grain Act as warehouse receipts. 53 V., c. 31, ss. 2, 54 and 102; 63-64 V., c. 26, ss. 3 and 24; 4-5 E. VII., c. 4, s. 4. Am.; 3-4 G. V., c. 9, s. 2. Am.

Public notice; how given.

3. Where by this Act any public notice is required to be given the notice shall, unless otherwise specified, be given by advertisement—

(*a*) in one or more newspapers published at the place where the chief office of the bank is situate; and,

(*b*) in *The Canada Gazette*.

Sufficiency of publication.

2. When by this Act a notice is required to be published in a newspaper for four weeks or any longer period, publication each week in a weekly newspaper, or once a week during the period in a newspaper published more frequently, shall be a sufficient publication for the purposes of this Act.

Notice of call.

3. When by this Act notice of any call is required to be given to the shareholders the notice shall, unless otherwise specified, be sufficiently given by mailing the notice in the post office, registered and post paid, to the last known post office address of the respective shareholders as shown by the records of the bank, at least thirty days prior to the day on which the call is payable. 3-4 G. V., c. 9, s. 2.

APPLICATION.

General.

To what banks this Act applies.

4. The provisions of this Act apply to the several banks enumerated in Schedule A to this Act, and to every bank incorporated after the first day of January, one thousand nine hundred and *twenty-two*, whether this Act is specially mentioned in its Act of incorporation or not, but not to any other bank, except as hereinafter specially provided. 53 V., c. 31, s. 3. Am.

Bank charters continued to July 1st, *1933*, as to some particulars.

5. *Each of the several banks under the name mentioned in Schedule A to this Act is, and shall continue to be, a body politic and corporate until the first day of July, one thousand nine hundred and thirty-three, and this Act shall form and be the charter of each of the said banks until the first day of July aforesaid. The chief office of each bank, and, subject to the provisions of this Act with regard to increase or decrease, the amount of its authorized capital stock, divided into shares of one hundred dollars each, shall be as set out in the Schedule.*

As to other particulars.

2. As to all other particulars this Act shall form and be the charter of each of the said banks until the first day of July, one thousand nine hundred and *thirty-three*. 3-4 G. V., c. 9, s. 4. Am.

Forfeited or void charters not continued.

6. Nothing in *the next preceding* section shall be deemed to continue in force any charter or Act of incorporation, if, or in so far as it is, under the terms thereof, or under the terms of this Act or of any other Act passed or to be passed, forfeited or rendered void by reason of the non-performance of the conditions of such charter or Act of incorporation, or by reason of insolvency, or for any other reason. 3-4 G. V., c. 9, s. 4. Am.

Banks in course of winding-up.

Act continues to apply for purposes of winding-up.

7. The provisions of this Act shall continue to apply to the banks named in the Schedule to chapter *9* of the statutes of *1913* intituled *An Act respecting Banks and Banking*, and not named in Schedule A to this Act, but only in so far as may be necessary to wind up the business of the said Banks respectively; and the charters or Acts of incorporation of the said Banks, and any Acts in amendment thereof, or any Acts in relation to the said banks now in force, shall respectively continue in force for the purposes of winding up, and for such purposes only. 3-4 G. V., c. 9, s. 5. Am.

INCORPORATION AND ORGANIZATION OF BANKS.

Particulars of Act of incorporation.

8. The capital stock of every bank hereafter incorporated, the name of the bank, the place where its chief office is to be situated, and the names of the provisional directors, shall be declared in the Act of incorporation of every such bank respectively. 53 V., c. 31, s. 9.

Form thereof.

9. An Act of incorporation of a bank in the form set forth in Schedule B to this Act shall be construed to confer upon the bank thereby incorporated all the powers, privileges and immunities, and to subject it to all the liabilities and provisions set forth in this Act. 53 V., c. 31, s. 9.

Capital stock and shares.

10. The capital stock of any bank hereafter incorporated shall be not less than five hundred thousand dollars, and shall be divided into shares of one hundred dollars each. 53 V., c. 31, s. 10.

Provisional directors.

11. The number of provisional directors shall be not less than five.

2. *A provisional director shall not be eligible to act as such unless he be a bona fide subscriber of stock of the bank for and*

on his own behalf, to become the absolute and sole owner in his individual right of such stock, and not as trustee or in the right of another, on which subscription not less than—

"(a) three thousand dollars have been paid up, when the paid-up capital stock of the bank is one million dollars or less;

"(b) four thousand dollars have been paid up, when the paid-up capital stock of the bank is over one million dollars and does not exceed three million dollars;

"(c) five thousand dollars have been paid up, when the paid-up capital stock of the bank exceeds three million dollars." 1923. New.

Tenure of office.

3. The provisional directors shall hold office until directors are elected by the subscribers to the stock, as hereinafter provided. 53 V., c. 31, s. 11; 4-5 E. VII., c. 4, s. 1.

Opening of stock books.

12. For the purpose of organizing the bank, the provisional directors may, after giving ten days public notice thereof, cause stock books to be opened, in which shall be recorded the subscriptions of such persons as desire to become shareholders in the bank.

Where.

2. The stock books shall be opened at the place where the chief office of the bank is to be situate, and elsewhere in the discretion of the provisional directors.

Particulars entered.

3. Each subscriber shall, at the time of subscription, give his post office address, and description, and these particulars shall appear in the stock books in connection with the name of the subscriber and the number of shares subscribed for.

Notice of double liability.

4. There shall be printed in small pica type, or type of larger size, on each page in the stock books upon which subscriptions are recorded, and on every document constituting or authorizing a subscription, on a part of the page and document, respectively, which may be readily seen by the person recording the subscription, or by the person signing the document, a copy of section 125 of this Act.

Time stock books open.

5. The stock books may be kept open for such time as the provisional directors deem necessary.

Recovery of unpaid subscriptions.

6. In case of the non-payment of any instalment or other sum payable by a subscriber on account of his subscription, the provisional directors may, in the corporate name of the bank, sue for, recover, collect and get in any such instalment or sum. 53 V., c. 31, s. 12. Am.

First meeting of subscribers.

13. Whenever a sum not less than five hundred thousand dollars of the capital stock of the bank has been *bona fide* subscribed, and payments in money on account thereof have been made by the subscribers, the total of such payments making a sum not less than two hundred and fifty thousand dollars, and as soon thereafter as the provisional directors have paid thereout to the Minister the sum of

two hundred and fifty thousand dollars, the provisional directors may, by public notice published for at least four weeks, *and by notice with postage prepaid mailed to the last known address of each subscriber at least ten days prior to the date of such meeting*, call a meeting of the subscribers to the said stock, to be held in the place named in the Act of incorporation as the chief office of the bank, at such time and at such place as is set forth in the said notice.

What is a bona fide subscription.

2. For the purposes of the foregoing subsection no subscription shall be deemed to have been made *bona fide* or be complete unless and until payment in money equal to at least ten per cent of the amount subscribed has been made on account of such subscription by the subscriber, and such payment, with the date thereof, shall be entered on the stock books opposite to such subscription.

Business at meeting.

3. The subscribers shall, at such meeting,—

(a) determine the day upon which the annual general meeting of the bank is to be held;

(b) elect such number of directors, duly qualified under this Act, not less than five, as they think necessary; and,

(c) provide for the method of filling vacancies in the board of directors until the annual general meeting.

Tenure of directors.

4. Such directors shall hold office until the annual general meeting next succeeding their election.

Provisional directors cease.

5. Upon the election of directors as aforesaid the functions of the provisional directors shall cease. 53 V., c. 31, s. 13; 4-5 E. VII., c. 4, s. 2. Am.

Permission to commence business.

14. The bank shall not issue notes or commence the business of banking until it has obtained from the Treasury Board a certificate permitting it to do so.

No certificate until directors elected.

2. No application for such certificate shall be made until directors have been elected by the subscribers to the stock in the manner hereinbefore required. 53 V., c. 31, s. 14.

Statement of payments by provisional directors.

15. At the time of the application for the certificate, there shall be submitted to the Treasury Board a sworn statement setting forth the several sums of money paid in connection with the incorporation and organization of the bank, and such statement shall, in addition, include a list of all the unpaid liabilities, if any, in connection with or arising out of such incorporation and organization.

To what limited.

2. Prior to the time at which the certificate is given no payments on account of incorporation and organization expenses shall be made out of moneys paid in by subscribers except reasonable sums for the payment of clerical assistance, legal services, office rental, advertising, stationery, postage and expenses of travel, if any.

When certificate may be granted.

3. No certificate shall be given by the Treasury Board until it has been shown to the satisfaction of the Board, by

affidavit or otherwise, that all the requirements of this Act and of the special Act of incorporation of the bank, as to the subscriptions to the capital stock, the payment of money by subscribers on account of their subscriptions, the payment required to be made to the Minister, the election of directors, deposit for security of note issue, or other preliminaries, have been complied with, and that the sum so paid is then held by the Minister, and unless it appears to the Board that the expenses of incorporation and organization are reasonable.

Within one year.

4. No such certificate shall be given except within one year from the passing of the Act of incorporation of the bank applying for the said certificate. 53 V., c. 31, s. 15. Am.

If certificate not granted, powers to cease.

16. If the bank does not obtain a certificate from the Treasury Board within one year from the time of the passing of its Act of incorporation, all the rights, powers and privileges conferred on the bank by its Act of incorporation shall thereupon cease and determine, and be of no force or effect whatever.

Ordinary disbursements allowed, but other expenses subject to resolution.

2. If stock books have been opened and subscriptions in whole or in part paid, but no certificate from the Treasury Board obtained within the time limited by the preceding subsection, no part of the money so paid, or accrued interest thereon, shall be disbursed for commissions, salaries, charges for services or for other purposes, except a reasonable amount for payment of clerical assistance, legal services, office rental, advertising, stationery, postage and expenses of travel, if any, unless it is so provided by resolution of the subscribers at a meeting convened after notice, at which the greater part of the money so paid is represented by subscribers or by proxies of subscribers; and each subscriber shall be entitled at such a meeting to one vote for each ten dollars paid on account of his subscription.

Application to court to settle amount of disbursements.

3. If the amount allowed by such resolution for commissions, salaries or charges for services be deemed insufficient by the provisional directors, or directors elected under section 13 of this Act, as the case may be, or if no resolution for such purpose be passed after a meeting has been duly called, then the provisional directors, or directors elected as aforesaid, may apply to a judge of any superior or county court having jurisdiction where the chief office of the bank is fixed by its Act of incorporation, to settle and determine all charges and the reasonableness of the amount of the disbursements already made to which such money and interest, if any, shall be subject, before distribution of the balance to the subscribers.

Notice of meeting and application to court, with statement.

4. Notice of the meeting and notice of the application respectively referred to in the next preceding subsections shall be given by mailing the notice in the post office,

registered and post paid, at least twenty-one days prior to the date fixed for such meeting or the hearing of such application, to the several subscribers to their respective post office addresses as contained in the stock books; and each of such notices shall contain a statement, in summary form, of the several amounts for commissions, salaries, charges for services and disbursements which it is proposed shall be provided by resolution for payment, or settled and determined by a judge, as the case may be.

Voting.

5. Votes of subscribers may be given at such meeting by proxy, the holder of such proxy to be a subscriber, and subscribers may be heard either in person or by counsel on such application.

Ratio payable by subscribers.

6. In order that the sums paid and payable under the provisions of this section may be equitably borne by the subscribers, the provisional directors or the directors, as the case may be, shall, after the amount of such sums is ascertained as herein provided, fix the proportionate part thereof chargeable to each subscriber at the ratio of the number of shares, in respect of which he is a subscriber to the total number of shares *bona fide* subscribed.

Payment of excess.

7. The respective amounts so fixed shall, before return of the sums paid in to the subscriber, be deducted therefrom, and if the respective sums paid in are not as much as the amounts so fixed, then the excess in each case shall be payable forthwith by the subscriber to the provisional directors or the directors, as the case may be.

Deductions.

8. The total of the amounts in excess mentioned in the next preceding subsection which the provisional directors or the directors are unable to get in or collect in what seems to them a reasonable time shall, with any legal costs incurred, be deducted by them from the sums then remaining in their hands to the credit of the several subscribers in the ratio hereinbefore mentioned, the shares in respect of which no such collections have been made being eliminated from the basis of calculation.

Return of excess to subscribers.

9. The provisional directors or directors, after payment by them of the sums payable under this section, shall return to the subscribers, with any interim interest accretions, the respective balances of the moneys paid in by the subscribers. 53 V., c. 31, s. 16. Am.

Deposit, how disposed of if certificate granted.

17. Upon the issue of the certificate in manner hereinbefore provided, the Minister shall forthwith pay to the bank the amount of money so deposited with him as aforesaid, without interest, after deducting therefrom the sum of five thousand dollars required to be deposited under the provisions of this Act for the securing of the notes issued by the bank.

If certificate not granted.

2. In case no certificate is issued by the Treasury Board within the time limited for the issue thereof, the amount

so deposited shall be returned to the bank for distribution in the manner provided by this Act.

Minister not bound.

3. In no case shall the Minister be under any obligation to see to the proper application in any way of the amount so returned. 53 V., c. 31, s. 17. Am.

INTERNAL REGULATIONS.

Regulation by by-law.

18. The shareholders of the bank may, at any annual general meeting or at any special general meeting duly called for the purpose, regulate, by by-law, the following matters incident to the management and administration of the affairs of the bank, that is to say:—

(a) The day upon which the annual general meeting of the shareholders for the election of directors shall be held;

(b) The record to be kept of proxies, and the time, not exceeding twenty days, within which proxies must be produced and recorded prior to a meeting in order to entitle the holder to vote thereon;

(c) The number of the directors, which shall be not less than five, and the quorum thereof, which shall be not less than three;

(d) Subject to the provisions hereinafter contained, the qualifications of directors;

(e) The method of filling vacancies in the board of directors, whenever the same occur during each year;

(f) The time and proceedings for the election of directors in case of a failure of any election on the day appointed for it;

(g) The remuneration of the president, vice-president and other directors; and,

(h) The amount of discounts or loans which may be made to directors, either jointly or severally, or to any one firm or person, or to any shareholder, or to corporations.

Copy of by-laws to be sent to shareholders.

2. A copy of the by-laws in force on the first day of July, one thousand nine hundred and *twenty-three*, in respect of the several matters hereinbefore in this section set out, together with a copy of this section of the Act, shall, before the thirty-first day of December, one thousand nine hundred and *twenty-three*, be sent to each shareholder at his last known post office address, as shown by the books of the bank; and after the first day of July, one thousand nine hundred and *twenty-three*, within six months after the end of each successive five year period, a copy of the by-laws, in respect of the said matters, in force at the end of each such period, shall be sent as aforesaid.

Guarantee and pension funds.

3. The shareholders may authorize the directors to establish guarantee and pension funds for the officers and employees of the bank and their families, and to contribute

thereto out of the funds of the bank, *and such guarantee or pension fund, whether contributed in whole or in part out of the funds of the bank or not, shall be invested in securities in which a trustee may invest under the Trust Companies Act, 1914. Any conversion of investments rendered necessary by this provision shall be made within such time or times as the Minister may deem reasonable.*

Existing by-laws continued.

4. Until it is otherwise prescribed by by-law under this section, the by-laws of the bank on any matter which may be regulated by by-law under this section shall remain in force, except as to any provision fixing the qualification of directors at an amount less than that prescribed by this Act. 53 V., c. 31, s. 18; 4-5 E. VII., c. 4, s. 3; 3-4 G. V., c. 9, s. 18. Am.

Exception.

Board of directors.

19. The stock, property, affairs and concerns of the bank shall be managed by a board of directors, who shall be elected annually in the manner hereinafter provided, and shall be eligible for re-election. 53 V., c. 31, s. 19.

Qualifications.

20. Each director shall hold stock of the bank, of which stock he shall be the absolute and sole owner in his individual right and not as trustee or in the right of another, on which not less than—

(a) three thousand dollars have been paid up, when the paid-up capital stock of the bank is one million dollars or less;

(b) four thousand dollars have been paid up, when the paid-up capital stock of the bank is over one million dollars and does not exceed three million dollars;

(c) five thousand dollars have been paid up, when the paid-up capital stock of the bank exceeds three million dollars.

Required stock holdings.

2. No person shall be elected or continue to be a director unless he holds stock, of which he is the owner as aforesaid, paid up to the amount required by this Act, or such greater amount as is required by any by-law in that behalf.

Majority to be British subjects.

3. A majority of the directors shall be natural born or naturalized subjects of His Majesty and domiciled in Canada. 53 V., c. 31, ss. 18 and 19. Am.

Election of directors.

21. The directors shall be elected by the shareholders at the annual general meeting.

At chief office.

2. The election shall take place at the place where the chief office of the bank is situate.

Notice.

3. Public notice of the annual general meeting shall be given by the directors by publishing such notice, for at least four weeks previously to the time of holding the said meeting, in a newspaper published at the place where the chief office of the bank is situate, and by mailing a copy of such notice to each shareholder at his last known post

office address, as shown by the books of the bank, at least twenty days prior to the time aforesaid. 53 V., c. 31, s. 19. Am.

Who shall be directors.

22. The persons, to the number authorized to be elected, who have the greatest number of votes at any election, shall be directors. 53 V., c. 31, s. 19.

Provision in case of equality of votes.

23. If it happens at any election that two or more persons have an equal number of votes, and the election or non-election of one or more of such persons as a director or directors depends on such equality, then the directors who have a greater number of votes, or the majority of them, shall, in order to complete the full number of directors, determine which of the said persons so having an equal number of votes shall be a director or directors. 53 V., c. 31, s. 19.

Election of president and vice-president.

24. The directors, as soon as may be after their election shall proceed to elect, by ballot, from their number a president and one or more vice-presidents.

Honorary president.

2. The directors may also elect by ballot one of their number to be honorary president. 53 V., c. 31, s. 19; 4-5 E. VII., c. 4, s. 4. Am.

Vacancies, how filled.

Proviso.

25. If a vacancy occurs in the board of directors the vacancy shall be filled in the manner provided by the by-laws: Provided that, if the vacancy is not filled, the acts of a quorum of the remaining directors shall not be thereby invalidated. 53 V., c. 31, s. 19.

Vacancy in presidency or vice-presidency.

26. If a vacancy occurs in the office of the president or vice-president, the directors shall, from among themselves, elect a president or a vice-president, who shall continue in office for the remainder of the year. 53 V., c. 31, s. 19. Am.

Postponed election of directors.

27. If an election of directors is not made on the day appointed for that purpose, such election may take place on any other day, according to the by-laws made by the shareholders in that behalf.

Continuance in office.

2. The directors in office on the day appointed for the election of directors shall remain in office until a new election is made. 53 V., c. 31, s. 20.

Meetings of directors.

28. The president, or in his absence a vice-president, shall preside at all meetings of the directors.

Temporary chairman.

2. If at any meeting of the directors both president and vice-presidents are absent, one of the directors present, chosen to act *pro tempore*, shall preside.

Voting.

3. The president, a vice-president or president *pro tempore*, so presiding, shall vote as a director, and shall,

if there is an equal division on any question, also have a casting vote.

Record of attendance of Directors.

4. A record shall be kept of the attendance at each meeting of directors. A summary thereof prepared so as to show the total number of directors' meetings held and the number attended by each director shall be sent to each shareholder with the notice of the annual meeting required by Section twenty-one; and such summary may state the nature and extent of the services rendered by any director who, by reason of residing at a point remote from the chief office of the bank, has been unable to attend meetings of directors. 53 V., c. 31, s. 21; 3-4 G. V., c. 9, s. 28. Am.

General powers of directors.

29. The directors may make bylaws and regulations, not repugnant to the provisions of this Act, or to any by-law duly passed by the shareholders or to the laws of Canada, with respect to—

(a) the management and disposition of the stock, property, affairs and concerns of the bank;

(b) the duties and conduct of the officers, clerks and servants employed therein; and,

(c) all such other matters as appertain to the business of a bank.

Existing by-laws continued.

2. All by-laws of the bank heretofore lawfully made and now in force with regard to any matter respecting which the directors may make by-laws under this section, including any by-laws for the establishing of guarantee and pension funds for the employees of the bank, shall remain in force until they are repealed or altered by other by-laws made under this Act. 53 V., c. 31, s. 22.

Appointment of officers.

30. The directors may appoint as many officers, clerks and servants as they may consider necessary for the carrying on of the business of the bank, *and may authorize any officer of the bank to make such of these appointments as they may deem expedient.*

Directors may authorize officer to make appointments.

2. Such officers, clerks and servants may be paid such salaries and allowances as the directors *or such officer, in the case of appointments made by him,* consider necessary.

Salaries.

Security.

3. The directors before permitting any general manager, manager, or other officer, clerk or servant of the bank to enter upon the duties of his office, *and any officer, authorized as aforesaid, before permitting any officer, clerk or servant of the bank appointed by him to enter upon the duties of his office,* shall require him to give a bond, guarantee or other security to the satisfaction of the directors *or such officer as the case may be,* for the due and faithful performance of his duties. 53 V., c. 31, s. 23. Am.

Special general meeting.

31. A special general meeting of the shareholders of the bank, may be called at any time by—

(a) the directors of the bank or any four of them; or,

(*b*) any number not less than twenty-five of the shareholders, acting by themselves or by their proxies, who are together proprietors of at least one-tenth of the paid-up capital stock of the bank.

Notice. 2. Such directors or shareholders shall give six weeks' previous public notice, specifying therein the object of such meeting.

Place. 3. Such meeting shall be held at the usual place of meeting of the shareholders.

Removal of president, vice-president or director. 4. If the object of the special general meeting is to consider the proposed removal, for maladministration or other specified and apparently just cause, of the president or a vice-president, or of a director of the bank, and if a majority of the votes of the shareholders at the meeting is given for such removal, a director to replace him shall be elected or appointed in the manner provided by the by-laws of the bank, or, if there are no by-laws providing therefor, by the shareholders at the meeting.

Another to replace.

Choosing another president or vice-president. 5. If it is the president or a vice-president who is removed, his office shall be filled by the directors in the manner provided in case of a vacancy occurring in the office of president or vice-president. 53 V., c. 31, s. 24.

One vote for each share. **32.** Every shareholder shall, on all occasions on which the votes of the shareholders are taken, have one vote for each share held by him for at least thirty days before the time of meeting.

Ballot. 2. In all cases when the votes of the shareholders are taken, the voting shall be by ballot.

Majority to determine. 3. All questions proposed for the consideration of the shareholders shall be determined by a majority of the votes of the shareholders present or represented by proxy.

Casting vote. 4. The chairman elected to preside at any meeting of the shareholders shall vote as a shareholder only, unless there is a tie, in which case he shall, except as to the election of a director, have a casting vote.

As to joint holders of shares. 5. If two or more persons are joint holders of shares, any one of the joint holders may be empowered, by letter of attorney from the other joint holder or holders, or a majority of them, to represent the said shares, and to vote accordingly.

Proxies. 6. Shareholders may vote by proxy, but no person other than a shareholder eligible to vote shall be permitted to vote or act as proxy.

Officers not to vote. 7. No general manager, manager, clerk or other subordinate officer of the bank shall vote either in person or by proxy, or hold a proxy for the purpose of voting.

Renewal of proxies. 8. No appointment of a proxy to vote at any meeting of the shareholders of the bank shall be valid for that purpose unless it has been made or renewed in writing within one year last preceding the time of such meeting.

Calls must be paid before voting.

9. No shareholder shall vote, either in person or by proxy, on any question proposed for the consideration of the shareholders of the bank at any meeting of the shareholders, or in any case in which the votes of the shareholders of the bank are taken, unless he has paid all calls made by the directors which are then due and payable. 53 V., c. 31, s. 25. Am.

CAPITAL STOCK.

Increase of capital.

33. The capital stock of the bank may be increased, from time to time, by such percentage, or by such amount, as is determined upon by by-law passed by the shareholders at the annual general meeting, or at any special general meeting called for the purpose.

Approval of Treasury Board.

2. No such by-law shall come into operation, or be of any force or effect, unless and until a certificate approving thereof has been issued by the Treasury Board.

Conditions for approval.

3. No such certificate shall be issued by the Treasury Board unless application therefor is made within three months from the time of the passing of the by-law, nor unless it appears to the satisfaction of the Treasury Board that a copy of the by-law, together with notice of intention to apply for the certificate, has been published for at least four weeks in *The Canada Gazette*, and in one or more newspapers published in the place where the chief office of the bank is situate.

Treasury Board may refuse.

4. Nothing herein contained shall be construed to prevent the Treasury Board from refusing to issue such certificate if it thinks best so to do. 53 V., c. 31, s. 26.

Allotment.

34. Any of the original unsubscribed capital stock, or of the increased stock of the bank, shall, at such time as the directors determine, be allotted to the then shareholders of the bank *pro rata*, at such *price* and on such terms as are fixed by the directors: Provided that—

To present shareholders.

(a) no fraction of a share shall be so allotted;

(b) in no case shall a rate be fixed by the directors, which will make the premium, if any, paid or payable on the stock so allotted, exceed the percentage which the rest or reserve fund of the bank then bears to the paid-up capital stock thereof;

(c) payment shall not be required in greater amounts or at shorter intervals than ten per cent of the price every thirty days; and,

(d) the price of such stock shall be paid in money.

Notice of allotment.

2. Notice of allotment shall be mailed to the shareholders at their last known post office address as shown by the record of the bank, and the directors shall in such notice fix a date not less than ninety days from the day on which the notice is mailed within which the allotment is to be accepted.

Allotment to the public.

3. Any of such allotted stock which is not accepted by a shareholder to whom the allotment has been made, within the time so fixed, or which he declines to accept, together with such shares as remain unallotted because of the provisions of this section that no fraction of a share can be allotted, may be offered for subscription to the public in such manner and on such terms as the directors prescribe.

Distribution of fractions.

4. Any sums received in excess of the rate per share fixed by the directors under this section in respect of fractions of shares offered for subscription to the public shall be rateably distributed to the respective shareholders from whose shares the fractions arose. 53 V., c. 31, s. 27. Am.; 3-4 G.V., c. 9, s. 34. Am.

Reduction of capital.

35. The capital stock of the bank may be reduced by by-law passed by the shareholders at the annual general meeting, or at a special general meeting called for the purpose.

Approval Treasury Board.

2. No such by-law shall come into operation or be of force or effect until a certificate approving thereof has been issued by the Treasury Board.

Conditions for approval.

3. No such certificate shall be issued by the Treasury Board unless application therefor is made within three months from the time of the passing of the by-law, nor unless it appears to the satisfaction of the Board that—

(a) the shareholders voting for the by-law represent a majority in value of all the shares then issued by the bank; and,

(b) a copy of the by-law, together with notice of intention to apply to the Treasury Board for the issue of a certificate approving thereof, has been published for at least four weeks in *The Canada Gazette*, and in one or more newspapers published in the place where the chief office of the bank is situate.

Treasury Board may refuse.

4. Nothing herein contained shall be construed to prevent the Treasury Board from refusing to issue the certificate if it thinks best so to do.

Statements to be submitted to Treasury Board.

5. In addition to evidence of the passing of the by-law, and of the publication thereof in the manner in this section provided, statements showing—

(a) the amount of stock issued;

(b) the number of shareholders represented at the meeting at which the by-law passed;

(c) the amount of stock held by each such shareholder;

(d) the number of shareholders who voted for the by-law;

(e) the amount of stock held by each of such last mentioned shareholders;

(f) the assets and liabilities of the bank in full; and,

(g) the reasons and causes why the reduction is sought;

shall be laid before the Treasury Board at the time of the application for the issue of a certificate approving the by-law.

Not to affect liability of shareholders.

6. The passing of the by-law, and any reduction of the capital stock of the bank thereunder, shall not in any way diminish or interfere with the liability of the shareholders of the bank to the creditors thereof at the time of the issue of the certificate approving the by-law.

If legislation is asked to sanction reduction.

7. If in any case legislation is sought to sanction any reduction of the capital stock of any bank, a copy of the by-law or resolution passed by the shareholders in regard thereto, together with statements similar to those by this section required to be laid before the Treasury Board, shall, at least one month prior to the introduction into Parliament of the bill relating to such reduction, be filed with the Minister.

Limit of reduction.

8. The capital shall not be reduced below the amount of two hundred and fifty thousand dollars of paid-up stock. 53 V., c. 31, s. 28.

SHARES AND CALLS.

Shares personalty.

36. The shares of the capital stock of the bank shall be personal property.

Books of subscription.

2. For the purpose of disposing of stock which may be offered for subscription to the public under section 34 of this Act, stock books may be opened at the chief office of the bank, or at such of its branches, or elsewhere, as the directors prescribe.

Particulars entered.

3. Each subscriber shall, at the time of subscription, give his post office address, and description, and these particulars shall appear in the stock books in connection with the name of the subscriber and the number of shares subscribed for. 3-4 G. V., c. 9, s. 36.

Notice of double liability.

37. There shall be printed in small pica type, or type of larger size, on each page in the stock books upon which subscriptions are recorded and on every document constituting or authorizing a subscription, on a part of the page and document, respectively, which may be readily seen by the person recording the subscription, or by the person signing the document, a copy of section 125 of this Act. 3-4 G. V., c. 9, s. 37.

Calls on shares.

38. The directors may make such calls of money from the several shareholders for the time being, upon the shares subscribed for by them respectively, as they find necessary.

Number of.

2. Any number of calls may be made by one resolution.

Intervals for calls.

3. Such calls shall be payable at intervals of not less than thirty days.

Notice.

4. Notice of such calls shall be given to the shareholders.

Limitation.

5. No such call shall exceed ten per cent of each share subscribed. 53 V., c. 31, s. 31. Am.

Capital lost to be called for.

39. If any part of the paid-up capital is lost the directors shall, if all the subscribed stock is not paid up, forthwith make calls upon the shareholders to an amount equivalent to the loss: Provided that all net profits shall be applied to make good such loss.

Returns to Minister.

2. Any such loss of capital and the calls, if any, made in respect thereof, shall be mentioned in the next return made by the bank to the Minister. 53 V., c. 31, s. 48.

Recovery of calls and instalments.

Forfeiture.

40. In case of the non-payment of any call, or instalment under an accepted allotment, the directors may, in the corporate name of the bank, sue for, recover, collect and get in any such call or instalment, or may cause and declare the shares in respect of which any such default is made to be forfeited to the bank. 53 V., c. 31, s. 32. Am.

Fine for failure to pay call.

41. If any shareholder refuses or neglects to pay any instalment or call upon his shares of the capital stock at the time appointed therefor, such shareholder shall incur a penalty, to the use of the bank, of a sum of money equal to ten per cent of the amount of such shares.

Sale of forfeited shares at public auction.

2. If the directors declare any shares to be forfeited to the bank they shall, within six months thereafter, without any previous formality, other than public notice published for at least four weeks, of their intention so to do, sell at public auction the said shares, or so many of the said shares as shall, after deducting the reasonable expenses of the sale, yield a sum of money sufficient to pay the unpaid instalments or calls due on the remainder of the said shares, and the amount of penalties incurred upon the whole.

Transfer, how executed.

3. The president, a vice-president, or the general manager of the bank shall execute the transfer to the purchaser of the shares so sold; and such transfer shall be as valid and effectual in law as if it had been executed by the original holder of the shares thereby transferred.

Remission of forfeiture or penalty.

4. The directors, or the shareholders at a general meeting may, notwithstanding anything in this section contained, remit, either in whole or in part, and conditionally or unconditionally, any forfeiture or penalty incurred by the non-payment of instalments or calls as aforesaid. 53 V., c. 31, s. 33. Am.

Recovery by action.

Allegations.

42. In any action brought to recover any money due on any instalment or call, it shall not be necessary to set forth the special matter in the declaration or statement of claim, but it shall be sufficient to allege that the defendant is the holder of one share or more, as the case may be, in the capital stock of the bank, and that he is indebted to the bank for instalments or calls upon such share or shares, in the sum to which the instalments or calls amount, as the

case may be, stating the amount and number of the instalments or calls.

Proof.

2. It shall not be necessary, in any such action, to prove the appointment of the directors. 53 V., c. 31, s. 34.

TRANSFER AND TRANSMISSION OF SHARES.

Conditions for transfer of shares.

43. No transfer of the shares of the capital stock of the bank shall be valid unless—

(a) made, registered and accepted by the person to whom the transfer is made, or by his attorney appointed in writing, in a book or books kept for that purpose; and,

(b) the person making the transfer has, if required by the bank, previously discharged all his debts or liabilities to the bank which exceed in amount the remaining stock, if any, belonging to such person, valued at the then current rate.

Entries in books.

2. The post office address and description of the transferee shall be entered in such book.

Fraction of share not transferable.

3. No fractional part of a share, or less than a whole share shall be transferable.

Share register office to be opened in each province.

4. The bank may open and maintain in any province in Canada in which it has resident shareholders and in which it has one or more branches or agencies, a share-registry office, to be designated by the directors, at which the shares of the shareholders, resident within the province, shall be registered and at which, and not elsewhere, except as hereinafter provided, such shares may be validly transferred.

Register and transfer of shares.

5. Shares of persons who are not resident in Canada or in any province in which there is a branch or agency of the bank may be registered and shall be transferable at the chief office of the bank or elsewhere, as the directors may designate.

When change of residence.

6. Whenever there is a change in the ownership of shares, and the new shareholder resides in a province other than that in which the former shareholder resided, and whenever there is a change in the residence of a shareholder from one province to another, or whenever a shareholder residing outside of Canada becomes a resident of a province in Canada, the registration of the shares shall be changed to the registry of the province in which the shareholder has his residence, if there is a branch or agency of the bank in that province, and if a share-registry has been opened in that province, and the shares of such shareholder shall thereafter be transferable at such registry and not elsewhere, except as herein provided.

Residence defined.

7. For the purposes of this section, a shareholder shall be deemed to be resident in the province in which he has, according to the books of the bank, his post office address.

Agents.

8. The directors shall appoint such agents for the purposes of this section as they deem necessary. 53 V., c. 31, ss. 29 and 35. Am.

List of transfers.

44. A list of all transfers of shares registered each day in the books of the bank at the respective places where transfers are authorized, showing in each case the parties to such transfers and the number of shares transferred, shall be made up at the end of each day.

For inspection.

2. Such lists shall be kept at the said respective places for the inspection of the shareholders. 53 V., c. 31, s. 36. Am.

Requirements for valid transfer.

45. All sales or transfers of shares, and all contracts and agreements in respect thereof, hereafter made or purporting to be made, shall be null and void, unless the person making the sale or transfer, or the person in whose name or behalf the sale or transfer is made, at the time of the sale or transfer,—

(a) is the registered owner in the books of the bank of the share or shares so sold or transferred, or intended or purporting to be sold or transferred; or,

(b) has the registered owner's assent to the sale.

Contract to state number.

2. The distinguishing number or numbers, if any, of such share or shares shall be designated in the contract of agreement of sale or transfer.

Purchasers without notice.

3. Notwithstanding anything in this section contained, the rights and remedies under any contract of sale, which does not comply with the conditions and requirements in this section mentioned, of any purchaser who has no knowledge of such non-compliance, are hereby saved. 53 V., c. 31, s. 37.

Sale of shares under execution.

46. When any share of the capital stock has been sold under a writ of execution, the officer by whom the writ was executed shall, within thirty days after the sale, leave with the bank an attested copy of the writ, with the certificate of such officer endorsed thereon, certifying to whom the sale has been made.

Transfer, how executed.

2. The president, a vice-president or the general manager of the bank shall execute the transfer of the share so sold to the purchaser, but not until after all debts and liabilities to the bank of the holder of the share, and all liens in favour of the bank existing thereon, have been discharged as by this Act provided.

Validity.

3. Such transfer shall be to all intents and purposes as valid and effectual in law as if it had been executed by the holder of the said share. 53 V., c. 31, s. 38. Am.

Transmission of shares.

47. If the interest in any share in the capital stock of any bank is transmitted by or in consequence of—

(a) the death, lunacy, bankruptcy, or insolvency of any shareholder; or,

(b) the marriage of a female shareholder; or,

(c) any lawful means, other than a transfer according to the provisions of this Act;

How authenticated.

the transmission shall be authenticated by a declaration in writing, as hereinafter mentioned, or in such other manner as the directors of the bank require.

Declaration.

2. Every such declaration shall distinctly state the manner in which and the person to whom the share has been transmitted, and shall give his post office address and description, and such person shall make and sign the declaration.

Acknowledgment.

3. The person making and signing the declaration shall acknowledge the same before a judge of a court of record, or before the mayor, provost or chief magistrate of a city, town, borough or other place, or before a notary public, or a commissioner for taking affidavits, where the same is made and signed.

To be left with bank.

4. Every declaration so signed and acknowledged shall be left with the general manager, or other officer or agent of the bank, who shall thereupon enter the name of the person entitled under the transmission in the register of shareholders.

Exercise of rights as shareholder.

5. Until the transmission has been so authenticated, no person claiming by virtue thereof shall be entitled to participate in the profits of the bank, or to vote in respect of any such share of the capital stock. 53 V., c. 31, s. 39. Am.

Transmission by marriage of female shareholders.

48. If the transmission of any share of the capital stock has taken place by virtue of the marriage of a female shareholder, the declaration shall be accompanied by a copy of the register of such marriage, or other particulars of the

Declaration.

celebration thereof, and shall declare the identity of the wife, with the holder of such share, and shall be made and signed by such female shareholder and her husband.

If separate property of wife.

2. The declaration may include a statement to the effect that the share transmitted is the separate property and under the sole control of the wife, and that she may, without requiring the consent or authority of her husband, receive and grant receipts for the dividends and profits accruing in respect thereof, and dispose of and transfer the share itself.

Revocation.

3. The declaration shall be binding upon the bank and persons making the same, until the said persons see fit to revoke it by a written notice to the bank to that effect.

Omission not to invalidate.

4. The omission of a statement in any such declaration that the wife making the declaration is duly authorized by her husband to make the same shall not invalidate the declaration. 53 V., c. 31, s. 40.

Authentication of declaration and papers in certain cases.

49. Every such declaration and instrument as are by the last two preceding sections required to perfect the transmission of a share in the bank shall, if made in any country other than Canada, the United Kingdom or a British colony,—

(a) be further authenticated by the clerk of a court of record under the seal of the court, or by the British consul or vice-consul, or other accredited representative of His Majesty's Government in the country where the declaration or instrument is made; or,

(b) be made directly before such British consul, vice-consul or other accredited representative.

Further evidence.

2. The directors, general manager or other officer or agent of the bank may require corroborative evidence of any fact alleged in any such declaration. 53 V., c. 31, s. 39. Am.

Transmission by will or intestacy.

50. If the transmission has taken place by virtue of any testamentary instrument, or by intestacy, the probate of the will, or the letters of administration, or act of curatorship or tutorship, or an official extract therefrom, shall, together with the declaration, be produced and left with the general manager or other officer or agent of the bank.

Entry.

2. The general manager or other officer or agent shall thereupon enter in the register of shareholders the name of the person entitled under the transmission. 53 V., c. 31, s. 41. Am.

Transmission by decease.

51. Notwithstanding anything in this Act, if the transmission of any share of the capital stock has taken place by virtue of the decease of any shareholder, the production to the directors and the deposit with them of—

(a) any authenticated copy of the probate of the will of the deceased shareholder, or of letters of administration of his estate, or of letters of verification of heirship, or of the act of curatorship or tutorship, granted by any court in Canada having power to grant the same, or by any court or authority in England, Wales, Ireland, or any British colony, or of any testament, testamentary or testament dative expede in Scotland; or,

(b) an authentic notarial copy of the will of the deceased shareholder, if such will is in notarial form according to the law of the province of Quebec; or,

(c) if the deceased shareholder died out of His Majesty's dominions, any authenticated copy of the probate of his will or letters of administration of his property, or other document of like import, granted by any court or authority having the requisite power in such matters;

shall be sufficient justification and authority to the directors for paying any dividend, or for transferring or authorizing the transfer of any share, in pursuance of and in conformity

to the probate, letters of administration, or other such document as aforesaid. 53 V., c. 31, s. 42. Am.

SHARES SUBJECT TO TRUSTS.

Bank not bound to see to trusts.

52. The bank shall not be bound to see to the execution of any trust, whether expressed, implied or constructive, to which any share of its stock is subject.

Receipt.

2. The receipt of the person in whose name any such share stands in the books of the bank, or, if it stands in the names of more persons than one, the receipt of one of such persons shall be a sufficient discharge to the bank for any dividend or any other sum of money payable in respect of such share, unless, previously to such payment, express notice to the contrary has been given to the bank.

Bank not bound.

3. The bank shall not be bound to see to the application of the money paid upon such receipt whether given by one of such persons or all of them. 53 V., c. 31, s. 43.

Executor or trustee not personally liable.

53. No person holding stock in the bank as executor, administrator, guardian, trustee, tutor or curator—

(a) of or for any estate, trust or person named in the books of the bank as being represented by him; or,

(b) if the will or other instrument under or by virtue of which the stock is so held be named in the books of the bank in connection with such holding,

shall be personally subject to any liability as a shareholder; but the estate and funds in his hands shall be liable in like manner and to the same extent as the testator, intestate, ward or person interested in such estate and funds would be, if living and competent to hold the stock in his own name.

Cestui que trust liable.

2. If the trust is for a living person or corporation, such person or corporation shall also be liable as a shareholder to the extent of his or its respective interest in the shares.

Executor or trustee liable if trust not named.

3. If the estate, trust or person so represented, or will or other instrument, is not named in the books of the bank, the executor, administrator, guardian, trustee, tutor or curator shall be personally liable in respect of the stock, as if he held it in his own name as owner thereof. 63-64 V., c. 26, s. 8. Am.

ANNUAL AND SPECIAL STATEMENTS.

Statement to be laid before annual meeting.

54. At every annual general meeting of the shareholders for the election of directors, the outgoing directors shall submit a clear and full statement of the affairs of the bank, exhibiting, on the one part, the liabilities of the bank, and, on the other part, the assets and resources thereof, and the statement shall be signed by the general manager or other principal officer of the bank next in authority in the management of the affairs of the bank at the time at which the

statement is signed, and shall be signed on behalf of the board by the president or a vice-president or any other two directors, neither of whom shall be an officer of the bank.

Liabilities.

2. The statement shall, without restricting the generality of the requirement of the next preceding subsection, include and show, on the one part, the amount of the—

(*a*) capital stock paid in,
(*b*) rest or reserve fund,
(*c*) dividends declared and unpaid,
(*d*) balance of profits, as per profit and loss account referred to in subsection *6* of this section,
(*e*) notes of the bank in circulation,
(*f*) deposits not bearing interest,
(*g*) deposits bearing interest, including interest accrued to date of statement,
(*h*) *advances under the Finance Act*,
(*i*) balances due to other banks in Canada,
(*j*) balances due to banks and banking correspondents in the United Kingdom and foreign countries,
(*k*) bills payable;
(*l*) letters of credit *outstanding*,
(*m*) liabilities not included in the foregoing;

Assets.

3. The statement shall include and show, on the other part, the amount of—

(*a*) current coin held by the bank,
(*b*) Dominion notes held,
(*c*) notes of other banks,
(*d*) *United States and other foreign currencies*,
(*e*) cheques on other banks,
(*f*) balances due by other banks in Canada,
(*g*) balances due by banks and banking correspondents elsewhere than in Canada,
(*h*) Dominion and provincial government securities, not exceeding market value,
(*i*) Canadian municipal securities, and British, foreign and colonial public securities other than Canadian, *not exceeding market value*,
(*j*) railway and other bonds, debentures and stocks, not exceeding market value,
(*k*) call and short (not exceeding thirty days) loans in Canada on stocks, debentures and bonds *and other securities of a sufficient marketable value to cover*,
(*l*) call and short (not exceeding thirty days) loans elsewhere in Canada *on stocks, debentures and bonds and other securities of a sufficient marketable value to cover*,
(*m*) other current loans and discounts in Canada (less rebate of interest), *after making full provision for all bad and doubtful debts*,

(n) other current loans and discounts elsewhere than in Canada (less rebate of interest), *after making full provision for all bad and doubtful debts,*

(o) liabilities of customers under letters of credit as per contra,

(p) real estate other than bank premises,

(q) *non-current loans*, estimated loss provided for,

(r) bank premises, at not more than cost, less amounts (if any) written off,

(s) deposit with the Minister for the purposes of the Circulation Fund,

(t) deposit in the central gold reserves,

(u) other assets not included in the foregoing.

4. *Whenever a bank carries on any part of its operations in the name of a corporation controlled by such bank, then there shall accompany the statement, a further statement or statements showing the assets and liabilities of each such corporation, and the value placed upon the bank's interest in the corporation; and the auditors of the bank shall, or any purposes within the purview of this Act, be deemed auditors of such controlled corporation, and the shareholders of the bank at every annual general meeting shall appoint such person to act as proxy for the bank at any and all meetings of such controlled corporation as they may see fit.*

Other particulars.

5. Any other or further particulars than those called for by subsections 2 *and 3* of this section, which, in the opinion of the directors, are necessary to a full and clear statement of the affairs of the bank shall also be included and shown in such statement.

Profit and loss account.

6. A profit and loss account for the financial year of the bank next preceding the date of the annual general meeting shall accompany the statement and be attached thereto, and shall be signed on behalf of the board by the same persons as are required by this section to sign the statement referred to.

Copies of statement to be sent to shareholders and Minister.

7. A copy of the statement and of the profit and loss account, together with a copy of the minutes of the annual general meeting, shall be sent within four weeks thereafter to each shareholder at his last known post office address, as shown by the books of the bank, and *concurrently therewith a certified copy* of each of these shall be sent to the Minister. 53 V., c. 31, s. 45. Am.; 3-4 G. V., c. 9, s. 54. Am.

Further statements as required by by-law.

55. The directors shall also submit to the shareholders such further statements of the affairs of the bank as the shareholders require by by-law passed at the annual general meeting, or at any special general meeting of the shareholders called for the purpose.

When to be submitted.

2. The statements so required shall be submitted at the annual general meeting, or at any special general meeting called for the purpose, or at such time and in such manner

as is set forth in the by-law of the shareholders requiring such statements. 63-64 V., c. 26, s. 9. Am.

SHAREHOLDERS' AUDIT.

Who qualified to audit.

56. *The affairs of the bank shall be audited by two persons, residing in Canada, each one of whom shall be an accountant who has for at least six years preceding the date of his appointment, as hereinafter provided, practised his profession in Canada, and who shall also be a member in good standing of an Institute or Association of Accountants incorporated under the authority of the Legislature of any province of Canada.*

Lists to be furnished to the Association.

2. A list or lists shall be furnished to the Minister and also to the Association by each such incorporated Institute or Association of Accountants on or before the thirty-first day of July, nineteen hundred and twenty-three, and thereafter on or before the thirtieth day of June in each year, of all members of their corporation in good standing whose names are entitled to be included therein as determined by the provisions of the last preceding subsection, together with their addresses and the names of the firms, if any, of which they are members, and such list or lists shall be certified under their corporate seals respectively.

The Minister may remove name or names.

3. The Minister may, not later than the thirtieth day of September next following, remove from such list or lists the name of any person of whose appointment to be an auditor of a bank he may disapprove.

Publication of list.

4. The Minister shall, as soon thereafter in each year as may be convenient, cause to be inserted in two successive issues of The Canada Gazette, a public notice containing the names and other particulars of persons included in such list or lists and not removed therefrom by the Minister, and the persons included in such published notice shall be deemed qualified for appointment as auditors of a bank.

Appointment of auditors.

5. The shareholders shall at each annual general meeting appoint two persons, not members of the same firm, whose names are included in the last published list, to audit the affairs of the bank, but if the same two persons, or members respectively of the same two firms have been appointed for two years in succession to audit the affairs of any one bank, one such person or any member of one such firm shall not be again appointed to audit the affairs of such bank during the period of two years next following the term for which he was last appointed.

Vacancy.

6. If any vacancy should occur in the office of auditor of a bank, notice thereof shall forthwith be given by the bank to the Minister, who shall thereupon appoint some other person included in the published list for the year to serve for the unexpired term of the person previously appointed.

Remuneration of Auditors.

7. The remuneration of auditors shall be fixed by the shareholders at the time of their appointment, and in the event of any vacancy and the appointment of another auditor under the next preceding subsection, the remuneration so fixed shall be divided between them as the directors shall consider just and reasonable.

Powers and rights of auditors.

8. Every auditor of a bank shall have a right of access to the books and accounts, cash, securities, documents and vouchers of the bank, and shall be entitled to require *and receive* from the directors and officers of the bank such information and explanation as may be necessary for the performance of the duties of the auditors.

Procedure and scope of audit.

9. The Minister may from time to time require that the auditors of a bank shall report to him upon the adequacy of the procedure adopted by the bank for the safety of its creditors and shareholders, and as to the sufficiency of their own procedure in auditing the affairs of the bank; and the Minister may at his discretion enlarge or extend the scope of the audit, or direct that any other or particular examination be made or procedure established in the particular case as the public interest may seem to require.

Duty with respect to directors.

10. It shall be the duty of the auditors to report individually or jointly as to them may seem fit to the general manager and to the directors in writing any transactions or conditions affecting the well being of the bank which are not satisfactory to them, and which in their opinion require rectification, and without restricting the generality of this requirement they shall report specifically to the general manager and to the directors from time to time upon any loans exceeding one per cent of the paid-up capital of the bank which in their judgment are inadequately secured, but this provision shall not be construed to relieve any director from the due and proper discharge of the duties of a director. The report shall be transmitted or delivered by the auditors to the general manager at his office and to each director at his last known post office address and the said report shall be incorporated in the minutes of the directors' meeting first following the receipt of the said report.

Report of Auditors.

11. The auditors shall make a report to the shareholders on the statement of the affairs of the bank to be submitted by the directors to the shareholders under Section 54 of this Act during their tenure of office; and the report shall state—

(a) whether or not they have obtained all the information and explanations they have required;

(b) whether, in their opinion, the transactions of the bank which have come under their notice have been within the powers of the bank;

(c) whether, in their opinion, the statement referred to in the report discloses the true condition of the bank;

(d) whether the statement is as shewn by the books of the bank.

Attached to annual statement and read.

12. The auditors' report shall be attached to the statement submitted by the directors to the shareholders under section

54 of this Act, and the report shall be read before the shareholders in the annual general meeting.

Audit and report on further statements.

13. Any further statement of the affairs of the bank submitted by the directors to the shareholders under section 55 of this Act shall be subject to audit and report, and the report of the auditors thereon shall state—

(a) whether or not they have obtained the information and explanation they have required;

(b) whether, in their opinion, such further statement discloses to the extent thereof the true condition of the bank.

Attached to statement and read.

14. The auditors' report shall be attached to the further statement referred to in the next preceding subsection, and shall be read before the shareholders at the meeting to which such further statement is submitted, and a copy of the statement and report shall be *mailed to every shareholder at his last known address.*

Copies.

Auditor not to undertake other employment for bank.

15. A person appointed under this section to audit the affairs of a bank shall not, during the term for which such person is appointed, either by himself, or by the firm of which he is a member, or by any other member of such firm, accept any retainer or undertake any employment on behalf of or at the instance of such bank or any officer thereof, whether at the expense of the bank or not, other than that of auditor hereunder; and failure to comply with the provisions of this subsection shall be an offence against this Act.

16. No person shall be appointed an auditor of a bank if such person or any member of his firm is a director or officer of such bank. 3-4 G. V., c. 9, s. 56.

AUDITORS' REPORT TO MINISTER.

Examination by auditor appointed by Minister.

56A. The Minister may direct and require any auditor appointed under the next preceding section of this Act, or any other auditor whom he may select, to examine and inquire specially into any of the affairs or business of the bank, and the auditor so appointed or selected, as the case may be, shall, at the conclusion of his examination and inquiry, report fully to the Minister the results thereof.

Powers of auditor.

2. For the purposes of this section the auditor appointed or selected as aforesaid shall have all the rights and powers given to an auditor under the next preceding section.

Remuneration.

3. For the performance of the duties imposed by this section the auditor shall be paid as remuneration, out of the Consolidated Revenue Fund, such sum as the Governor in Council may direct.

To be deemed auditor of bank.

4. The person selected by the Minister under this section shall, for the purposes of section 153 of this Act, be deemed to be an auditor of the bank. 3-4 G. V., c. 9, s. 56 A.

DIVIDENDS.

Quarterly or half yearly dividends.

57. The directors of the bank shall, subject to the provisions of this Act, declare quarterly or half yearly dividends of so much of the profits of the bank as to the majority of them seems advisable.

Notice.

2. The directors shall give public notice, published for at least four weeks, of the payment of such dividends previously to the date fixed for such payment.

Where payable.

3. Dividends shall, on and after the date fixed for payment, be payable at the chief office of the bank, and at such of its branches, and at such other places, as the directors prescribe.

Books closed.

4. The directors may close the transfer books during a certain time, not exceeding fifteen days, before the payment of each dividend.

Liability of bank.

5. The liability of any bank under any law, custom or agreement to pay dividends heretofore or hereafter declared and payable on its capital stock shall continue notwithstanding any statute of limitations or any enactment or law relating to prescription. 53 V., c. 31, ss. 47, 90; R.S., c. 29, ss. 36 (4), 126. Am.

No prescription.

Dividend not to impair capital.

58. No dividend or bonus shall be declared so as to impair the paid-up capital of the bank.

Directors liable for such dividend.

2. The directors who knowingly and wilfully concur in the declaration or making payable of any dividend or bonus, whereby the paid-up capital of the bank is impaired, shall be jointly and severally liable for the amount of such dividend or bonus, as a debt due by them to the bank. 53 V., c. 31, s. 48.

Dividend limited unless there is a certain reserve.

59. No division of profits, either by way of dividends or bonus, or both combined, or in any other way, exceeding the rate of eight per cent per annum, shall be made by the bank, unless, after making the same, the bank has a rest or reserve fund, equal to at least thirty per cent of its paid-up capital after *providing all the appropriations necessary for ascertained and estimated losses.*

Personal liability of directors.

2. The directors who knowingly and wilfully concur in any division of profits exceeding the rate of eight per cent per annum, unless after making the same the bank has a rest or reserve fund equal to at least thirty per cent of its paid up capital after making the appropriations necessary to provide for losses, shall be jointly and severally liable for the amount so divided, as a debt due by them to the bank. 3-4 G. V., c. 9, s. 59. Am.

CASH RESERVES.

Cash reserves in Dominion notes.

60. The bank shall hold in Dominion notes not less than forty per cent of the cash reserves which it has in Canada.

Supply of Dominion notes.

2. The Minister shall make such arrangements as are necessary for ensuring the delivery of Dominion notes to any bank, in exchange for an equivalent amount of gold coin lawfully current at the several branch offices of the Department of Finance *established for the redemption of Dominion notes under the provisions of The Dominion Notes Act, 1914.*

Redemption.

3. Such notes shall be redeemable at any of the branch offices mentioned in subsection 2 hereof. 53 V., c. 31, s. 50. Am.; 3-4 G. V., c. 9, s. 60. Am.

ISSUE AND CIRCULATION OF NOTES.

Issue of notes.

61. The bank may issue and re-issue its notes payable to bearer on demand and intended for circulation: Provided that—

Proviso.

(a) the bank shall not, during any period of suspension of payment of its liabilities, issue or re-issue any of its notes; and,

(b) if, after any such suspension, the bank resumes business without the consent in writing of the curator, hereinafter provided for, it shall not issue or re-issue any of its notes until authorized by the Treasury Board so to do.

$5, or multiples.

2. No such note shall be for a sum less than five dollars, or for any sum which is not a multiple of five dollars.

Amount limited.

3. Except as hereinafter provided, the total amount of the notes of a bank in circulation at any time shall not exceed the aggregate of—

(a) the amount of the unimpaired paid-up capital of the bank; and,

(b) the amount of current gold coin and of Dominion notes held for the bank in the central gold reserves hereinafter mentioned.

Appointment of trustees.

4. The Association may, with the approval of the Minister, appoint three trustees and the Minister may appoint a fourth trustee, and the trustees so appointed shall receive such amounts in current gold coin and Dominion notes, or either, as any bank may desire from time to time to deposit with them. The amounts so deposited are herein referred to as "central gold reserves" and shall be held and dealt with in accordance with the provisions of this Act.

"Central gold reserves."

By-laws respecting.

5. The Association may make by-laws, rules and regulations under section 124 of this Act respecting the custody and management of the central gold reserves and the carrying out of the provisions of this Act relating to such reserves.

Excess of notes over paid up capital.

6. When and so long as the amount of the notes of a bank in circulation in excess of its unimpaired paid-up capital is less than the amount deposited by it in the central gold reserves, the excess of the amount so deposited shall belong to the bank as its property, and the bank may apply to the trustees for a return of the excess last mentioned, and upon receiving from the bank a statement signed by the chief accountant and by the general manager or other principal officer next in authority in the management of the affairs of the bank at the time the statement is signed, and otherwise in the form provided by said by-laws, rules or regulations, setting forth to the best of the information and belief of these officers the amount of the notes of the bank in circulation on the date of such statement, the trustees shall return the whole or part of the deposit of the bank, as the case may be. On and from the date when such statement is transmitted by registered post or delivered to the trustees, the amount applied for shall, for the purpose of the statement to be made by the trustees to the Minister under subsection 7 of this section, and for the purpose of calculating the total amount of the authorized note circulation of the bank, be deemed to have been withdrawn from the central gold reserves and shall not be taken into account in such statement nor included in such calculation; provided always that should the total amount of the notes of the bank in circulation be found, by reason of such withdrawal, to be in excess of the circulation of the bank authorized by this Act the bank shall not be deemed to be released or relieved from any of the penalties imposed by this Act for circulation of the notes of a bank in excess of the amount authorized by this Act.

Statement to be sent to Minister.

7. The trustees shall prepare and transmit by registered post or deliver to the Minister within the first twenty days of each month a statement to be signed by them showing the amount on each juridical day of the preceding month of the deposit of each bank in the central gold reserves and not withdrawn or deemed to be withdrawn under the provisions of this section.

Inspection and audit of gold coin and notes.

8. The Minister shall, from time to time, and not less frequently than twice in each year, cause an inspection and audit of the gold coin and Dominion notes held by the trustees to be made by officers of the Department of Finance.

Particulars of inspection.

9. It shall be the duty of such officers—

(a) to inspect and ascertain the amount of the gold coin and Dominion notes held by the trustees for the respective banks at the date of inspection; and,

(b) to ascertain from the books and accounts, documents and vouchers of the trustees the amounts of gold coin and Dominion notes held by the trustees for the

respective banks at any preceding date named by the Minister.

Powers of inspecting officer.

10. Every such officer shall have a right of access to the gold coin and Dominion notes held and to the books and accounts, documents and vouchers of the trustees, and shall be entitled to require from the trustees such information and explanation as may be necessary for the performance of his duties.

When bank insolvent.

11. Should the bank become insolvent within the meaning of this Act, the amount held for it in the central gold reserves shall be paid by the trustees to the liquidator or other person entitled by law to collect and receive the assets of the bank and shall be applied in redeeming the notes of such bank in circulation and for no other purpose, or in making the payment to the Minister required by section 116 of this Act.

Vacancy in office of trustee.

12. When a vacancy in the office of a trustee appointed by the Association occurs, by resignation, death or other cause, the trustee to fill the vacancy shall, subject to the approval of the Minister, be appointed by the Association; and when a vacancy occurs in the office of a trustee appointed by the Minister, the trustee to fill the vacancy shall be appointed by the Minister.

Remuneration of trustees.

13. The remuneration of trustees, including that of the trustee appointed by the Minister, and all charges and expenses incidental to the establishment and maintenance of the central gold reserves, shall be borne by the Association as the Association may, by by-law, rule or regulation, determine.

Additional issue during moving of crops.

14. During the usual season of moving the crops, that is to say, from and including the first day of September in any year to and including the last day of February next ensuing in addition to the said amount of notes hereinbefore authorized to be issued for circulation, the bank may issue its notes to an amount not exceeding fifteen per cent of the combined unimpaired paid-up capital and rest or reserve fund of the bank as stated in the statutory monthly return made by the bank to the Minister for the month immediately preceding that in which the additional amount is issued.

Notice of additional issue.

15. Whenever, under the authority of the next preceding subsection of this section, the issue of an additional amount of notes of the bank has been made, the general manager, or other principal officer next in authority in the management of the affairs of the bank for the time being, shall forthwith give notice thereof by registered letter addressed to the Minister and to the president of the Association.

Interest on additional issue.

16. While its notes in circulation are in excess of the aggregate referred to in subsection 3 of this section, the bank shall pay interest to the Minister at such rate, not exceeding five per cent per annum, as is fixed by the Governor in Council, on the amount of its notes in circulation

in excess from day to day; and the interest so paid shall form part of the Consolidated Revenue Fund.

Return by bank.

17. A return shall be made and sent by the bank to the Minister showing the amount of its notes in circulation for each juridical day during any month in which any amount of notes in excess of the amount of the unimpaired paid-up capital of the bank has been issued or is outstanding.

Time and form of return.

18. Such return shall be made up and sent within the first thirty days after the last day of the month in which any such amount in excess has been issued or is outstanding, and shall be accompanied by declarations which shall be a part of the return, and the declarations shall be in the form set forth in Schedule *H* to this Act, and shall be signed by the chief accountant, and by the president or a vice-president or the director then acting as president, and by the general manager or other principal officer next in authority in the management of the affairs of the bank at the time at which the declaration is signed. 53 V., c. 31, s. 51; 63-64 V., c. 26, s. 10; 7-8 E. VII., c. 7, s. 1; 2 G. V., c. 5, s. 4. Am.; 3-4 G. V., c. 9, s. 61. Am.

Signatures thereto.

Note issue at agency in British possessions other than Canada.

62. Notwithstanding the provisions of the last preceding section any bank may issue and re issue, at any branch, agency or office of the bank in any British colony or possession other than Canada, notes of the bank payable to bearer on demand and intended for circulation in such colony or possession, for the sum of one pound sterling each, or for any multiple of such sum, or for the sum of five dollars each, or for any multiple of such sum of the dollars in commercial use in such colony or possession, if the issue or reissue of such notes is not forbidden by the laws of such colony or possession.

Governor in Council to fix rate for circulation.

2. No issue of notes of the denomination of five such dollars, or any multiple thereof, shall be made in any such British colony or possession unless and until the Governor in Council, on the report of the Treasury Board, determines the rate, in Canadian currency, at which such notes shall be circulated as forming part of the total amount of the notes in circulation within the meaning of the last preceding section.

Redemption.

3. The notes so issued shall be redeemable at par at any branch, agency or office of the bank in the colony or possession in which they are issued for circulation, and not elsewhere, except as in this section specially provided; and the place of redemption of such notes shall be legibly printed or stamped across the face of each note so issued.

Redemption if agency is abolished.

4. In the event of the bank ceasing to have a branch or agency or office in any such British colony or possession, all notes issued in such colony or possession under the provisions of this section shall become payable and redeemable at the rate of four dollars and eighty-six and two-thirds

cents per pound sterling, or, in the case of the issue of notes of the denomination of five dollars, or any multiple thereof, of the dollars in commercial use in such colony or possession, at the rate established by the Governor in Council as required by this section, in the same manner as notes of the bank issued in Canada are payable and redeemable.

Total amount of circulation.

5. The amount of the notes at any time in circulation in any such colony or possession, issued under the provisions of this section, shall, at the rate mentioned in the last preceding subsection, form part of the total amount of the notes in circulation within the meaning of the last preceding section, and, except as herein otherwise specially provided, shall be subject to all the provisions of this Act.

No re-issue in Canada.

6. No notes issued for circulation in a British colony or possession other than Canada shall be re-issued in Canada.

Section limited.

7. Nothing in this section shall be construed to authorize any bank—

(a) to increase the total amount of its notes in circulation in Canada and elsewhere beyond the limit fixed by the last preceding section; or,

(b) to issue or re-issue in Canada notes payable to bearer on demand, and intended for circulation, for a sum less than five dollars, or for a sum which is not a multiple of five dollars. 4 E. VII., c. 3, ss. 1, 2, 3 and 4.

Pledge of notes prohibited.

63. The bank shall not pledge, assign, or hypothecate its notes; and no advance or loan made on the security of the notes of a bank shall be recoverable from the bank or its assets. 53 V., c. 31, s. 25.

Bank circulation redemption fund continued.

64. The moneys heretofore paid to and now deposited with the Minister by the banks to which this Act applies, constituting the fund known as the Bank Circulation Redemption Fund, shall continue to be held by the Minister for the purposes and subject to the provisions in this section mentioned and contained.

$5,000 to be retained upon issue of certificate.

2. The Minister shall, upon the issue of a certificate under this Act authorizing a bank to issue notes and commence the business of banking, retain, out of any moneys of such bank then in his possession, the sum of five thousand dollars, which sum shall be held for the purposes of this section, until the annual adjustment hereinafter provided for takes place in the year then next following.

Adjustment.

3. The amount at the credit of such bank shall, at such next annual adjustment, be adjusted by payment to or by the bank of such sum as is necessary to make the amount of money at the credit of the bank equal to five per cent of the average amount of its notes in circulation from the time it commenced business to the time of such adjustment and such sum shall thereafter be adjusted annually as hereinafter provided.

Five per cent of average circulation.

Circulation Fund.

4. The amounts heretofore and from time to time hereafter paid, to be retained and held by the Minister as by this section provided, shall continue to form and shall form the Circulation Fund.

The purpose.

5. The Circulation Fund shall continue to be held as heretofore for the sole purpose of payment, in the event of the suspension by a bank of payment in specie or Dominion notes of any of its liabilities as they accrue, of the notes then issued or re-issued by such bank, intended for circulation, and then in circulation, and interest thereon.

Fund to bear interest.

6. The Circulation Fund shall bear interest at the rate of three per cent per annum.

Adjustment quarterly.

7. The Circulation Fund shall be adjusted, as soon as possible after the thirtieth day of June in each year, in such a way as to make the amount at the credit of each bank contributing thereto, unless herein otherwise specially provided, equal to five per cent of the average note circulation of such bank during the then last preceding twelve months.

Average note circulation, how determined.

8. The average note circulation of a bank during any period shall be determined from the average of the amount of its notes in circulation, as shown by the monthly returns for such period made by the bank to the Minister; and where, in any return the greatest amount of notes in circulation at any time during the month is given, such amount shall, for the purposes of this section, be taken to be the amount of the notes of the bank in circulation during the month to which such return relates: Provided, however, that in determining the average note circulation of a bank under this subsection the daily average for each month of the amount of the bank's deposit (if any) in the general gold reserves which has not been withdrawn or deemed to be withdrawn within the meaning of this Act shall be deducted from the greatest amount of the notes of the bank in circulation at any time during the month.

Duties of Minister.

9. The Minister shall with respect to all notes paid out of the Circulation Fund, have the same rights as any other holder of notes of the bank: Provided, that all such notes, and all interest thereon, so paid by the Minister, after the amount at the credit of such bank in the Circulation Fund and all interest due or accruing due thereon, has been exhausted, shall bear interest, at the rate of three per cent per annum, from the time such notes and interest are paid until such notes and interest are repaid to the Minister by or out of the assets of such bank.

Notes of suspended banks not to bear interest.

10. In the event of the suspension by a bank of payment in specie or Dominion notes of any of its liabilities as they accrue, the notes of the bank issued or re-issued, intended for circulation, and then in circulation, shall bear interest at the rate of five per cent per annum, from the day

Circulation Fund.

4. The amounts heretofore and from time to time hereafter paid, to be retained and held by the Minister as by this section provided, shall continue to form and shall form the Circulation Fund.

Its purposes.

5. The Circulation Fund shall continue to be held as heretofore for the sole purpose of payment, in the event of the suspension by a bank of payment in specie or Dominion notes of any of its liabilities as they accrue, of the notes then issued or re-issued by such bank, intended for circulation, and then in circulation, and interest thereon.

Fund to bear interest.

6. The Circulation Fund shall bear interest at the rate of three per cent per annum.

Adjustment annually.

7. The Circulation Fund shall be adjusted, as soon as possible after the thirtieth day of June in each year, in such a way as to make the amount at the credit of each bank contributing thereto, unless herein otherwise specially provided, equal to five per cent of the average note circulation of such bank during the then last preceding twelve months.

Average note circulation, how determined.

8. The average note circulation of a bank during any period shall be determined from the average of the amount of its notes in circulation, as shown by the monthly returns for such period made by the bank to the Minister; and where, in any return the greatest amount of notes in circulation at any time during the month is given, such amount shall, for the purposes of this section, be taken to be the amount of the notes of the bank in circulation during the month to which such return relates: Provided, however, that in determining the average note circulation of a bank under this subsection the daily average for each month of the amount of the bank's deposit (if any) in the central gold reserves which has not been withdrawn or deemed to be withdrawn within the meaning of this Act shall be deducted from the greatest amount of the notes of the bank in circulation at any time during the month.

Proviso.

Rights of Minister.

9. The Minister shall, with respect to all notes paid out of the Circulation Fund, have the same rights as any other holder of notes of the bank: Provided that all such notes, and all interest thereon, so paid by the Minister, after the amount at the credit of such bank in the Circulation Fund, and all interest due or accruing due thereon, has been exhausted, shall bear interest, at the rate of three per cent per annum, from the time such notes and interest are paid until such notes and interest are repaid to the Minister by or out of the assets of such bank. 53 V., c. 31, s. 54; 63-64 V., c. 26, s. 13; 3-4 G.V., c. 9, s. 64.

Proviso.

Notes of bank suspending payment to bear interest.

65. In the event of the suspension by a bank of payment in specie or Dominion notes of any of its liabilities as they accrue, the notes of the bank, issued or re-issued, intended for circulation, and then in circulation, shall bear interest at the rate of five per cent per annum, from the day

of the suspension to such day as is named by the directors, or by the liquidator, receiver, assignee, or other proper official, for the payment thereof.

Notice of time for payment.

2. Notice of such day shall be given by advertisement in at least three consecutive issues of a daily newspaper, published in the place in which the chief office of the bank is situate, and if there is no daily newspaper published there, then by advertisement in two consecutive issues of any weekly newspaper published in that place.

As to notes not then presented.

3. If any notes presented for payment on or after any day named for payment thereof are not paid, all notes then unpaid and in circulation shall continue to bear interest until such further day is named for payment thereof, of which day notice shall be given in manner hereinbefore provided.

Notes not redeemed to be paid out of Circulation Fund.

4. If the directors of the bank or the liquidator, receiver, assignee or other proper official fails to make arrangements within two months from the day of the suspension of payment by the bank, for the payment of all of its notes and interest thereon, the Minister may make arrangements for the payment out of the Circulation Fund, of the notes remaining unpaid and all interest thereon, and the Minister shall give such notice of the payment as he thinks expedient.

Interest to cease.

5. Notwithstanding anything herein, all interest upon such notes shall cease upon and from the date named by the Minister for such payment.

Government not liable.

6. Nothing herein shall be construed to impose any liability upon the Government of Canada, or upon the Minister, beyond the amount available from time to time out of the Circulation Fund. 53 V., c. 31, s. 54; 63-64 V., c. 26, s. 11. Am.

Payment from fund.

66. All payments made from the Circulation Fund shall be without regard to the amount contributed thereto by the bank in respect of whose notes the payments are made.

If fund exceeded.

2. If the payments from the Circulation Fund exceed the amount contributed to the Circulation Fund by the bank so suspending payment, and all interest due or accruing due to such bank thereon, the other banks to which this Act applies shall, on demand, make good to the Circulation Fund the amount of the excess, proportionately to the amount which each such other bank had or should have contributed to the Circulation Fund, at the time of the suspension of the bank in respect of whose notes the payments are made: Provided that—

Proviso.

(*a*) each of such other banks shall only be called upon to make good to the Circulation Fund its share of the excess in payments not exceeding in any one year one per cent of the average amount of its notes in circulation;

(*b*) such circulation shall be ascertained in such manner as the Minister decides; and,

(*c*) the Minister's decision shall be final.

Amounts recovered, how distributed.

3. All amounts recovered and received by the Minister from the bank on account of which such payments were made shall, after the amount of such excess has been made good as aforesaid, be distributed among the banks contributing to make good such excess, proportionately to the amount contributed by each. 53 V., c. 31, s. 54; 63-64 V., c. 26, s. 12.

Refund of deposit if bank is wound up.

67. In the event of the winding-up of the business of a bank by reason of insolvency or otherwise, the Treasury Board may, on the application of the directors, or of the liquidator, receiver, assignee or other proper official, and on being satisfied that proper arrangements have been made for the payment of the notes of the bank and any interest thereon, pay over to the directors, liquidator, receiver, assignee or other proper official, the amount of the Circulation Fund at the credit of the bank, or such portion thereof as it thinks expedient. 53 V., c. 31, s. 54.

Treasury Board rules.

68. The Treasury Board may make all such rules and regulations as it thinks expedient with reference to—

(*a*) the payment of any moneys out of the Circulation Fund, and the manner, place and time of such payment;

(*b*) the collection of all amounts due to the Circulation Fund;

(*c*) all accounts to be kept in connection therewith; and,

(*d*) generally the management of the Circulation Fund and all matters relating thereto. 53 V., c. 31, s. 54.

Minister may enforce payments.

69. The Minister may, in his official name, by action in the Exchequer Court of Canada, enforce payment, with costs of action, of any sum due and payable by any bank which should form part of the Circulation Fund. 53 V., c. 31, s. 54.

Arrangements to be made for circulation at par, and redemption.

70. The bank shall make such arrangements as are necessary to ensure the circulation at par, in any and every part of Canada, of all notes issued or re-issued by it and intended for circulation; and towards this purpose the bank shall establish agencies for the redemption and payment of its notes *at the places at which the Governor in Council has established branch offices of the Department of Finance for the redemption of Dominion notes*, and at such other places as are from time to time designated by the Treasury Board. 53 V., c. 31, s. 55. Am.; 3-4 G. V., c. 9, s. 54. Am.

Bank must take its own notes.

71. The bank shall always receive in payment its own notes at par at any of its branches, agencies or offices, and whether they are made payable there or not.

Payment in Dominion notes.

72. The bank, when making any payment shall, on the request of the person to whom the payment is to be made, pay the same, or such part thereof, not exceeding one hundred dollars, as such person requests, in Dominion notes for one, two or five dollars each, at the option of such person.

No torn or defaced notes.

2. No payment, whether in Dominion notes or bank notes, shall be made by the bank in bills that are unclean or torn or partially defaced by excessive handling.

Disinfection of notes.

3. The Treasury Board may make regulations providing for the disinfection and sterilization by the several banks of all bank notes and Dominion notes which have come into the bank's possession before a re-issue thereof to the public; and the bank, its officers, clerks and servants, shall carry out and execute the regulations made under the authority of this section. 53 V., c. 31, s. 57. Am.

Bills or notes binding though not sealed.

73. The bills or notes of the bank signed by the president, a vice-president, the general manager or other officer appointed by the directors of the bank to sign the same, promising the payment of money to any person, or to his order, or to the bearer, though not under the corporate seal of the bank, shall be binding and obligatory on the bank, in like manner and with the like force and effect as they would be upon any private person, if issued by him in his private or natural capacity, and shall be assignable in like manner as if they were so issued by a private person in his natural capacity.

Directors may depute officer to sign.

2. The directors of the bank may, from time to time, authorize or depute the general manager, a manager or other officer of the bank, or any director other than the president or a vice-president, or any manager of any branch or office of discount and deposit of the bank, to sign the notes of the bank intended for circulation. 53 V., c. 31, s. 58. Am.

Bills may be signed by machinery.

74. All bank notes and bills whereon the name of any person entrusted or authorized to sign such notes or bills on behalf of the bank is impressed by machinery provided for that purpose, by or with the authority of the bank, shall be good and valid to all intents and purposes, as if such notes and bills had been subscribed in the proper handwriting of the person entrusted or authorized by the bank to sign the same respectively, and shall be bank notes and bills within the meaning of all laws and statutes whatever, and may be described as bank notes or bills in all indictments and civil or criminal proceedings whatever : Provided that if all such names are impressed by machinery,

at least one such name to each note or bill, together with a distinguishing device and number, shall be impressed or engraved under the authority of the bank after the notes are received by the bank from the engraver and printer, and shall not be otherwise impressed or engraved. 53 V., c. 31, s. 29. Am.

Counterfeit or fraudulent notes to be stamped.

75. Every officer charged with the receipt or disbursement of public moneys, and every officer of any bank, and every person acting as or employed by any banker, shall stamp or write in plain letters, upon every counterfeit or fraudulent note issued in the form of a Dominion or bank note, and intended to circulate as money, which is presented to him at his place of business, the word "Counterfeit," "Altered" or "Worthless."

If wrongfully stamped.

2. If such officer or person wrongfully stamps any genuine note he shall, upon presentation, redeem it at the face value thereof. 53 V., c. 31, s. 62.

BUSINESS AND POWERS OF A BANK.

Business and powers of bank.

76. The bank may—

(a) open branches, agencies and offices;

(b) engage in and carry on business as a dealer in gold and silver coin and bullion;

(c) deal in, discount and lend money and make advances upon the security of, and take as collateral security for any loan made by it, bills of exchange, promissory notes and other negotiable securities, or the stock, bonds, debentures and obligations of municipal and other corporations, whether secured by mortgage or otherwise, or Dominion, provincial, British, foreign, and other public securities; and,

(d) engage in and carry on such business generally as appertains to the business of banking.

Exceptions.

2. Except as authorized by this Act, the bank shall not, either directly or indirectly,—

(a) deal in the buying or selling, or bartering of goods, wares and merchandise, or engage or be engaged in any trade or business whatsoever;

(b) purchase, or deal in, or lend money, or make advances upon the security or pledge of any share of its own capital stock, or of the capital stock of any bank; or,

(c) lend money or make advances upon the security, mortgage or hypothecation of any lands, tenements or immovable property, or of any ships or other vessels, or upon the security of any goods, wares and merchandise. 53 V., c. 31, s. 64.

(d) lend to or on the security of the general manager, assistant general manager, branch manager, or any officer, clerk or servant of the bank without the approval

of the directors any amount or amounts exceeding in the aggregate one thousand dollars; or

(e) lend to or on the security of the general manager, assistant general manager, branch manager, or any officer, clerk or servant of the bank any amount or amounts exceeding in the aggregate ten thousand dollars. 53 V., c. 31, s. 64; 3-4 G. V., c. 9, s. 76. Am.

(f) lend money or make advances in excess of ten per cent of its paid-up capital to a director of the bank or to any company or corporation in which the president, general manager or a director of the bank is a partner or shareholder, as the case may be, without the approval of two-thirds of the directors present at a regular meeting, or meeting specially called for the purpose, of the board.

3. No agent or manager of any bank shall act as agent for any insurance company or for any person in the placing of insurance, nor shall any bank exercise pressure upon any borrower to place insurance for the security of such bank in any particular insurance agency, but nothing herein contained shall prevent such bank from requiring such insurance to be placed with an insurance company which it may approve.

Bank to have lien upon the stock of its debtors.

77. The bank shall have a privileged lien, for any debt or liability for any debt to the bank, on the shares of its own capital stock, and on any unpaid dividends of the debtor or person liable, and may decline to allow any transfer of the shares of such debtor or person until the debt is paid.

Sale of shares.

2. The bank shall, within twelve months after the debt has accrued and become payable, sell such shares: Provided

Notice.

that notice shall be given to the holder of the shares of the intention of the bank to sell the same, by mailing the notice, in the post office, post paid, to the last known address of the holder, as shown by the records of the bank, at least thirty days prior to the sale.

Transfer.

3. Upon the sale being made the president, a vice-president or the general manager shall execute a transfer of the shares to the purchaser thereof in the usual transfer book of the bank.

Effect of transfer.

4. Such transfer shall vest in the purchaser all the rights in or to the said shares which were possessed by the holder thereof, with the same obligation of warranty on his part as if he were the vendor thereof, but without any warranty from the bank or by the officer of the bank executing the transfer. 53 V., c. 31, s. 65. Am.

Collateral securities may be sold.

78. The stock, bonds, debentures or securities, acquired and held by the bank as collateral security, may, in case of default in the payment of the debt, for the securing of which they were so acquired and held, be dealt with, sold and conveyed, either in like manner and subject to the same restrictions as are herein provided in respect of stock of the

bank on which it has acquired a lien under this Act, or in like manner as and subject to the restrictions under which a private individual might in like circumstances deal with, sell and convey the same: Provided that the bank shall not be obliged to sell within twelve months.

Right of sale may be waived.

2. The right so to deal with and dispose of such stock, bonds, debentures or securities in manner aforesaid may be waived or varied by any agreement between the bank and the owner of the stock, bonds, debentures or securities. 53 V., c. 31, s. 66. Am.

Acquisition of real estate.

79. The bank may acquire and hold real and immovable property for its actual use and occupation and the management of its business, and may sell or dispose of the same and acquire other property in its stead for the same purpose.

Return to Minister.

2. The bank shall annually, during the month of January, *transmit or deliver* to the Minister a return showing in detail the fair market value of its real and immovable property held under this section *either in its own name or in the name of a trustee or of a corporation controlled by the bank.*

Particulars.

3. Such return shall state separately each parcel of real property held by the bank and as to each such parcel shall state—

(a) the registered owner thereof, if the bank is not the registered owner;

(b) the amount of any mortgage or hypotheque thereon, and if more than one parcel is subject to the same mortgage or hypotheque, the parcels subject to such mortgage or hypotheque shall be segregated in such return and identified therewith;

How signed.

(c) the extent (if any) to which each such parcel is not held for the actual use and occupation of the bank;

and such return shall be signed by the chief accountant, and by the president, or a vice-president, or the director then acting as president, and by the general manager or other principal officer of the bank next in authority in the management of the affairs of the bank at the time at which the said return is made. 3-4 G. V., c. 9, s. 79. Am.

Mortgages and hypotheques of realty, *and agreements of sale.*

80. The bank may take, hold and dispose of—

(a) mortgages and hypotheques upon real *and* personal, immovable *and* movable property.

(b) the rights of vendors or purchasers under agreements for the sale or purchase of real and personal, immovable and movable property.

by way of additional security for debts contracted to the bank in the course of its business.

As to personalty.

2. The rights, powers and privileges which the bank is by this Act declared to have, or to have had, in respect of real or immovable property mortgaged to it, shall be held

and possessed by it in respect of any personal or movable property which is mortgaged or hypothecated to the bank. 53 V., c. 31, s. 68; 3-4 G. V., c. 9, s. 80. Am.

Purchases of realty.

81. The bank may purchase any lands or real or immovable property offered for sale—

(a) under execution, or in insolvency, or under the order or decree of a court, as belonging to any debtor to the bank; or,

(b) by a mortgagee or other encumbrancer, having priority over a mortgage or other encumbrance held by the bank; or,

(c) by the bank under a power of sale given to it for that purpose, notice of such sale by auction to the highest bidder having been first given by advertisement for four weeks in a newspaper published in the county or electoral district in which such lands or property is situate,

in cases in which, under similar circumstances, an individual could so purchase, without any restriction as to the value of the property which it may so purchase, and may acquire a title thereto as any individual, purchasing at sheriff's sale, or under a power of sale, in like circumstances could do, and may take, have, hold and dispose of the same at pleasure. 53 V., c. 31, s. 69. Am.

Bank may acquire absolute title to mortgaged premises.

82. The bank may acquire and hold an absolute title in or to real or immovable property mortgaged to it as security for a debt due or owing to it, either by the obtaining of a release of the equity of redemption in the mortgaged property, or by procuring a foreclosure, or by other means whereby, as between individuals, an equity of redemption can, by law, be barred, or a transfer of title to real or immovable property can, by law, be effected, and may purchase and acquire any prior mortgage or charge on such property.

No Act or law to prevent.

2. Nothing in any charter, Act or law shall be construed as ever having been intended to prevent or as preventing the bank from acquiring and holding an absolute title to and in any such mortgaged real or immovable property, whatever the value thereof, or from exercising or acting upon any power of sale contained in any mortgage given to or held by the bank, authorizing or enabling it to sell or convey any property so mortgaged. 53 V., c. 31, s. 71; 63-64 V., c. 26, s. 14.

Property to be sold within certain time.

83. No bank shall hold any real or immovable property, howsoever acquired, except such as is required for its own use, for any period exceeding seven years from the date of the acquisition thereof, or any extension of such period as in this section provided, and such property shall be absolutely sold or disposed of, within such period or extended

period, as the case may be, so that the bank shall no longer retain any interest therein unless by way of security.

Extension of time.

2. The Treasury Board may direct that the time for the sale or disposal of any such real or immovable property shall be extended for a further period or periods, not to exceed five years.

Twelve years.

3. The whole period during which the bank may so hold such property under the foregoing provisions of this section shall not exceed twelve years from the date of the acquisition thereof.

Property not sold liable to forfeiture.

4. Any real or immovable property, not required by the bank for its own use, held by the bank for a longer period than authorized by the foregoing provisions of this section shall be liable to be forfeited to His Majesty for the use of the Dominion of Canada: Provided that—

Proviso.

(a) no such forfeiture shall take effect until the expiration of at least six calendar months after notice in writing to the bank by the Minister of the intention of His Majesty to claim the forfeiture; and,

(b) the bank may, notwithstanding such notice, before the forfeiture is effected sell or dispose of the property free from liability to forfeiture.

Provisions apply to realty now held.

5. The provisions of this section shall apply to any real or immovable property heretofore acquired by the bank and held by it at the time of the coming into force of this Act. 63-64 V., c. 26, s. 14.

Loans on standing timber.

84. The bank may lend money upon the security of standing timber *or* the rights or licenses held by persons to cut or remove such timber; *provided that the instrument evidencing such security is registered against the land upon which such timber stands or in the offices in which are recorded such rights or licenses.* 3-4 G.V., c. 9, 3s. 4, Am.

Loans to receiver or liquidator under Winding-up Acts *and to trustee under Bankruptcy Act.*

84A. The bank may lend money to a receiver, to a receiver and manager, to a liquidator appointed under any Winding-up Act, *or to a trustee under the Bankruptcy Act,* provided such receiver, receiver and manager, liquidator, *or trustee,* has been duly authorized or empowered to borrow; and, in respect of any money so lent, the bank may take security, with or without personal liability, from such receiver, receiver and manager, liquidator *or trustee* to such an amount, and upon such property and assets, as may be directed or authorized by any court of competent jurisdiction. 63-64 V., c. 26, s. 16. Am.; 3-4 G.V., c. 9, s. 84A. Am.

Advances for building ships.

85. Every bank advancing money in aid of the building of any ship or vessel shall have the same right of acquiring and holding security upon such ship or vessel, while building and when completed, either by way of mortgage,

hypothèque, hypothecation, privilege or lien thereon, or purchase or transfer thereof, as individuals have in the province wherein the ship or vessel is being built.

Rights and obligations.

2. The bank may, for the purpose of obtaining and enforcing such security, avail itself of all such rights and means, and shall be subject to all such obligations, limitations and conditions, as are, by the law of such province, conferred or imposed upon individuals making such advances. 53 V., c. 31, s. 72.

Warehouse receipts and bills of lading.

86. The bank may acquire and hold any warehouse receipt or bill of lading as collateral security for the payment of any debt incurred in its favour, or as security for any liability incurred by it for any person, in the course of its banking business.

Effect of taking.

2. Any warehouse receipt or bill of lading so acquired shall vest in the bank, from the date of the acquisition thereof,—

(a) all the right and title to such warehouse receipt or bill of lading and to the goods covered thereby of the previous holder or owner thereof; or,

(b) all the right and title to the goods, wares and merchandise mentioned therein of the person from whom such goods, wares and merchandise were received or acquired by the bank, if the warehouse receipt or bill of lading is made directly in favour of the bank, instead of to the previous holder or owner of such goods, wares and merchandise. 53 V., c. 31, s. 73; 63-64 V., c. 26, s. 15. Am.

When previous holder is an agent.

87. If the previous holder of such warehouse receipt or bill of lading is any person—

(a) entrusted with the possession of the goods, wares and merchandise mentioned therein, by or by the authority of the owner thereof; or,

(b) to whom such goods, wares and merchandise are, by or by the authority of the owner thereof, consigned; or,

(c) who, by or by the authority of the owner of such goods, wares and merchandise, is possessed of any bill of lading, receipt, order or other document covering the same, such as is used in the course of business as proof of the possession or control of goods, wares and merchandise, or as authorizing or purporting to authorize, either by endorsement or by delivery, the possessor of such a document to transfer or receive the goods, wares and merchandise thereby represented;

the bank shall be, upon the acquisition of such warehouse receipt or bill of lading, vested with all the right and title of the owner of such goods, wares and merchandise, subject to the right of the owner to have the same retransferred to him if the debt or liability, as security for which such warehouse receipt or bill of lading is held by the bank, is paid.

Presumption of possession.

2. Any person shall be deemed to be the possessor of such goods, wares and merchandise, bill of lading, receipt, order or other document as aforesaid—

(a) who is in actual possession thereof; or,

(b) for whom, or subject to whose control such goods, wares and merchandise are, or bill of lading, receipt, order, or other document is held by any other person. 53 V., c. 31, s. 73; 63-64 V., c. 26, s. 15. Am.

Loans to certain whole sale dealers.

88. The bank may lend money to any wholesale purchaser or shipper of or dealer in products of agriculture, the forest, quarry and mine, or the sea, lakes and rivers, or to any wholesale purchaser or shipper of or dealer in live stock or dead stock or the products thereof, upon the security of such products, or of such live stock or dead stock or the products thereof.

Grain.

2. The bank may lend money to a farmer upon the security of his threshed grain grown upon the farm.

Loans to wholesale manufacturers.

3. The bank may lend money to any person engaged in business as a wholesale manufacturer of any goods, wares and merchandise, upon the security of the goods, wares and merchandise manufactured by him, or procured for such manufacture.

Removal of goods.

4. If, with the consent of the bank, the products, goods, wares and merchandise, live stock or dead stock or the products thereof, upon the security of which money has been loaned under the authority of this section, are removed and other products, goods, wares and merchandise, livestock or dead stock or the products thereof of substantially the same character are respectively substituted therefor, then

Substitution.

to the extent of the value of the products, goods, wares and merchandise, or live stock or dead stock or the products thereof so removed, the products, goods, wares and merchandise, live stock or dead stock or the products thereof so substituted shall be covered by such security as if originally covered thereby; but failure to obtain the consent of the bank to any such substitution shall not affect the validity of the security either as respects any products, goods,

Security.

wares and merchandise, or live stock or dead stock or the products thereof actually substituted as aforesaid or in any other particular.

Owner may give the security.

5. Any such security, as mentioned in the foregoing provisions of this section, may be given by the owner of the said products, goods, wares and merchandise, stock or products thereof, or grain.

Form of security.

6. The security may be taken in the form set forth in Schedule C to this Act, or to the like effect.

Same rights as upon warehouse receipts.

7. The bank shall, by virtue of such security, acquire the same rights and powers in respect of the products, goods, wares and merchandise, stock or products thereof, or grain covered thereby as if it had acquired the same by virtue

of a warehouse receipt; provided, however, that the wages, salaries or other remuneration of persons employed by any wholesale purchaser, shipper or dealer, by any wholesale manufacturer, or by any farmer in connection with any of the several wholesale businesses referred to, or in connection with the farm, owing in respect of a period not exceeding three months, *and any claim by an unpaid vendor of or in respect to such products, goods, wares and merchandise to the amount remaining unpaid,* shall be a charge upon the property covered by the said security in priority to the claim of the bank thereunder, and such wages, salaries or other remuneration *and such claim of an unpaid vendor* shall be paid by the bank if the bank takes possession or in any way disposes of the said security or of the products, goods, wares and merchandise, stock or products thereof, or grain covered thereby.

Loans for purchase of seed grain.

8. The bank may lend money to the owner, tenant or occupier of land for the purchase of seed grain upon the security of any crop to be grown from such seed grain.

Security.

9. The security *taken under subsection eight of this section* may be taken in the form set forth in Schedule D to this Act or in a form to the like effect.

First lien upon seed grain and crop.

10. The bank shall by virtue of such security acquire a first and preferential lien and claim for the sum secured and interest thereon upon the seed grain purchased and the crop covered by the security, as well before as after the severance of the crop from the soil, and upon the grain threshed therefrom, and the bank shall by virtue of such security acquire the same rights and powers in respect of such seed grain and of the grain so threshed as if it had acquired such rights and powers by virtue of a warehouse receipt.

Same rights as upon warehouse receipts.

Right to enter and take possession in case of default, etc.

11. The bank shall have the right, through its servants or agents, in case of default in payment of the money lent or in case of neglect to care for and harvest the crop, or in case of any attempt to dispose of the crop without the consent of the bank, or in case of the seizure of the crop under process of law, to enter upon the land upon which the crop is grown, to take possession of, care for and harvest the crop and thresh the grain therefrom.

Loan for Live Stock Raising.

12. The bank may lend money to a farmer and to any person engaged in stock raising upon the security of his live stock; *provided however that such security shall not include and shall be deemed not to include any live stock which at the date of the coming into force of this Act is by any statutory enactment exempt from seizure under writs of execution. The provisions of subsection 4 of this section, making live stock substituted for live stock removed subject to the security, shall apply to the live stock substituted by the farmer or other person engaged in stock raising.* "Live stock" for the purposes of this section means horses and mares, bulls, cows, oxen,

bullocks, steers, heifers and calves, sheep and swine and the offspring of any of such animals.

Security.

13. The security taken under subsection twelve of this section may be taken in the form set forth in schedule E to this Act or in a form to the like effect.

Entry, seizure and sale.

14. The bank shall by virtue of the security taken under subsection *twelve* of this section have full power, right and authority, if the bills or notes therein mentioned or described or any of them are not paid according to their tenor, to enter upon the premises upon which the live stock mentioned in the security are, to take possession of or seize such live stock, and before or after such taking possession of or seizure, to sell such live stock, or such part thereof as may be necessary to realize the amount due and payable, at public auction, not less than five days after,—

(a) notice of the time and place of such sale has appeared in a newspaper published in or nearest to the place where the sale is to be made, and,

(b) posting a notice in writing or in print of the time and place of such sale in or at the post office nearest to the place where the sale is to be made.

Disposal of proceeds of sale.

15. After all necessary and reasonable expenses in connection with such seizure and sale have been deducted and prior privileges, liens or pledges existing in favour of third parties and for which claims may have been filed with the party making the sale have been satisfied, the balance of the proceeds of the sale shall be applied in payment of the said bills or notes and the surplus if any returned to the grantor. 53 V., c. 31, s. 74; 63-64 V., c. 26, s. 17. Am.; 3-4 G. V., c. 9, s. 88; 5 G. V., c. 1. Am.; 6-7 G. V., c. 10. Am.

88A. *Any person intending to give a bank security under the authority of section eighty-eight of this Act must give notice of such intention before any loan is made by the bank to such person and the security taken, by signing a document which may be in the form set out in Schedule F to this Act or to the like effect.*

Notice of intention to give security.

To be registered.

Such document shall be registered in the manner hereinafter provided, and, after this section comes into force, any security subsequently taken under the authority of section eighty-eight of this Act, before such document is registered, shall be null and void as against the creditors of such person and as against subsequent purchasers or mortgagees in good faith. A notice of intention when registered shall be deemed to be notice for the purposes of this section in respect of all securities taken by the bank from such person, under said authority, during the period of three years after the date of registration.

Where to be registered.

2. The document mentioned in the last preceding subsection shall be registered in the office of the Assistant Receiver General (hereinafter called the Assistant Receiver) in the province in

which the place of business, or principal place of business in case the person has more than one place of business, of the person is situate. If the person has no place of business then the document shall be registered in the office of the Assistant Receiver in the province in which such person resides. "Place of business" and "principal place of business" shall, in the case of a company incorporated in Canda, be deemed to be the place where the head office or chief place of business of the company is situate, or if a foreign corporation, then the place of business of such corporation for the purposes of this section shall be the place at which civil process in the province in which the loan is made can be served upon the company. "Assistant Receiver" in this section includes anyone acting for the Assistant Receiver.

Manner of registration.

3. The Assistant Receiver shall number consecutively every notice received by him and shall endorse thereon the number and the hour and date of receiving it, and shall file the notice and enter, in alphabetical order, in a book to be kept by him, the name of every person who has given notice of such intention, with the number endorsed thereon opposite to each name. The Assistant Receiver shall endorse over his signature on a copy of the document, to be supplied by the bank, for the records of the bank, the date of registration and number, and the production of the copy with such endorsation and signature shall be conclusive evidence in all courts of the registration and of the time of registration as thereon endorsed.

Cancellation.

4. The notice of intention may be cancelled by the Assistant Receiver in the book containing such registration at the place where the registration is entered on receipt by him from the bank named in the document registered of a certificate duly signed on behalf of the bank to the effect that each and every security under section 88 given to the bank by the person has been released, or that no security was given to the bank, as the case may be, and such certificate shall bear on the face thereof the number and date endorsed on the original document on file in the office of the Assistant Receiver. The Assistant Receiver shall number consecutively every release received by him and shall endorse thereon the number and the hour and date of its receipt and shall file the release.

Register open to inspection.

5. Every person, upon payment of the proper fees, shall have access to and be entitled to inspect the registration book and any document registered or filed pursuant to this section.

Fees.

6. For services under this Act, the Assistant Receiver shall be entitled to the following fees, for which he shall be accountable to the Consolidated Revenue Fund:—

For registration of each notice and endorsation of copy over signature	*25c.*
For production of registration book for inspection	*25c.*
For production of any notice for inspection	*25c.*
For registration of each certificate of release	*25c.*

Date.

7. This section shall come into force on the first day of August, nineteen hundred and twenty-three.

Goods manufactured from articles pledged.

89. If goods, wares and merchandise are manufactured or produced from the goods, wares and merchandise, or any of them, included in or covered by any warehouse receipt, or included in or covered by any security given under *section 88 of this Act*, while so covered, the bank holding such warehouse receipt or security shall hold or continue to hold such goods, wares and merchandise, during the process and after the completion of such manufacture or production, with the same right and title, and for the same purposes and upon the same conditions, as it held or could have held the original goods, wares and merchandise.

Prior claim of bank over unpaid vendor.

2. All advances made on the security of any bill of lading or warehouse receipt, or of any security given under *section 88 of this Act*, shall give to the bank making the advances a claim for the repayment of the advances on the products or stock, goods, wares and merchandise therein mentioned, or into which they have been converted, prior to and by preference over the claim of any unpaid vendor: Provided that such preference shall not be given over the claim of any unpaid vendor who had a lien upon the products or stock, goods, wares and merchandise at the time of the acquisition by the bank of such warehouse receipt, bill of lading, or security, unless the same was acquired without knowledge on the part of the bank of such lien.

Proviso.

Sale of goods on non-payment of debt.

3. In the event of the non-payment at maturity of any debt or liability secured by a warehouse receipt or bill of lading, or secured by any security given under *section 88 of this Act*, the bank may sell the products or stock, goods, wares and merchandise or grain, mentioned therein, or so much thereof as will suffice to pay such debt or liability with interest and expenses, returning the surplus, if any, to the person from whom the warehouse receipt, bill of lading, or security, or the products or stock, goods, wares and merchandise or grain mentioned therein, as the case may be, were acquired: Provided that such power of sale shall be exercised subject to the following provisions namely:—

Proviso.

Notice of sale of saw-logs, railway ties and lumber.

(a) No sale, without the consent in writing of the owner of any products of the forest shall be made under this Act until notice of the time and place of such sale has been given by a registered letter, mailed in the post office, post paid, to the last known address of the pledgor thereof, at least thirty days prior to the sale thereof;

Notice of sale of goods.

(b) No such products or stock, other than products of the forest, and no goods, wares and merchandise, and no grain, shall be sold by the bank under this Act without the consent of the owner, until notice of the

time and place of sale has been given by a registered letter, mailed in the post office, post paid, to the last known address of the pledgor thereof, at least ten days prior to the sale thereof;

Sale by auction.

(c) Every sale, under such power of sale, without the consent of the owner, shall be made by public auction, after notice thereof by advertisement, in at least two newspapers published in or nearest to the place where the sale is to be made, stating the time and place thereof; and, if the sale is in the province of Quebec, then at least one of such newspapers shall be a newspaper published in the English language, and one other such newspaper shall be a newspaper published in the French language. 53 V., c. 31, ss. 76, 77 and 78; 63-64 V., c. 26, s. 19. Am.

Conditions under which bank may take security.

90. The bank shall not acquire or hold any warehouse receipt or bill of lading, or any such security as aforesaid, to secure the payment of any bill, note, debt, or liability, unless such bill, note, debt or liability is negotiated or contracted,—

(a) at the time of the acquisition thereof by the bank; or,

(b) upon the written promise or agreement that such warehouse receipt or bill of lading or security would be given to the bank:

Proviso.

Provided that such bill, note, debt or liability may be renewed, or the time for the payment thereof extended, without affecting any such security.

2. The bank may—

Exchanging of warehouse receipt for bill of lading and *vice versa*.

(a) on the shipment of any products or stock, goods, wares and merchandise, or grain, for which it holds a warehouse receipt, or any such security as aforesaid, surrender such receipt or security and receive a bill of lading in exchange therefor; or,

(b) on the receipt of any products or stock, goods, wares and merchandise, or grain, for which it holds a bill of lading, or any such security as aforesaid, surrender such bill of lading or security, store the products or stock, goods, wares and merchandise, or grain, and take a warehouse receipt therefor, or ship the products or stock, goods, wares and merchandise, or grain, or part of them, and take another bill of lading therefor. 53 V., c. 31, s. 75; 63-64 V., c. 26, s. 18.

Interest at 7 per cent may be charged.

91. The bank may stipulate for, take, reserve or exact any rate of interest or discount not exceeding seven per cent per annum and may receive and take in advance any such rate, but no higher rate of interest shall be recoverable by the bank. *The rate of interest or discount charged by the bank shall appear on the face of the note.*

Return to Minister.

2. The bank shall make a quarterly return to the Minister, as of the last juridical day of the months of March, June,

September and December in each year, giving such particulars as may be prescribed by regulations made by the Treasury Board of the interest and discount rates charged by the bank.

Signature to returns.

3. Such returns shall be made up and sent in within the first thirty days after the respective juridical days aforesaid, and shall be signed by the same persons as are required to sign the monthly returns made to the Minister under section 112 of this Act. 53 V., c. 31, s. 80. Am.

Any rate may be allowed.

4. *No bank shall directly or indirectly charge or receive any sum whatsoever for the keeping of any account unless such charge is made by express agreement between the Bank and the customer.*

Liability of bank on deposits.

92. The bank may allow any rate of interest whatever upon money deposited with it.

2. The liability of the bank, under any law, custom or agreement to repay moneys heretofore or hereafter deposited with it and interest, if any, shall continue, notwithstanding any statute of limitations, or any enactment or law relating to prescription. 53 V., c. 31, s. 90; R.S., c. 29, s. 126.

Percentage chargeable for collection.

93. When any note, bill, or other negotiable security or paper, payable at any of the bank's places or seats of business, branches, agencies or offices of discount and deposit in Canada, is discounted at any other of the bank's places or seats of business, branches, agencies or offices of discount and deposit, the bank may, in order to defray the expenses attending the collection thereof, receive or retain in addition to the discount thereon, a percentage calculated upon the amount of such note, bill, or other negotiable security or paper, not exceeding one-eighth of one per cent; provided that the bank may make a minimum charge of fifteen cents. 53 V., c. 31, s. 82.

Agency charges.

94. The bank may, in discounting any note, bill or other negotiable security or paper, *bona fide* payable at any place in Canada, other than that at which it is discounted, and other than one of its own places or seats of business, branches, agencies or offices of discount and deposit in Canada, receive and retain, in addition to the discount thereon, a sum not exceeding one-fourth of one per cent on the amount thereof; provided that the bank may make a minimum charge of twenty-five cents. 53 V., c. 31, s. 83.

Deposits may be received from persons unable to contract.

95. The bank may, subject to the provisions of this section, without the authority, aid, assistance or intervention of any other person or official being required,—

(a) receive deposits from any person whomsoever, whatever his age, status or condition in life, and whether such person is qualified by law to enter into ordinary contracts or not; and,

(b) from time to time repay any or all of the principal thereof, and pay the whole or any part of the interest thereon to such person, unless before such repayment the money so deposited in the bank is lawfully claimed as the property of some other person.

Payments by consent.

2. In the case of any such lawful claim the money so deposited may be paid to the depositor with the consent of the claimant, or to the claimant with the consent of the depositor.

Deposit limited to $2,000.

3. If the person making any such deposit could not, under the law of the province where the deposit is made, deposit and withdraw money in and from a bank without this section, the total amount to be received from such person on deposit shall not, at any time, exceed the sum of *two thousand* dollars. 53 V., c. 31, s. 84; 53 V., c. 31, s. 80. Am.; 3-4 G. V., c. 9, s. 95 Am.

Bank not bound to see to trust in deposits.

96. The bank shall not be bound to see to the execution of any trust, whether expressed, implied or constructive, to which any deposit made under the authority of this Act is subject.

Receipt of one of two joint depositors sufficient.

2. Except only in the case of a lawful claim, by some other person, before repayment the receipt of the person in whose name any such deposit stands, or, if it stands in the names of two persons, the receipt of one, or, if it stands in

Or of a majority.

the names of more than two persons, the receipt of a majority of such persons, shall, notwithstanding any trust to which such deposit is then subject, and whether or not the bank sought to be charged with such trust, and with which the deposit has been made, had notice thereof, be a sufficient discharge to all concerned for the payment of any money payable in respect of such deposit.

Application.

3. The bank shall not be bound to see to the application of the money paid upon such receipt.

Garnishee order affects only branch where served.

4. *An attaching or garnishee order or summons shall only affect and bind moneys to the credit of the debtor at the branch, agency or office of the bank where such order or summons or notice thereof is served. 53 V., c. 31, s. 84; 3-4 G. V, c. 9, s. 96. Am.*

If depositor dies, claim not exceeding $500, how proved.

97. If a person dies, having a deposit with the bank not exceeding the sum of five hundred dollars, the production to the bank of—

(a) any authenticated copy of the probate of the will of the deceased depositor, or of letters of administration of his estate, or of letters of verification of heirship, or of the act of curatorship or tutorship, granted by any court in Canada having power to grant the same, or by any court or authority in England, Wales, Ireland or any British colony, or of any testament, testamentary or testament dative expede in Scotland; or,

(b) an authentic notarial copy of the will of the deceased depositor, if such will is in notarial form, according to the law of the province of Quebec; or,

(c) if the deceased depositor died out of His Majesty's dominions, any authenticated copy of the probate of his will, or letters of administration of his property, or other document of like import, granted by any court or authority having the requisite power on such matters;

shall be sufficient justification and authority to the directors for paying such deposit, in pursuance of and in conformity to such probate, letters of administration, or other documents as aforesaid.

Deposit of copy of document.

2. When the authenticated copy or other document of like import is produced to the bank under subsection 1 of this section, there shall be deposited with the bank a true copy thereof. 63-64 V., c. 26, s. 20.

DOMINION GOVERNMENT CHEQUES.

Dominion government cheques to be paid at par.

98. The bank shall not charge any discount or commission for the cashing of any official cheque of the Government of Canada or of any department thereof, whether drawn on the bank cashing the cheque or on any other bank, *nor upon any cheque drawn in favor of the Government of Canada or any department thereof, and tendered for deposit to the credit of the Receiver General of Canada. 53 V., 31, s. 103; 3-4 G. V., c. 9, s. 98. Am.*

PURCHASE OF THE ASSETS OF A BANK.

Bank may sell assets to another bank.

99. Any bank may sell the whole or any portion of its assets to any other bank which may purchase such assets; and the selling and purchasing banks may, for such purposes, enter into an agreement of sale and purchase, which agreement shall contain all the terms and conditions connected with the sale and purchase of such assets.

Consent of Minister.

2. No agreement by a bank to sell the whole or any portion of its assets to another bank shall be made unless and until the Minister, in writing, consents that an agreement under subsection 1 of this section may be entered into between the two banks. 63-64 V., c. 26, s. 33. Am.

Consideration.

100. The consideration for any such sale and purchase may be as agreed upon between the selling and purchasing banks.

If in shares of capital stock.

2. If the consideration, or any portion thereof, is shares of the capital stock of the purchasing bank, the agreement shall provide for the amount of the shares of the purchasing bank to be paid to the selling bank.

Not considered issued until

3. Until such shares so paid to the selling bank have been sold by such bank, or have been distributed among and

sold or distributed.

accepted by the shareholders of such bank, they shall not be considered issued shares of the purchasing bank for the purposes of its note circulation. 63-64 V., c. 26, s. 34.

Agreement of sale to be submitted to selling shareholders at meeting.

101. The agreement of sale and purchase shall be submitted to the shareholders of the selling *and purchasing banks,* either at the annual general meeting of *the respective banks* or at a special general meeting thereof called for the purpose.

Copy to each shareholder by mail.

2. A copy of the agreement shall be mailed, post paid, to *every* shareholder of *each* bank to his last known address, at least four weeks previously to the date of the meeting at which the agreement is to be submitted, together with a notice of the time and place of the holding of such meeting. 63-64 V., c. 26, s. 35.

Agreement may be executed f they approve.

102. If at *each* meeting the agreement is approved by resolution carried by the votes of shareholders, present or represented by proxy, representing not less than two-thirds of the amount of the subscribed capital stock of the bank, the agreement may be executed under the seals of the banks, parties thereto, and application may be made to the Governor in Council, through the Minister, for approval thereof.

Approval of Governor in Council.

2. Until the agreement is approved by the Governor in Council it shall not be of any force or effect. 63-64 V., c. 26, s. 36.

Approval of shareholders of purchasing bank.

103. If the agreement provides for the payment of the consideration for such sale and purchase, in whole or in part, in shares of the capital stock of the purchasing bank, and for such purpose it is necessary to increase the capital stock of such bank, *a bylaw for the purpose may be passed by the shareholders at the meeting called to approve of the agreement.* 63-64 V., c. 26, s. 37.

Necessary increase of stock may be approved.

104. The Governor in Council may, on the application for his approval of the agreement, approve of the increase of the capital stock of the purchasing bank, which is necessary to provide for the payment of the shares of such bank to the selling bank, as provided in the said agreement. 63-64 V., c. 26, s. 38.

Ordinary provisions for increase not to apply.

105. The provisions of this Act with regard to—

(a) the increase of the capital stock of the bank by by-law of the shareholders approved by the Treasury Board; and,

(b) the allotment and sale of such increased stock;

shall not apply to any increase of stock made or provided for under the authority of the last two preceding sections. 63-64 V., c. 26, s. 38.

Conditions on which Governor in Council may approve agreement.

106. The approval of the Governor in Council shall not be given to the agreement, unless—

(a) the consent of the Minister as prescribed by subsection 2 of section 99 of this Act has been given;

(b) the approval of the agreement is recommended by the Treasury Board;

(c) the application for approval thereof is made, by or on behalf of the bank executing it, within three months from the date of execution of the agreement; and,

(d) it appears to the satisfaction of the Governor in Council that all the requirements of this Act in connection with the approval of the agreement by the shareholders of the selling and purchasing banks have been complied with, and that, after the approval by the shareholders of the selling bank, notice of the intention of the banks to apply to the Governor in Council for the approval of the agreement has been published for at least four weeks in *The Canada Gazette*, and in one or more newspapers published in places where the chief offices of the banks are situate.

Information.

2. Such banks shall afford all information that the Minister requires.

Approval may be refused.

3. Nothing herein contained shall be construed to prevent the Governor in Council or the Treasury Board from refusing to approve of the agreement or to recommend its approval. 63-64 V., c. 26, s. 39. Am.

Further conditions.

107. The agreement shall not be approved of unless it appears that—

(a) proper provisions have been made for the payment of the liabilities of the selling bank;

(b) the agreement provides for the assumption and payment by the purchasing bank of the notes of the selling bank issued and intended for circulation,outstanding and in circulation; and,

(c) the amounts of the notes of both the purchasing and selling banks, issued for circulation, outstanding and in circulation, as shown by the then last monthly returns of the banks, do not together exceed the then paid-up capital of the purchasing bank and the amount (if any) held for both of the said banks in the central gold reserves referred to in section 61 of this Act; or if the amount of such notes does exceed such paid-up capital and the amount so held, an amount in cash, equal to the excess of such notes over such paid-up capital and the amount so held, has been deposited by the purchasing bank with the Minister.

Deposit.

2. The amount so deposited under paragraph *(c)* of subsection 1 of this section shall be held by the Minister as security for the redemption of the said excess of notes; and when the amount of the notes of the two banks out-

standing and in circulation is less than the aggregate of the paid-up capital of the purchasing bank, the amount aforesaid (if any) held in the central gold reserves, together with the amount so deposited, the difference shall, from time to time, be repaid by the Minister out of the deposit, to the extent thereof, to the purchasing bank, but without interest, on the application of such bank, and on the production of such evidence as the Minister may require to show the amount of the notes of the two banks then outstanding and in circulation. 63-64 V., c. 27, s. 1. Am.

Notes of selling bank to become notes of purchasing bank.

108. The notes of the selling bank so assumed and to be paid by the purchasing bank shall, on the approval of the agreement, be deemed to be, for all intents and purposes, notes of the purchasing bank issued for circulation; and the purchasing bank shall be liable in the same manner and to the same extent as if it had issued them for circulation.

Circulation Fund.

2. The amount at the credit of the selling bank in the Circulation Fund shall, on the approval of the agreement, be transferred to the credit of the purchasing bank.

As to withdrawal of deposit in central gold reserves.

3. The trustees shall not permit any part of the deposit (if any) of the selling bank in the central gold reserves to be withdrawn under the provisions of this Act after the last juridical day of the month in which notice of intention to apply to the Governor in Council for approval of the agreement has been given and pending such approval, unless and until the trustees are notified in writing by the Minister of his consent thereto; and on the approval of the agreement the trustees shall hold the deposit (if any) for and as if such deposit had been originally made by the purchasing bank.

Notes to be called in.

4. The notes of the selling bank shall not be re-issued, but shall be called in, redeemed and cancelled as quickly as possible. 63-64 V., c. 26, s. 41.

Evidence of approval by Governor in Council.

109. The approval by the Governor in Council of the agreement shall be evidenced by a certified copy of the order in council approving thereof.

Order in council conclusive.

2. A copy of such order in council or extract thereof, and a copy of such agreement, purporting to be certified to be true by the clerk or assistant or acting clerk of the King's Privy Council for Canada shall, in all courts of justice and for all purposes, be *prima facie* evidence of the said agreement, and of its due execution, and of its approval by the Governor in Council, and of the regularity of all proceedings in connection therewith. 63-64 V., c. 26, s. 42. Am.

On approval of Governor in Council the assets pass.

110. On the agreement being approved of by the Governor in Council, the assets therein referred to as sold and purchased shall, in accordance with and subject to the terms thereof, and without any further conveyance, become vested in the purchasing bank.

Further assurance.

2. The selling bank shall, from time to time, subject to the terms of the agreement, execute such formal and separate conveyances, assignments and assurances, for registration purposes or otherwise, as are reasonably required to confirm or evidence the vesting in the purchasing bank of the full title or ownership of the assets referred to in the agreement. 63-64 V., c. 26, s. 43.

Selling bank to cease business and be wound up.

111. As soon as the agreement is approved of by the Governor in Council, the selling bank shall cease to issue or re-issue notes for circulation, and shall cease to transact any business, except such as is necessary to enable it to carry out the agreement, to realize upon any assets not included in the agreement, to pay and discharge its liabilities, and generally to wind up its business; and the charter or Act of incorporation of such bank, and any Acts in amendment thereof then in force, shall continue in force only for the purposes in this section specified. 63-64 V., c. 26, s. 44.

RETURNS.

Monthly returns.

112. *The bank shall, within the first twenty-eight days of each month, transmit or deliver to the Minister a return in the form set forth in Schedule G to this Act.*

What return shall show.

2. *Such return shall exhibit the condition of the bank on the last juridical day of the month last preceding.*

When return last received may be used.

3. Notwithstanding anything in this section, whenever, in the usual course of the post, the return of a branch or agency for the last juridical day of the month, mailed at the branch or agency on or before the second day of the following month, does not reach—

(a) the chief office of the bank on or before the eighteenth day of the month; or,

(b) the office of the general manager, if the office of the general manager is at a place other than the chief office of the bank, on or before the fifteenth day of the month,

the return last received from any such branch, exhibiting as far as that branch is concerned the condition of the bank at the date for which it purports to be made, may be used in the *preparation* of the monthly return called for by this section.

Special returns.

(4) The Minister may also call for *other or* special returns from any bank, *and may require that the bank shall transmit or deliver such other or special returns at monthly or other prescribed periods, or* whenever in his judgment they are necessary to afford a full and complete knowledge of its condition.

Within 30 days from demand.

(5) *The Minister may prescribe the time within which such other or special returns shall be transmitted or delivered to*

him; but unless otherwise prescribed the time within which any monthly or other periodic return shall be transmitted or delivered, shall be the time allowed by this section for a monthly return; provided that the Minister may extend the time for transmitting any special return for such further period, not exceeding thirty days, as he thinks expedient.
3-4 G. V., c. 9, s. 112 and 113.

Return accompanied by declaration.

113. *Every return provided for or required under the last preceding section shall be accompanied by declarations which shall be a part of the return, and the declarations shall be in the form set forth in Schedule G to this Act, and* shall be signed by the chief accountant or by the acting chief accountant, and by the president, or a vice president, or the director then acting as president, and by the general manager or other principal officer of the bank next in authority in the management of the affairs of the bank at the time at which the declaration is signed.

How signed.

Names of directors, president and vice-president sent to Minister.

2. As soon as may be after the annual general meeting there shall be sent to the Minister the names of the directors elected thereat and the names of the president and vice-presidents, and should any vacancy occur in the membership of the board of directors, or in the office of president, or vice-president, the Minister shall forthwith be notified of the name of the person by whom the vacancy has been filled.

Vacancy.

Notice to Minister of change of officers.

3. If any change is made in the holder of the office of chief accountant or of general manager, the Minister shall forthwith be notified of the name of the person by whom the vacancy has been filled.

Return to show true position.

4. Notwithstanding anything in the last preceding section contained it shall not, except as to the chief accountant or acting chief accountant of the bank, be sufficient for the purposes of any return provided for or required under the said section that such return agrees with the books of the bank, but the return shall set forth the true financial position of the bank on the last juridical day of the month last preceding the date of the return according to the latest information possessed by or reasonably available to the officers or any of them who sign the return.

Current loans not to include.

5. For the purposes of any return provided for or required under the last preceding section, or for the purposes of any statement or balance sheet prepared and issued by a bank, there shall not be included amongst "current loans", any loan in respect of which,—

(a) the borrower has not for a period of two years preceding the date of such return, statement or balance sheet, paid the interest thereon at the rate agreed, in cash, unassisted by the bank;

(b) the bank has taken possession of the property or any part of the property covered by any security given by the borrower with the intention of realizing thereon, or has

realized or taken any step or proceeding for the purpose of realizing upon any security given by the borrower;

(c) the bank has commenced an action at law to recover from the borrower the amount of the loan or any part thereof;

(d) the borrower has made an abandonment of his estate for the benefit of his creditors or any of them; or,

(e) there is other cause, sufficient in the opinion of the manager of the branch of the bank where such loan is domiciled, or in the opinion of any director or officer of the bank who prepares, signs, approves or concurs in such return, statement or balance sheet, for deeming such loan not to be a current loan.

Provided however, that any loan falling within this subsection may be included amongst current loans if the directors declare that after due inquiry they have approved such loan as a current loan.

Controlled corporations.

6. Whenever a bank carries on any part of its operations in the name of a corporation controlled by such bank, then such bank shall, for the purposes of any return required under the last preceding section, transmit or deliver therewith, a separate return, showing the assets and liabilities of each such corporation, and the interest of the bank in such corporations shall be shown separately in any return respecting the affairs of the bank.

Amounts written off bank premises.

7. Whenever a bank has appropriated, out of its profits for any period, with the consent and approval of its shareholders had and obtained at any annual or special general meeting, any sum for the writing down of its bank premises or other assets, no portion of such sum so appropriated shall be again taken into account for the purposes of any return required under the last preceding section, or for the purposes of any statement prepared and issued by the bank, without the consent and approval of its shareholders, in like manner first had and obtained.

Appropriations for losses.

8. For the purposes of any return provided for or required under the last preceding section, the "Appropriation Account" shall be the total amount estimated or ascertained to be necessary to provide for losses, due to any cause whatsoever, according to the latest information which can be made available therefor. 3-4 G. V., c. 9, s. 112. Am.

Annual returns of unpaid dividends and balances.

114. The bank shall, within *thirty* days after the close of each calendar year, transmit or deliver to the Minister a return—

(a) of all dividends which have remained unpaid for more than five years; and,

(b) of all amounts or balances in respect of which no transactions have taken place, or upon which no interest has been paid, during the five years prior to the date of such return:

Provided that, in the case of moneys deposited for a fixed period, the said term of five years shall be reckoned from the date of the termination of such fixed period.

What return shall show.

2. The return mentioned in the last preceding subsection shall set forth—

(a) the name of each shareholder or creditor to whom such dividends, amounts or balances are, according to the books of the bank, payable;

(b) the last known address of each such shareholder or creditor;

(c) the amount due to each such shareholder or creditor;

(d) the branch or agency of the bank at which the last transaction took place;

(e) the date of such last transaction; and,

(f) if such shareholder or creditor is known to the bank to be dead, the names and addresses of his legal representatives, so far as known to the bank.

Further annual return.

3. The bank shall likewise, within *thirty* days after the close of each calendar year, transmit or deliver to the Minister a return of all certified cheques, drafts or bills of exchange, issued by the bank to any person, and remaining unpaid for more than five years prior to the date of such return, setting forth so far as known,—

Particulars.

(a) the names of the persons to whom, or at whose request, such drafts, certified cheques, or bills of exchange were issued;

(b) the addresses of such persons;

(c) the names of the payees of such drafts or bills of exchange;

(d) the amounts and dates of such certified cheques, drafts or bills of exchange;

(e) the names of the places where such certified cheques, drafts or bills of exchange were payable; and,

(f) the branches or agencies of the bank respectively from which such drafts, certified cheques, or bills of exchange were issued.

Amounts under five dollars.

4. If a dividend, amount or balance, certified cheque, draft, or bill of exchange is for a less sum than five dollars, and returns in respect thereof have been made under the preceding provisions of this section for five consecutive years, the bank may hereafter omit from the respective returns particulars required by the said provisions with regard to any such dividend, amount or balance, certified cheque, draft or bill of exchange.

Declarations and signatures.

5. The returns required by the foregoing provisions of this section shall be accompanied by declarations which shall be a part of the return, and the declarations shall be in the form set forth in Schedule *I* to this Act, and shall be signed by the chief accountant, and by the president or a vice-president or the director then acting as president, and by the general manager or other principal officer of

the bank next in authority in the management of the affairs of the bank at the time at which the declaration is signed.

Notice that dividend draft or cheque remains unpaid.

6. The bank shall transmit by registered post to the person to whom any such dividend, amount or balance is payable, and to the person to whom (in so far as known to the bank) and to the person at whose request any such draft, certified cheque or bill of exchange was issued, to the last known post office address of each person as shown by the books of the bank, a notice in writing stating that such dividend remains unpaid, or that in respect of such amount or balance no transaction has taken place or no interest has been paid, or that such draft, certified cheque or bill remains unpaid, as the case may be.

When notice to be given.

7. The notice called for by the next preceding sub-section *shall* be given *twice, namely, during the month of January next after the end of the first two-year period and also* during the month of January next after the end of the first five year period in respect of which—

(a) the dividend has remained unpaid; or,

(b) no transaction has taken place or no interest has been paid in connection with such amount or balance; or,

(c) the draft, certified cheque or bill has remained unpaid.

Certified annual list of shareholders transmitted to Minister.

8. The bank shall, within *thirty* days after the close of each calendar year, transmit or deliver to the Minister a list, certified by the general manager or other principal officer of the bank next in authority in the management of the affairs of the bank at the time at which the list is certified, and by the officer of the bank in charge of the register of shareholders, to be a correct list and in accordance with the books of the bank with regard thereto; and the list shall show—

(a) the names of the shareholders of the bank on the last day of such calendar year, with their last known post office addresses and descriptions;

(b) the number of shares then held by them respectively; and,

(c) the amount paid thereon.

Laid before Parliament.

9. The Minister shall lay such returns and lists before Parliament at the next session thereof. 53 V., c. 31, ss. 87 and 88; 63-64 V., 26, s. 21. Am.; 3-4 G. V., c. 9, s. 114. Am.

PAYMENTS TO THE MINISTER UPON WINDING UP.

Unclaimed moneys paid to Minister on winding up of bank.

115. If, in the event of the winding-up of the business of the bank in insolvency, or under any general winding-up Act, or otherwise, any moneys payable by the liquidator, either to shareholders or depositors, remain unclaimed,—

(*a*) for the period of three years from the date of suspension of payment by the bank; or,

(*b*) for a like period from the commencement of the winding-up of such business; or,

(*c*) until the final winding-up of such business, if the business is finally wound up before the expiration of the said three years;

With interest.

such moneys and all interest thereon shall, notwithstanding any statute of limitations or other Act relating to prescription, be paid to the Minister, to be held by him subject to all rightful claims on behalf of any person other than the bank.

Governor in Council may order payment to person entitled.

2. If a claim to any moneys so paid is thereafter established to the satisfaction of the Treasury Board, the Governor in Council shall, on the report of the Treasury Board, direct payment thereof to be made to the person entitled thereto, together with interest on the principal sum thereof,

Interest.

at the rate of three per cent per annum for a period not exceeding six years from the date of payment thereof to the Minister as aforesaid: Provided that no such interest shall be paid or payable on such principal sum unless interest thereon was payable by the bank paying the same to the Minister.

Bank discharged.

3. Upon payment to the Minister as herein provided, the bank and its assets shall be held to be discharged from further liability for the amounts so paid. 53 V., c. 31, s. 88.

116. Upon the winding-up of a bank in insolvency or under any general winding-up Act, or otherwise, the assignees, liquidators, directors, or other officials in charge of such winding-up shall, before the final distribution of the assets, or within three years from the commencement of the suspension of payment by the bank, whichever shall first happen, pay over to the Minister a sum, out of the assets of the bank, equal to the difference between the amount then outstanding of the notes intended for circulation issued by the bank, together with any interest on such outstanding notes which may have accrued under section 65 of this Act, and the aggregate of the amount at the credit of the bank in the Circulation Fund and the amount (if any) paid to the Minister by the trustees under section 61 of this Act.

Circulation outstanding at distribution of assets.

Bank relieved.

2. Upon such payment being made, the bank and its assets shall be relieved from all further liability in respect of such outstanding notes.

Minister to redeem.

3. The sum so paid shall be held by the Minister and applied for the purpose of redeeming, whenever presented, such outstanding notes, without interest, except such as may have been paid over under this section. 53 V., c. 31, s. 88. Am.

Association to appoint curator.

117. The Association shall, if a bank suspends payment in specie or Dominion notes of any of its liabilities as they accrue, forthwith appoint a curator to supervise the affairs of such bank.

Removal.

2. The Association may at any time remove the curator, and may appoint another person to act in his stead. 63-64 V., c. 26, s. 24.

Appointment by Association.

118. The appointment of the curator shall be made in the manner provided for in the by-law of the Association made in that behalf as hereinafter provided.

If no by-law.

2. If there is no such by-law the appointment shall be made in writing by the president of the Association, or by the person acting as president. 63-64 V., c. 26, s. 25.

Powers and duties of curator.

119. The curator shall assume supervision of the affairs of the bank, and of all necessary arrangements for the payment of the notes of the bank issued for circulation, and, at the time of his appointment, outstanding and in circulation.

Generally.

2. The curator shall generally have all powers and shall take all steps and do all things necessary or expedient to protect the rights and interests of the creditors and shareholders of the bank, and to conserve and ensure the proper disposition, according to law, of the assets of the bank; and, for the purposes of this section, he shall have free and full access to all books, accounts, documents and papers of the bank.

Supervision.

3. The curator shall continue to supervise the affairs of the bank until he is removed from office, or until the bank resumes business, or until a liquidator is duly appointed to wind up the business of the bank. 63-64 V., c. 26, s. 26.

Officers and clerks to assist curator.

120. The president, vice-president, directors, general manager, managers, clerks and officers of the bank shall give and afford to the curator all such information and assistance as he requires in the discharge of his duties. 63-64 V., c. 26, s. 27.

No act of directors valid unless approved by curator.

121. No by-law, regulation, resolution or act, touching the affairs or management of the bank, passed, made or done by the directors during the time the curator is in charge of the bank, shall be of any force or effect until approved in writing by the curator. 63-64 V., c. 26, s. 27.

Curator to make returns as required by Minister.

122. The curator *or liquidator* shall make all returns and reports, and shall give all information to the Minister, touching the affairs of the bank, that the Minister requires of him. 63-64 V., c. 26, s. 28.

Remuneration of curator.

123. The remuneration of the curator for his services, and his expenses and disbursements in connection with the discharge of his duties, shall be fixed and determined by a judge of a superior court in the province where the chief office of the bank is situate, and shall be paid out of the assets of the bank, and, in case of the winding-up of the bank, shall rank on the estate equally with the remuneration of the liquidator. 63-64 V., c. 26, s. 29.

BY-LAWS OF THE CANADIAN BANKERS' ASSOCIATION.

By-laws.

124. The Association may, at any meeting thereof, with the approval of two-thirds in number of the banks represented at such meeting, if the banks so approving have at least two-thirds in par value of the paid up-capital of the banks so represented, make by-laws, rules and regulations respecting—

As to what subjects.

(a) all matters relating to the appointment or removal of the curator, and his powers and duties;

(b) the supervision of the making of the notes of the banks which are intended for circulation, and the delivery thereof to the banks;

(c) the inspection of the disposition made by the banks of such notes;

(d) the destruction of notes of the banks;

(e) the custody and management of the central gold reserves and the carrying out of the provisions of this Act relating to such reserves; and,

(f) the imposition of penalties for the breach or non-observance of any by-law, rule or regulation made by virtue of this section.

Approval by Treasury Board.

2. No such by-law, rule or regulation, and no amendment or repeal thereof, shall be of any force or effect until approved by the Treasury Board.

Notice to other banks

3. Before any such by-law, rule or regulation, or any amendment or repeal thereof is so approved, the Treasury Board shall submit it to every bank which is not a member of the Association, and give to each such bank an opportunity of being heard before the Treasury Board with respect thereto.

Enforcement of by-laws.

4. The Association shall have all powers necessary to carry out, or to enforce the carrying out, of any by-law, rule or regulation, or any amendment thereof, so approved by the Treasury Board. 63-64 V., c. 26, ss. 30 and 31.

INSOLVENCY.

Double liability of shareholders.

125. In the event of the property and assets of the bank being insufficient to pay its debts and liabilities, each shareholder of the bank shall be liable for the deficiency, to an amount equal to the par value of the shares held by him, in addition to any amount not paid up on such shares.

"Shareholder" defined.

2. "Shareholder," within the meaning of this section, shall include an undisclosed principal and, to the extent of his interest, a *cestui que trust*, on whose behalf or for whose benefit shares in the capital stock of the bank are held. 53 V., c. 31, s. 89.

Suspension for 90 days to constitute insolvency.

126. Any suspension by the bank of payment of any of its liabilities as they accrue, in specie or Dominion notes, shall, if it continues for ninety days consecutively, or at intervals within twelve consecutive months, constitute the bank insolvent, and work a forfeiture of its charter or Act of incorporation, so far as regards all further banking operations. 53 V., c. 31, s. 91.

Charter to remain in force for calls and winding up.

127. The charter or Act of incorporation of the bank shall, in the case mentioned in the next preceding section, remain in force only for the purpose of enabling the directors, or other lawful authority, to make and enforce the calls mentioned in the next following section of this Act, and to wind up the business of the bank. 53 V., c. 31, s. 91. Am.

If no proceedings within 3 months thereafter, directors to make calls.

128. If any suspension of payment in full, in specie or Dominion notes, of all or any of the notes or other liabilities of the bank, continues for three months after the expiration of the time which, under the two last preceding sections would constitute the bank insolvent, and if no proceedings are taken under any Act for the winding-up of the bank, the directors shall make calls on the shareholders thereof, to the amount they deem necessary to pay all the debts and liabilities of the bank not exceeding the limit of liability of the shareholders hereinbefore specified, without waiting for the collection of any debts due to the bank or the sale of any of its assets or property.

Intervals.

2. Such calls shall be payable at intervals of thirty days.

Notice.

3. Notice of such calls shall be given to the shareholders.

Number.

4. Any number of such calls may be made by one resolution.

Amount.

5. No such call shall exceed twenty per cent on each share.

Payment.

6. Payment of such calls may be enforced in like manner as payment of calls on unpaid stock may be enforced.

First call.

7. The first of such calls may be made within ten days after the expiration of the said three months.

Procedure.

8. In the event of proceedings being taken, under any Act, for the winding-up of the bank in consequence of the insolvency of the bank, the said calls shall be made in the manner prescribed for the making of such calls in such Act.

Forfeiture for non-payment.

9. Any failure on the part of any shareholder liable to any such call to pay the same when due, shall work a forfeiture by such shareholder of all claim in or to any part of the assets of the bank: Provided that such call, and any further call

Proviso.

thereafter, shall nevertheless be recoverable from him as if no such forfeiture had been incurred. 53 V., c. 31, ss. 92, 93 and 94. Am.

Liability of directors not diminished.

129. Nothing in the four sections last preceding shall be construed to alter or diminish the additional liabilities of the directors as herein mentioned and declared. 53 V., c. 31, s. 95.

Liability of shareholders who have transferred their stock.

130. *(a)* Persons who, having been shareholders of the bank, have only transferred their shares, or any of them, to others, as hereinbefore provided, within sixty days before the commencement of the suspension of payment by the bank; and,

Or whose subscriptions have been cancelled.

(b) Persons whose subscriptions to the stock of the bank have been forfeited, in manner hereinbefore provided, within the said period of sixty days before the commencement of the suspension of payment by the bank;

shall be liable to all calls on the shares held or subscribed for by them, as if they held such shares at the time of such suspension of payment, saving their recourse against those by whom such shares were then actually held. 53 V. c. 31, s. 96.

Order of charges.

131. In the case of the insolvency of any bank,—

Notes.

(a) the payment of the notes issued or re-issued by such bank, intended for circulation, and then in circulation, together with any interest paid or payable thereon as hereinbefore provided, shall be the first charge upon the assets of the bank;

Dominion Government.

(b) the payment of any amount due to the Government of Canada, in trust or otherwise, shall be the second charge upon such assets;

Provincial governments.

(c) the payment of any amount due to the government of any of the provinces, in trust or otherwise, shall be the third charge upon such assets; and,

Penalties.

(d) the amount of any penalties for which the bank is liable shall not form a charge upon the assets of the bank, until all other liabilities are paid. 53 V., c. 31, s. 53.

OFFENCES AND PENALTIES.

Payments of Incorporation and Organization expenses.

Offences.

131A. If prior to the time at which the certificate permitting the bank to issue notes and commence the business of banking has been obtained from the Treasury Board, any provisional director or director authorizes or is a party to the payment of, or receives, out of moneys paid in by subscribers or interest thereon, any sum for commission, salary or charges for services in connection

Payments of expenses prior to obtaining Treasury Board certificate.

with or arising out of the incorporation or organization of the bank, it shall be an offence against this Act.

After certificate obtained.

2. If after the certificate has been obtained from the Treasury Board, any director authorizes payment of, or any general manager or other officer of the bank pays or causes to be paid any money for or on account of the incorporation or organization expenses of the bank, except and unless the sum so paid is mentioned or included in the statement submitted to the Treasury Board at the time at which the application is made under this Act to the Board for a certificate permitting the bank to issue notes and commence the business of banking, it shall be an offence against this Act.

When no certificate obtained.

3. If no certificate from the Treasury Board has been obtained within the time limited by this Act, it shall be an offence against this Act for any provisional director or director to authorize or be a party to the payment of, or to receive, out of moneys paid in by subscribers, any sum for commission, salary or charges for services in connection with or arising out of the incorporation or organization of the bank, unless provision has been made pursuant to section 16 of this Act for payment. 3-4 G. V., c. 9, s. 131A.

Penalty for bank officers obtaining gifts or showing favour

131B. Every one is guilty of an offence and liable, upon conviction on indictment, to two years' imprisonment or to a fine not exceeding two thousand five hundred dollars, or to both, and, upon summary conviction, to imprisonment for six months, with or without hard labour, or to a fine not exceeding one hundred dollars, or both, who—

(a) being a director, general manager, manager, or other executive officer of a bank, corruptly accepts or obtains, or agrees to accept or attempts to obtain, from any person for himself or for any other person, any gift or consideration as an inducement or reward for doing or forbearing to do, or for having, after this Act comes into force, done or forborne to do, any act relating to the bank's business or affairs, or for showing or forbearing to show favour or disfavour to any person with relation to the bank's business or affairs; or,

Penalty for offering gifts or showing favour to bank officers

(b) corruptly gives or agrees to give or offers any gift or consideration to any director, general manager, manager, or other executive officer of a bank as an inducement or reward or consideration to such director, general manager, manager, or other executive officer of the bank, for doing or forbearing to do, or for having, after this Act comes into force, done or forborne to do any act relating to the bank's business or affairs, or for showing or forbearing to show favour or disfavour to any person with relation to the bank's business or affairs.

2. In this section "consideration" includes valuable consideration of any kind. 3-4 G. V., c. 9, s. 131B.

Commencement of Business.

"Consideration" defined.

132. Every director or provisional director of any bank and every other person who, before the obtaining of the certificate from the Treasury Board, by this Act required, permitting the bank to issue notes or commence business, issues or authorizes the issue of any note of such bank, or transacts or authorizes the transaction of any business in connection with such bank, except such as is by this Act authorized to be transacted before the obtaining of such certificate, is guilty of an offence against this Act. 3-4 G. V., c. 9, s. 132.

Commencing business without certificate.

Sale and Transfer of Shares.

Offence.

133. Any person, whether principal, broker or agent, who wilfully sells or transfers or attempts to sell or transfer—

(a) any share or shares of the capital stock of any bank by a false number; or,

Sale and transfer of shares contrary to requirements.

(b) any share or shares of which the person making such sale or transfer, or in whose name or on whose behalf the same is made, is not at the time of such sale, or attempted sale, the registered owner; or,

(c) any share or shares, without the assent to such sale of the registered owner thereof;

Offence.

is guilty of an offence against this Act. 53 V., c. 31, s. 37.

Cash Reserves.

Penalty for cash reserve not held in prescribed notes.

134. Every bank which at any time holds in Dominion notes less than forty per cent of the cash reserves which it has in Canada shall incur a penalty of five hundred dollars for each such offence. 53 V., c. 31, s. 50. Am.

Issue and Circulation of Notes.

Excess of circulation.

135. If the total amount of the notes of the bank in circulation at any time exceeds the amount authorized by this Act the bank shall, —

(a) if the amount of such excess is not over one thousand dollars, incur a penalty equal to the amount of such excess; or,

(b) if the amount of such excess is over one thousand dollars, and not over twenty thousand dollars, incur a penalty of one thousand dollars; or,

(c) if the amount of such excess is over twenty thousand dollars, and not over one hundred thousand dollars, incur a penalty of ten thousand dollars; or,

(d) if the amount of such excess is over one hundred thousand dollars, and not over two hundred thousand dollars, incur a penalty of fifty thousand dollars; or,

(e) if the amount of such excess is over two hundred thousand dollars, incur a penalty of one hundred thousand dollars. 53 V., c. 31, s. 51.

Unauthorized issue of notes for circulation.

136. Every person, except a bank to which this Act applies, who issues or re-issues, makes, draws, or endorses any bill, bond, note, cheque or other instrument, intended to circulate as money, or to be used as a substitute for money, for any amount whatsoever, shall incur a penalty of four hundred dollars.

Penalty, recovery of.

2. Such penalty shall be recoverable with costs, in any court of competent jurisdiction, by any person who sues for the same.

Appropriation.

3. A moiety of such penalty shall belong to the person suing for the same, and the other moiety to His Majesty for the public uses of Canada.

Intention presumed.

4. If any such instrument is made for the payment of a less sum than twenty dollars, and is payable either in form or in fact to the bearer thereof, or at sight, or on demand, or at less than thirty days thereafter, or is overdue, or is in any way calculated or designed for circulation, or as a substitute for money, the intention to pass the same as money shall be presumed, unless such instrument is—

Exceptions.

(a) a cheque on some chartered bank paid by the maker directly to his immediate creditor; or,

(b) a promissory note, bill of exchange, bond or other undertaking for the payment of money made or delivered by the maker thereof to his immediate creditor; and,

(c) not designed to circulate as money or as a substitute for money. 53 V., c. 31, s. 60.

Defacement of notes.

137. Every person who mutilates, cuts, tears or perforates with holes any Dominion or bank note, or who in any way defaces a Dominion or bank note, whether by writing, printing, drawing or stamping thereon, or by attaching or affixing thereto anything in the nature or form of an advertisement shall, on summary conviction, be liable to a penalty not exceeding twenty dollars.

Penalty.

Issue, by bank, of notes not disinfected or sterilized.

2. Every officer, clerk and servant of a bank who, for the bank, re-issues to the public any bank notes or Dominion notes which have not been disinfected and sterilized in accordance with the regulations made by the Treasury Board under the authority of this Act shall, on the information of any person, on summary conviction, be liable to a penalty not exceeding twenty dollars.

Penalty.

3. In the event of the conviction of any officer, clerk or servant of a bank under this section, the bank shall thereby incur a penalty of fifty dollars. 53 V., c. 31, s. 61. Am.

Issuing notes during period of suspension.

138 *(a)* Every person who, being president, vice-president, director, general manager, manager, clerk or other officer of the bank, issues or re-issues, during any period of suspension of payment by the bank of its liabilities, any notes of the bank payable to bearer on demand, and intended for circulation, or authorizes or is concerned in any such issue or re-issue; and,

Or without authority of Treasury Board.

(b) if, after any such suspension, the bank resumes business without the consent in writing of the curator, hereinbefore provided for, every person who being president, vice-president, director, general manager, manager, clerk or other officer of the bank issues or re-issues, or authorizes or is concerned in the issue or re-issue of any such notes before being thereunto authorized by the Treasury Board; and,

And accepting such notes.

(c) every person who accepts, receives or takes, or authorizes or is concerned in, the acceptance, receipt or taking of any such notes, knowing the same to have been so issued or re-issued, from the bank, or from such president, vice-president, director, general manager, manager, clerk or other officer of the bank, in payment or part payment, or as security for the payment of any amount due or owing to such person by the bank;

Penalty.

is guilty of an indictable offence, and liable to imprisonment for a term not exceeding seven years, or to a fine not exceeding two thousand dollars, or to both. 63-64 V., c. 26, s. 10.

Pledging of notes by officers of bank.

139. *(a)* Every person who, being the president, vice-president, director, general manager, manager, clerk or other officer of the bank, pledges, assigns, or hypothecates, or authorizes, or is concerned in the pledge, assignment or hypothecation of the notes of the bank; and,

Accepting.

(b) every person who accepts, receives or takes, or authorizes or is concerned in the acceptance or receipt or taking of such notes as a pledge, assignment or hypothecation;

Penalty.

shall be liable to a fine of not less than four hundred dollars and not more than two thousand dollars, or to imprisonment for not more than two years, or to both. 53 V., c. 31, s. 52.

Issuing notes fraudulently.

140. *(a)* Every person who, being the president, vice-president, director, general manager, manager, clerk or other officer of a bank, with intent to defraud, issues or delivers, or authorizes or is concerned in the issue or delivery of notes of the bank intended for circulation and not then in circulation; and,

Knowingly accepting.

(b) every person who, with knowledge of such intent, accepts, receives or takes, or authorizes or is concerned in the acceptance, receipt or taking of such notes;

Penalty.

shall be guilty of an indictable offence, and liable to imprison-

ment for a term not exceeding seven years, or to a fine not exceeding two thousand dollars, or to both. 53 V., c. 31, s. 52.

Annual Statement and Auditors' Report.

Issue of annual statement without auditors' report.

140A. If any copy of the statement or of the profit and loss account submitted under section 54 of this Act, which has not been signed as required by that section, is issued, circulated or published, or if any copy of such statement is issued, circulated or published without having a copy of the auditor's report attached thereto, the bank, and every director, general manager or other officer of the bank who is knowingly a party to the default, shall be liable to a fine not exceeding two hundred and fifty dollars. 3-4 G. V., c. 9, s. 140A.

Penalty.

Warehouse Receipts, Bills of Lading and other Securities.

Bank acquiring warehouse receipt or bill of lading.

141. If any bank, to secure the payment of any bill, note, debt or liability, acquires or holds—

(a) any warehouse receipt or bill of lading; or,

(b) any instrument such as is by this Act authorized to be taken by the bank to secure money lent,—

(i) to any wholesale purchaser, or shipper of or dealer in products of agriculture, the forest, quarry and mine, or the sea, lakes and rivers, or to any wholesale purchaser or shipper of or dealer in live or dead stock, and the products thereof, upon the security of such products, or of such live or dead stock, or the products thereof;

(ii) to any person engaged in business as a wholesale manufacturer of any goods, wares and merchandise upon the security of the goods, wares and merchandise manufactured by such person, or procured for such manufacture;

(iii) to any farmer upon the security of threshed grain;

(iv) to any owner, tenant or occupier of land for the purchase of seed grain upon the security of any crop to be grown from such seed grain; or,

(v) to any farmer or person engaged in stock raising upon the security of live stock;

Except in certain cases.

such bank shall, unless—

(a) such bill, note, debt or liability is negotiated or contracted at the time of the acquisition by the bank of such warehouse receipt, bill of lading or security; or,

(b) such bill, note, debt or liability is negotiated or contracted upon the written promise or agreement that such warehouse receipt, bill of lading or security would be given to the bank; or,

(c) the acquisition or holding by the bank of such warehouse receipt, bill of lading or security is otherwise authorized by this Act;

Penalty.

incur a penalty not exceeding five hundred dollars. 53 V., c. 31, s. 79; 3-4 G. V., c. 9, s. 141. Am.

Non-compliance with requirements for sale.

142. If any debt or liability to the bank is secured by—

(a) any warehouse receipt or bill of lading; or,

(b) any other security such as is mentioned in the last preceding section;

and is not paid at maturity, such bank shall, if it sells the products or stock, goods, wares and merchandise or grain covered by such warehouse receipt, bill of lading or security, under the power of sale conferred upon it by this Act, without complying with the provisions to which the exercise of such power of sale is, by this Act, made subject, incur a penalty not exceeding five hundred dollars. 53 V., c. 31, s. 79; 63-64 V., c. 26, s. 18.

Penalty.

Making false statements—

143. Every person is guilty of an indictable offence and liable to imprisonment for a term not exceeding two years who wilfully makes any false statement—

In warehouse receipt or bill of lading.

(a) in any warehouse receipt or bill of lading given under the authority of this Act to any bank; or,

In security upon products.

(b) in any instrument given to any bank under the authority of this Act, as security for any loan of money made by the bank to any wholesale purchaser or shipper of or dealer in products of agriculture, the forest, quarry and mine, or the sea, lakes and rivers, or of any wholesale purchaser, or shipper of or dealer in live or dead stock or the products thereof, *or farmer or person engaged in stock raising*, whereby any such products or stock is assigned or transferred to the bank as security for the payment of such loan; or,

In security upon manufactures.

(c) in any instrument given to any bank under the authority of this Act, as security for any loan of money made by the bank to any person engaged in business as a wholesale manufacturer of any goods, wares and merchandise, whereby any of the goods, wares and merchandise manufactured by him, or procured for such manufacture, are transferred or assigned to the bank as security for the payment of such loan; or,

In security upon grain.

(d) in any instrument given to any bank under the authority of this Act as security for any loan of money made by the bank to a farmer *or to the owner, tenant or occupier of land* whereby any grain is transferred or assigned to the bank as security for the payment of such loan. 53 V., c. 31, s. 75. Am.; 3-4 G. V., c. 9, s. 143. Am.

Wilfully disposing of or withholding goods covered by security.

144. Every person who, having possession or control of any products or stock, goods, wares and merchandise, or grain covered by any warehouse receipt or bill of lading or by any such security as in the last preceding section mentioned, and having knowledge of such receipt, bill of lading or security, without the consent of the bank in writing, and before the advance, bill, note, debt or liability thereby secured has been fully paid,—

(a) wilfully alienates or parts with any such products or stock, goods, wares or merchandise, or grain; or,

(b) wilfully withholds from the bank possession of any such products or stock, goods, wares and merchandise, or grain, upon demand, after default in payment of such advance, bill, note, debt or liability;

Penalty.

is guilty of an indictable offence, and liable to imprisonment for a term not exceeding two years. 53 V., c. 31, s. 75; 63-64 V., c. 26, s. 18. Am.

Bank not selling shares subject to privileged lien.

145. *(a)* If any bank having, by virtue of the provisions of this Act, a privileged lien for any debt or liability for any debt to the bank, on the shares of its own capital stock of the debtor or person liable, neglects to sell such shares within twelve months after such debt or liability has accrued and become payable; or,

Or selling without notice.

(b) If any such bank sells any such shares without giving notice to the holder thereof of the intention of the bank to sell the same, by mailing such notice in the post office, post paid, to the last known address of such holder, at least thirty days prior to such sale;

Penalty.

such bank shall incur, for each such offence, a penalty not exceeding five hundred dollars. 53 V., c. 31, s. 79.

Prohibited Business.

Bank doing prohibited business.

146. If any bank, except as authorized by this Act, either directly or indirectly—

(a) deals in the buying or selling or bartering of goods, wares and merchandise, or engages or is engaged in any trade or business whatsoever;

(b) purchases, deals in, or lends money or makes advances upon the security or pledge of any share of its own capita stock, or of the capital stock of any bank;

(c) lends money or makes advances upon the security, mortgage or hypothecation of any lands, tenements or immovable property, or of any ships or other vessels, or upon the security of any goods, wares and merchandise;

(d) lends to or on the security of the general manager, assistant general manager, branch manager, or any officer, clerk or servant of the bank without the approval of the directors any amount or amounts exceeding in the aggregate one thousand dollars, or

(e) lends to or on the security of the general manager, assistant general manager, branch manager, or any officer, clerk or servant of the bank any amount or amounts exceeding in the aggregate ten thousand dollars;

Penalty.

such bank shall incur a penalty not exceeding five hundred dollars. 53 V., c. 31, s. 79; 3-4 G. V., c. 9, s. 146. Am.

Hypothecation of notes prohibited.

146A. It shall be an offence against this Act for any director, officer, clerk or servant of the bank to pledge, assign or hypothecate the notes of the bank on behalf of the bank. 3-4 G. V., c. 9, s. 146A.

Payment of liabilities of bank after suspension.

146B. If a bank suspends payment in specie or Dominion notes of any of its liabilities as they accrue, then, so long as such suspension continues, it shall be an offence against this Act for any director, officer, clerk or servant of the bank who has knowledge of such suspension to pay or cause to be paid to any person any debt or liability of the bank unless with the consent of a curator or liquidator duly appointed. 3-4 G. V, c. 9, s. 146B.

Returns.

Bank not making monthly.

147. Every bank which neglects to *transmit or deliver* to the Minister, within the first twenty-*eight* days of any month, any monthly return by this Act required to be made up and sent in within the said twenty-*eight* days, exhibiting the condition of the bank on the last juridical day of the month last preceding, and signed in the manner and by

Penalty.

the persons by this Act required, shall incur a penalty of fifty dollars for each and every day, after the expiration of such time during which *such neglect continues*. 53 V., c. 31, s. 85 Am.; 3-4 G. V., c. 9, s. 147. Am.

Neglecting return of additional issue of notes.

147A. Every bank which neglects to *transmit or deliver* to the Minister, within the first thirty days after the last day of the month in which any amount of its notes in excess of the amount of the unimpaired paid-up capital of the bank has been issued or is outstanding, a return showing the amount of its notes in circulation for each juridical day during such month, and signed in the manner and by

Penalty.

the persons by this Act required, shall incur a penalty of fifty dollars for each and every day, after the expiration of such time, during which *such neglect continues*. 7-8 E. VII, c. 7, s. 2, Am.; 3-4 G. V., c. 9, s. 147A. Am.

Neglecting return of value of property.

147B. Every bank which neglects *to transmit or deliver* to the Minister during the month of January in each year a return showing in detail the fair market value of its real and immovable property held under section seventy-nine of this Act, *together with the other information prescribed*

Penalty.

by the said section, and signed in the manner and by the persons by this Act required, shall incur a penalty of fifty dollars for each and every day, after the expiration of such time, during which *such neglect continues.* 3-4 G. V., c. 9, s. 147B. Am.

Neglecting quarterly return.

147C. Every bank which neglects to *transmit or deliver* to the Minister a quarterly return as of the last juridical day of the months of March, June, September and December in each year, giving such particulars as may be prescribed by regulations made by the Treasury Board of the interest and discount rates charged by the bank, such returns to be made up and sent in within the first thirty days after the respective juridical days aforesaid, and signed by the persons by this Act required, shall incur a penalty of fifty dollars for each and every day, after the expiration of such time, during which *such neglect continues.* 3-4 George V., c. 9, s. 147C. Am.

Penalty.

Not making returns required by Minister.

148. Every bank which neglects to *transmit or deliver* to the Minister, within thirty days from the date of the demand therefor by the Minister, or, if such time is extended by the Minister, within such extended time, not exceeding thirty days, as the Minister may allow, any special return, signed in the manner and by the persons by this Act required, which under the provisions of this Act, the Minister may, for the purpose of affording a full and complete knowledge of the condition of the bank, call for, shall incur a penalty of five hundred dollars for each and every day during which such neglect continues. 53 V., c. 31, s. 86; 3-4 G. V., c. 9, s. 148. Am.

Penalty.

Bank not making annual returns of drafts and bills.

149. Every bank which neglects to transmit or deliver to the Minister, within *thirty* days after the close of any calendar year, a return, signed in the manner and by the persons and setting forth the particulars by this Act required in that behalf, of all certified cheques, drafts or bills of exchange issued by the bank to any person and remaining unpaid for more than five years prior to the date of such return, shall incur a penalty of fifty dollars for each and every day during which such neglect continues. 63-64 V., c. 26, s. 21; 3-4 G. V., c. 9, s. 149. Am.

Penalty.

Not returning annual list.

150. Every bank which neglects to transmit or deliver to the Minister, within *thirty* days after the close of any calendar year, a certified list, as by this Act required, showing—

(a) the names of the shareholders of the bank on the last day of such calendar year, with their last known post office addresses and descriptions;

(b) the number of shares then held by such shareholders respectively; and,

(c) the amount paid thereon,

Penalty. shall incur a penalty of fifty dollars for each and every day during which such neglect continues. 53 V., c. 31, s. 87. Am.; 3-4 G. V., c. 9, s. 150. Am.

Not making annual returns of dividends, balances, drafts and bills.

151. Every bank which neglects to transmit or deliver to the Minister, within *thirty* days after the close of any calendar year, a return, signed in the manner and by the persons by this Act required, of all dividends which have remained unpaid for more than five years, and also of all amounts or balances in respect of which no transactions have taken place, or upon which no interest has been paid, during the five years prior to the date of such return, and also of all certified cheques, drafts or bills of exchange issued by the bank and remaining unpaid for more than five years prior to the date of such return, as required by the provisions of this Act in the several cases respectively

Penalty. mentioned, shall incur a penalty of fifty dollars for each and every day during which such neglect continues.

Period of 5 years.

2. The said term of five years shall, in case of moneys deposited for a fixed period, be reckoned from the date of the termination of such fixed period. 53 V., c. 31, s. 88; 3-4 G. V., c. 9, s. 151. Am.

Date of posting return or list.

152. If any return or list, mentioned in either of the last eight preceding sections, is transmitted by post, the date appearing, by the post office stamp or mark upon the envelope or wrapper inclosing the return or list received by the Minister, as the date of deposit in the post office of the place at which the chief office of the bank was situated shall be taken *prima facie*, for the purpose of any of the said sections, to be the day upon which such return or list was transmitted to the Minister. 53 V., c. 31, ss. 85 and 86; 63-64 V., c. 26, s. 22. Am.

Making false or deceptive statement in account or return.

153. *Every president, vice-president, director, auditor, general manager or other officer of the bank or trustee who knowingly prepares, signs, approves or concurs in any account, statement, return, report or document respecting the affairs of the bank containing any false or deceptive statement, or any return which does not set forth the true financial position of the bank including all the information required by Section 113 of this Act, shall be guilty of an indictable offence punish-*

Penalty. *able, unless a greater punishment is in any case by law prescribed therefor, by imprisonment for a term not exceeding five years.*

Liability of officers.

2. Every president, vice-president, director, auditor, general manager or other officer of the bank or trustee who negligently prepares, signs, approves or concurs in any account, statement, return, report or document respecting the affairs of the bank containing any false or deceptive

statement, *or any return which does not set forth the true financial position of the bank including all the information required by Section 113 of this Act,* shall be guilty of an indictable offence punishable, unless a greater punishment is in any case by law prescribed therefor, by imprisonment for a term not exceeding three years.

Calls in the case of Suspension of Payment.

Director refusing to make calls on suspension of bank.

154. *(a)* If any suspension of payment in full, in specie or Dominion notes, of all or any of the notes or other liabilities of the bank continues for three months after the expiration of the time which, under the provisions of this Act, would constitute the bank insolvent; and,

(b) if no proceedings are taken under any Act for the winding-up of the bank; and,

(c) if any director of the bank refuses to make or enforce, or to concur in the making or enforcing of any call on the shareholders of the bank, to any amount which the directors deem necessary to pay all the debts and liabilities of the bank;

Penalty.

such director shall be guilty of an indictable offence, and liable—

(a) to imprisonment for any term not exceeding two years; and,

(b) personally for any damages suffered by any such default. 53 V., c. 31, s. 92.

Undue Preference to the Bank's Creditors.

Officers giving undue preference to any creditor.

155. Every person who, being the president, vice-president, director, general manager, manager, or other officer of the bank, wilfully gives or concurs in giving to any creditor of the bank any fraudulent, undue or unfair preference over other creditors, by giving security to such creditor, or by changing the nature of his claim, or otherwise howsoever, is guilty of an indictable offence, and liable—

Penalty.

(a) to imprisonment for a term not exceeding two years; and,

Damages.

(b) for all damages sustained by any person in consequence of such preference. 53 V., c. 31, s. 97. Am.

Use of the Title "Bank," etc.

Unauthorized use of title "bank," etc.

156. Every person using the word "bank," or the words "savings bank," "banking company," "banking house," "banking association," or "banking institution," or any word or words of import equivalent thereto in any foreign language, in a sign or in an advertisement, or in a title to

represent or describe his business or any part of his business without being authorised so to do by this Act, or by some other Act in force in that behalf, is guilty of an offence against this Act.

Offence.

Unauthorized use of words "banker," "private banker."

2. Every person who uses in a sign or in an advertisement or in a title to represent or describe his business words in a foreign language of import equivalent to the word "banker," or equivalent to the words "private banker," without being authorized so to do by this Act or by some other Act in force in that behalf, is guilty of an offence against this Act. 53 V., c. 31, s. 100. Am.

Offence.

Person receiving money on deposit.

3. The Minister may, upon the application of any interested person, require that any person who receives money on deposit or receives money for transmission to a foreign country without being authorized so to do, either by or under the authority of a statute of Canada or any province thereof, shall make to the Minister in such form as the Minister may prescribe, a return respecting the business so carried on; or the Minister may direct an inquiry into such business and that a report be made to him thereon by any one or more persons whom he may select from the list of persons eligible to audit the affairs of a bank, or by any other person whom he may designate for that purpose; and the Minister may, after due consideration of such return or report, require that such business be discontinued, or that security be deposited as a condition of the continuance thereof, to such extent and in such manner as the public interest may seem to require; and failure to comply with such requirement, within such time as the Minister shall allow, shall be an offence against this Act; and if the offender be a body corporate, then every officer of such body corporate shall be guilty of such offence.

Penalty for Offence against this Act.

Offence against this Act.

157. Every person committing an offence, declared to be an offence against this Act, shall be liable to a fine not exceeding one thousand dollars, or to imprisonment for a term not exceeding five years, or to both, in the discretion of the court before which the conviction is had. 53 V., c. 31, s. 101.

Penalty.

PROCEDURE.

Penalties enforceable at suit of Attorney General or Minister.

158. The amount of all penalties imposed upon a bank or person for any violation of this Act shall, unless otherwise provided by this Act, be recoverable and enforceable, with costs, at the suit of His Majesty instituted by the Attorney General of Canada, or by the Minister.

Appropriation.

2. Such penalties shall, unless otherwise provided by this Act, belong to the Crown for the public uses of Canada:

Proviso.

Provided that the Governor in Council, on the report of

the Treasury Board, may direct that any portion of any penalty be remitted, or paid to any person, or applied in any manner deemed best adapted to attain the objects of this Act, and to secure the due administration thereof. 53 V., c. 31, s. 98. Am.

Repeal 1913, c. 9. 1915, c. 1. 1916, c. 10.

159. *Chapter 9 of the Statutes of 1913, Chapter 1 of the Statutes of 1915 and Chapter 10 of the Statutes of 1916 are repealed, save and except that sections 112 and 153 of said chapter 9 shall remain in force to and including the thirtieth day of September, 1923.*

Commencement of Act.

160. This Act shall come into force on the first day of July, one thousand nine hundred and *twenty-three, save and except that sections 112, 113 and 153 thereof shall not come into force until the first day of October, one thousand nine hundred and twenty-three.*

SCHEDULE A.

Name of Bank	*Capital authorized*	Chief office of Bank
1. The Bank of Montreal	*$31,175,000*	Montreal
2. The Bank of Nova Scotia	*15,000,000*	Halifax
3. The Bank of Toronto	*10,000,000*	Toronto
4. The Molsons Bank	*5,000,000*	Montreal
5. La Banque Nationale	*5,000,000*	Quebec
6. La Banque Provinciale du Canada	*5,000,000*	Montreal
7. The Union Bank of Canada	*15,000,000*	Winnipeg
8. The Canadian Bank of Commerce	*25,000,000*	Toronto
9. The Royal Bank of Canada	*25,000,000*	Montreal
10. The Dominion Bank	*10,000,000*	Toronto
11. The Bank of Hamilton	*7,000,000*	Hamilton
12. The Standard Bank of Canada	*5,000,000*	Toronto
13. La Banque d' Hochelaga	*10,000,000*	Montreal
14. The Imperial Bank of Canada	*10,000,000*	Toronto
15. The Home Bank of Canada	*5,000,000*	Toronto
16. The Sterling Bank of Canada	*3,000,000*	Toronto
17. The Weyburn Security Bank	*1,000,000*	Weyburn

SCHEDULE B.

An Act to incorporate the————————Bank.

Whereas the persons hereinafter named have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition:

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

1. [*Insert names of those applying for incorporation; the full name, address and description of each director must be given*], together with such persons as become shareholders in the corporation by this Act created, are incorporated under the name of [*insert name of bank*] hereinafter called "the Bank."

2. The persons named in section 1 of this Act shall be the provisional directors of the Bank.

3. The capital stock of the Bank shall be————dollars.

4. The chief office of the Bank shall be at————.

5. This Act shall, subject to the provisions of section 16 of The Bank Act, remain in force until the first day of July, in the year one thousand nine hundred and *thirty-three.*

53 V., c. 31, Sch. B.; 63-64 V., c. 26, s. 45. Am.

SCHEDULE C.

In consideration of an advance of————dollars made by the————Bank to A. B., for which the said Bank holds the following bills or notes: (*describe the bills or notes, if any*), [*or*, in consideration of the discounting of the following bills or notes by the————Bank for A. B.; (*describe the bills or notes*),] the products of agriculture, the forest, quarry and mine, [*or*, the sea, lakes and rivers, *or*, the live stock or dead stock, or, the products thereof, *or* the goods, wares and merchandise, *or*, the grain, (*as the case may be*),] mentioned below are hereby assigned to the said Bank as security for the payment on or before the————day of————of the said advance, together with interest thereon at the rate of————per cent per annum from the————day of————[*or*, of the said bills or notes, or renewals thereof, or substitutions therefor, and interest thereon, *or as the case may be*].

This security is given under the provisions of section eighty-eight of The Bank Act, and is subject to the provisions of the said Act.

The said products of agriculture, the forest, quarry and mine, [*or*, the sea, lakes and rivers, *or*, the live stock or dead stock, or the products thereof, *or*, the goods, wares and merchandise, *or*, the grain, (*as the case may be*),] are now owned by————, and are now in the possession

of————, and are free from any mortgage, lien or charge thereon (*or as the case may be*), and are in (*place or places where the goods are*), and are the following (*description of property assigned*).

Dated, etc.

(*N.B.—The bills or notes and the property assigned may be set out in schedules annexed.*)

63-64 V., c. 26, s. 46 and Sch. C.

SCHEDULE D.

In consideration of an advance of dollars made by the Bank to A.B., for which the said bank holds the following bills or notes: (*describe the bills or notes, if any*) [*or*, In consideration of the discounting of the following bills or notes by the Bank for A. B.: (*describe the bills or notes*)] and inasmuch as the said advance [*or* the said discounting, *as the case may be*] was made on the representation that seed grain would be purchased with the advance [*or* proceeds of the discounting, *as the case may be*] and would be sown upon land in the province of situate and being the seed grain purchased and the crop grown from the grain so sown upon the land aforesaid and the grain threshed therefrom are hereby assigned to the said bank as security for the payment, on or before the day of , of the said advance, together with interest at the rate of per cent per annum from the day of [*or*, of the said bills or notes, or renewals thereof, or substitutions therefor, and interest thereon, *as the case may be*].

This security is given under the provisions of subsection 8 of section 88 of *The Bank Act* and is subject to the provisions of the said Act.

Dated at

5 G. V, c. 1, Sch. G. Am.

SCHEDULE E.

In consideration of an advance of dollars, made by the Bank to A. B., for which the said Bank holds the following bills or notes (*describe the bills or notes, if any*) [*or*, in consideration of the discounting of the following bills or notes by the Bank for A. B. (*describe the bills or notes*)], and, inasmuch as the said advance (*or* the said discounting, *as the case may be*) is made upon the security of the following live stock:

the said live stock are hereby assigned to the said Bank as security for the payment, on or before the day of of the said advance together with interest at the rate of per centum per annum from the day of

(*or*, of the said bills or notes or renewals thereof or substitutions therefor, and interest thereon, *as the case may be.*

This security is given under the provisions of subsection twelve of section eighty-eight of *The Bank Act*, and is subject to the provisions of the said Act.

Dated at

3-4 G. V, c. 9, Sch. H. Am.

SCHEDULE F.

To Whom it May Concern:

.....

(*name of person, firm or company. P.O. address*) *hereby gives notice that it is———— intention to give security under the authority of section 88 of The Bank Act, to the————Bank————.*

Dated at————this————day of————.

.....

SCHEDULE G.

Return of the liabilities and assets of the———Bank on the————day of————, 19—

Liabilities.

1. Notes in circulation.....$
2. Balance due to Dominion Government after deducting advances for credits, pay-lists, etc.....
3. *Advances under the Finance Act*.....
4. Balances due to provincial governments....
5. Deposits by the public, payable on demand in Canada.....
6. Deposits by the public, payable after notice or on a fixed day, in Canada.....
7. Deposits elsewhere than in Canada.....
8. Loans from other banks in Canada, secured, including bills re-discounted.....
9. Deposits made by and balances due to other banks in Canada.....
10. Due to banks and banking correspondents in the United Kingdom.....
11. Due to banks and banking correspondents elsewhere than in Canada and the United Kingdom.....

12. Bills payable.....
13. Letters of credit *outstanding*.....
14. Liabilities not included under foregoing heads.....
15. *Dividends declared and unpaid*.....
16. Rest or Reserve Fund.....
17. Capital paid up.....

$

Assets.

1. Current gold and subsidiary coin..... { In Canada $ / Elsewhere $ } $
2. Dominion notes..... { In Canada $ / Elsewhere $ } $
3. Notes of other banks.....
4. *United States and other foreign currencies*..
5. Cheques on other banks.....
6. Loans to other banks in Canada, secured, including bills re-discounted.....
7. Deposits made with and balances due from other banks in Canada.....
8. Due from banks and banking correspondents in the United Kingdom.....
9. Due from banks and banking correspondents, elsewhere than in Canada and the United Kingdom.....
10. Dominion government and provincial government securities.....
11. Canadian municipal securities, and British, foreign and colonial public securities other than Canadian.....
12. Railway and other bonds, debentures and stocks.....
13. Call and short (not exceeding thirty days) loans in Canada on stocks, debentures, bonds *and other securities of a sufficient marketable value to cover*.....
14. Call and short (not exceeding thirty days) loans elsewhere than in Canada *on stocks, debentures, bonds and other securities of a sufficient marketable value to cover*.....
15. Other current loans and discounts in Canada
16. Other current loans and discounts elsewhere than in Canada *after making full provision for bad and doubtful debts*.....
17. Loans to the Government of Canada.....
18. Loans to provincial governments.....
19. Loans to cities, towns, municipalities and school districts.....

20. *Non-current loans, estimated loss provided for*
21. Real estate other than bank premises.....
22. Mortgages on real estate sold by the bank..
23. Bank premises, at not more than cost, less amounts (if any) written off.....
24. Liabilities of customers under letters of credit as per contra.....
25. Deposit with the Minister of Finance for the security of note circulation.....
26. Deposit in the central gold reserves.....
27. *Shares of and loans to controlled companies*..
28. Other assets not included under the foregoing heads.....

\$

Capital authorized.....\$
Capital subscribed.....
Rate per cent of last dividend declared..... per cent.
Aggregate amount of loans to directors and firms of which they are partners, *and loans for which they are guarantors,* \$————
Average amount of current gold and subsidiary coin held during the month, \$————
Average amount of Dominion notes held during the month, \$————
Greatest amount of notes *of the bank* in circulation at any time during the month, \$————

Branch and Agency returns *used* in the *preparation of the foregoing* and antedating the last juridical day of the month aforesaid are as follows:—

Branch or Agency.	*Date of such return.*

I declare that the above return is correct according to the books of the bank.

E. F.,
Chief Accountant, (or Acting Chief Accountant, as the case may be).

We declare that the foregoing return is to the best of our knowledge and belief correct, and shows truly and clearly the financial position of the bank, *as required by sections 112 and 113 of the Bank Act;* and we further declare that the Bank has never, at any time during the period to which the said return relates, held in Dominion notes less than forty per cent. of the cash reserves which it has in Canada.

(Place).....this.....day of.....19..

A. B.,
President, (Vice-President, or Director acting as President, as the case may be).

C. D.,
General Manager, (or other principal officer, as the case may be).

3-4 G. V, c. 9, Sch. D. Am.

SCHEDULE H.

Return of the————————Bank————————showing the amount of its notes in circulation for each juridical day during the month of————————, 19—.

Day of the Month.	*Paid-up Capital.*	**Reserve Fund.*	*Deposit Gold Coin and Dominion Notes.*	*Circulation.*	*Excess (if any).*

** N.B.—Returns for the months of March to August, inclusive, need not have the Reserve Fund column.*

I declare that the above return has been prepared under my directions and is correct according to the books of the bank.

E.F.,
Chief Accountant, (*or* Acting Chief Accountant, *as the case may be*).

We declare that the foregoing return is made up from the books of the bank, and that to the best of our knowledge and belief it is correct.

(Place)————————this————day of————, 19—.

A.B.,
President, (Vice-President, *or* Director acting as President, *as the case may be*).

C.D.,
General Manager, (*or other principal officer, as the case may be*).

3-4 G.V, c. 9, Sch. E.

SCHEDULE I.

Return of unpaid dividends, balances and amounts, certified cheques, drafts and bills of exchange of the——— Bank at the close of the calendar year 19—, made in accordance with the provisions of subsections 1 to 5, inclusive, of section 114 of The Bank Act.

.....

.....

.....

I declare that the above return has been prepared under my directions and is correct according to the books of the bank.

E.F.,
Chief Accountant, *(or* Acting Chief Accountant, *as the case may be).*

We declare that the foregoing return is made up from the books of the bank, and that to the best of our knowledge and belief it is correct.

(Place)———————this———day of———, 19—.

A.B.,
President, (Vice-President, *or* Director acting as President, *as the case may be).*

C.D.,
General Manager, *(or other principal officer, as the case may be).*

3-4 G. V, c. 9, Sch. F.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 83.

An Act respecting Banks and Banking.

AS PASSED BY THE HOUSE OF COMMONS, 20th JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
55900 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 83.

R.S., c 29.
1908, c. 7.
1911, c 4.
1912, c. 5.
1913, c. 9.
(C.S.)
1914 (2 Sess.)
c. 3.
1915, c. 1.
1916, c. 10.

An Act respecting Banks and Banking.

(*New matter is printed in italics.*)

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

SHORT TITLE.

Short title.

1. This Act may be cited as *The Bank Act.* 1913, c. 9, s. 1.

INTERPRETATION.

Definitions.

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

"Association."

(a) "Association" means the Canadian Bankers' Association, incorporated by chapter 93 of the statutes of 1900, intituled *An Act to incorporate the Canadian Bankers' Association;*

"Bank."

(b) "bank" means any bank to which this Act applies;

"Bill of lading."

(c) "bill of lading" includes all receipts for goods, wares or merchandise, accompanied by an undertaking to transport the same from the place where they were received to some other place, by any mode of carriage, whatever;

"Circulation Fund."

(d) "Circulation Fund" means the fund heretofore established and continued by the authority of this Act under the name of the Bank Circulation Redemption Fund;

"Curator."

(e) "Curator" means any person appointed under the authority of this Act by the Canadian Bankers' Association to supervise the affairs of any bank which has suspended payment in specie or Dominion notes of any of its liabilities as they accrue;

"Farmer."

(f) "farmer" includes the owner, occupier, landlord and tenant of a farm;

"Goods, wares and merchandise."

(g) "goods, wares and merchandise" includes, in addition to the things usually understood thereby, products of agriculture, products of the forest, products of the quarry and mine, products of the sea, lakes and rivers, petroleum and crude oil, and other articles of commerce;

(h) "grain" *includes* wheat, oats, barley, rye, *corn*, *buckwheat* and flax;

"Manufacturer."

(i) " manufacturer " includes manufacturers of logs, timber or lumber, maltsters, distillers, brewers, refiners and producers of petroleum, tanners, curers, packers, canners of meat, pork, fish, fruit or vegetables, and any person who produces by hand, art, process or mechanical means any goods, wares or merchandise;

"Minister."

(j) "Minister" means the Minister of Finance and Receiver General;

"President."

(k) "president" does not include an honorary president;

"Products of agriculture."

(l) "products of agriculture," in addition to the direct products of the soil such as hay, grain, roots, vegetables, fruits and other crops, includes milk, cream, butter, cheese, honey, poultry (dead), and eggs, hides, skins and wool, and dried, canned and preserved vegetables and fruits;

"Products of the forests."

(m) "products of * * * * the forest" includes bark, logs, *pulpwood*, *piling*, spars, railway ties, poles, *mining* and *all* other timber, shingles, laths, deals, boards, staves and *all* other lumber, and the skins and furs of wild animals;

"Products of the sea, lakes and rivers."

(n) "products of * * * * the sea, lakes and rivers" includes, in addition to fish of all kinds, whether fresh, frozen, salted, dried, canned, preserved in oil or otherwise preserved, whales and seals, their oil, skins and bone, oysters, lobsters and other crustaceans, fresh and canned or otherwise preserved;

"Trustees."

(o) "trustees" means the persons appointed by the Association and by the Minister to receive and hold the central gold reserves, and "trustee" means any one of the trustees, and if one or more of the trustees is a corporation then "trustee" includes each of the officers of such corporation who is responsible for any action taken by the corporation for the purposes of this Act;

"Warehouse receipt."

(p) "warehouse receipt—"

(i) means any receipt given by any person for any goods, wares or merchandise in his actual, visible and continued possession as bailee thereof in good faith and not as of his own property, and,

(ii) includes receipts, given by any person who is the owner or keeper of a harbour, cove, pond, wharf, yard, warehouse, shed, storehouse or other place for the storage of goods, wares or merchandise, for goods, wares and merchandise delivered to him as bailee, and actually in the place or in one or more of the

places owned or kept by him, whether such person is engaged in other business or not, and,

(iii) includes also receipts given by any person in charge of logs or timber in transit from timber limits or other lands to the place of destination of such logs or timber, *and*,

(iv) includes Lake Shippers Clearance Association receipts and all documents recognized by The Canada Grain Act as warehouse receipts. 1913, c. 9, s. 2. Am.

Public notice; how given.

3. Where by this Act any public notice is required to be given the notice shall, unless otherwise specified, be given by advertisement—

(*a*) in one or more newspapers published at the place where the chief office of the bank is situate; and,

(*b*) in *The Canada Gazette*.

Sufficiency of publication.

2. When by this Act a notice is required to be published in a newspaper for four weeks or any longer period, publication each week in a weekly newspaper, or once a week during the period in a newspaper published more frequently, shall be a sufficient publication for the purposes of this Act.

Notice of call.

3. When by this Act notice of any call is required to be given to the shareholders the notice shall, unless otherwise specified, be sufficiently given by mailing the notice in the post office, registered and post paid, to the last known post office address of the respective shareholders as shown by the records of the bank, at least thirty days prior to the day on which the call is payable. 1913, c. 9, s. 2.

APPLICATION.

General.

To what banks this Act applies.

4. The provisions of this Act apply to the several banks enumerated in Schedule A to this Act, and to every bank incorporated after the first day of January, one thousand nine hundred and *twenty-two*, whether this Act is specially mentioned in its Act of incorporation or not, but not to any other bank, except as hereinafter specially provided. 1913, c. 9, s. 3.

Bank charters continued to July 1st, *1933*, as to some particulars.

5. *Each of the several banks under the name mentioned in Schedule A to this Act is, and shall continue to be, a body politic and corporate until the first day of July, one thousand nine hundred and thirty-three, and this Act shall form and be the charter of each of the said banks until the first day of July aforesaid. The chief office of each bank, and, subject to the provisions of this Act with regard to increase or decrease, the amount of its authorized capital stock, divided into shares of one hundred dollars each, shall be as set out in the Schedule.*

As to other particulars.

2. As to all other particulars this Act shall form and be the charter of each of the said banks until the first day of July, one thousand nine hundred and *thirty-three*. 1913, c. 9, s. 4. Am.

Forfeited or void charters not continued.

6. Nothing in *the next preceding* section shall be deemed to continue in force any charter or Act of incorporation, if, or in so far as it is, under the terms thereof, or under the terms of this Act or of any other Act passed or to be passed, forfeited or rendered void by reason of the non-performance of the conditions of such charter or Act of incorporation, or by reason of insolvency, or for any other reason. 1913, c. 9, s. 4. Am.

Banks in course of winding-up.

Act continues to apply for purposes of winding-up.

7. The provisions of this Act shall continue to apply to the banks named in the Schedule to chapter *9* of the statutes of *1913* intituled *An Act respecting Banks and Banking*, and not named in Schedule A to this Act, but only in so far as may be necessary to wind up the business of the said Banks respectively; and the charters or Acts of incorporation of the said Banks, and any Acts in amendment thereof, or any Acts in relation to the said banks now in force, shall respectively continue in force for the purposes of winding up, and for such purposes only. 1913, c. 9, s. 5. Am.

INCORPORATION AND ORGANIZATION OF BANKS.

Particulars of Act of incorporation.

8. The capital stock of every bank hereafter incorporated, the name of the bank, the place where its chief office is to be situated, and the names of the provisional directors, shall be declared in the Act of incorporation of every such bank respectively. 1913, c. 9, s. 8.

Form thereof.

9. An Act of incorporation of a bank in the form set forth in Schedule B to this Act shall be construed to confer upon the bank thereby incorporated all the powers, privileges and immunities, and to subject it to all the liabilities and provisions set forth in this Act. 1913, c. 9, s. 9.

Capital stock and shares.

10. The capital stock of any bank hereafter incorporated shall be not less than five hundred thousand dollars, and shall be divided into shares of one hundred dollars each. 1913, c. 9, s. 10.

Provisional directors.

11. The number of provisional directors shall be not less than five.

2. *A provisional director shall not be eligible to act as such unless he be a bona fide subscriber of stock of the bank for and*

on his own behalf, to become the absolute and sole owner in his individual right of such stock, and not as trustee or in the right of another, on which subscription not less than—

"(a) three thousand dollars have been paid up, when the paid-up capital stock of the bank is one million dollars or less;

"(b) four thousand dollars have been paid up, when the paid-up capital stock of the bank is over one million dollars and does not exceed three million dollars;

"(c) five thousand dollars have been paid up, when the paid-up capital stock of the bank exceeds three million dollars." 1923. New.

Tenure of office.

3. The provisional directors shall hold office until directors are elected by the subscribers to the stock, as hereinafter provided. 1913, c. 9, s. 11. Am.

Opening of stock books.

12. For the purpose of organizing the bank, the provisional directors may, after giving ten days public notice thereof, cause stock books to be opened, in which shall be recorded the subscriptions of such persons as desire to become shareholders in the bank.

Where.

2. The stock books shall be opened at the place where the chief office of the bank is to be situate, and elsewhere in the discretion of the provisional directors.

Particulars entered.

3. Each subscriber shall, at the time of subscription, give his post office address, and description, and these particulars shall appear in the stock books in connection with the name of the subscriber and the number of shares subscribed for.

Notice of double liability.

4. There shall be printed in small pica type, or type of larger size, on each page in the stock books upon which subscriptions are recorded, and on every document constituting or authorizing a subscription, on a part of the page and document, respectively, which may be readily seen by the person recording the subscription, or by the person signing the document, a copy of section 125 of this Act.

Time stock books open.

5. The stock books may be kept open for such time as the provisional directors deem necessary.

Recovery of unpaid subscriptions.

6. In case of the non-payment of any instalment or other sum payable by a subscriber on account of his subscription, the provisional directors may, in the corporate name of the bank, sue for, recover, collect and get in any such instalment or sum. 1913, c. 9, s. 12.

First meeting of subscribers.

13. Whenever a sum not less than five hundred thousand dollars of the capital stock of the bank has been *bona fide* subscribed, and payments in money on account thereof have been made by the subscribers, the total of such payments making a sum not less than two hundred and fifty thousand dollars, and as soon thereafter as the provisional directors have paid thereout to the Minister the sum of

two hundred and fifty thousand dollars, the provisional directors may, by public notice published for at least four weeks, *and by notice with postage prepaid mailed to the last known address of each subscriber at least ten days prior to the date of such meeting,* call a meeting of the subscribers to the said stock, to be held in the place named in the Act of incorporation as the chief office of the bank, at such time and at such place as is set forth in the said notice.

What is a bona fide subscription.

2. For the purposes of the foregoing subsection no subscription shall be deemed to have been made *bona fide* or be complete unless and until payment in money equal to at least ten per cent of the amount subscribed has been made on account of such subscription by the subscriber, and such payment, with the date thereof, shall be entered on the stock books opposite to such subscription.

Business at meeting.

3. The subscribers shall, at such meeting,—

(a) determine the day upon which the annual general meeting of the bank is to be held;

(b) elect such number of directors, duly qualified under this Act, not less than five, as they think necessary; and,

(c) provide for the method of filling vacancies in the board of directors until the annual general meeting.

Tenure of directors.

4. Such directors shall hold office until the annual general meeting next succeeding their election.

Provisional directors cease.

5. Upon the election of directors as aforesaid the functions of the provisional directors shall cease. 1913, c. 9, s. 13. Am.

Permission to commence business.

14. The bank shall not issue notes or commence the business of banking until it has obtained from the Treasury Board a certificate permitting it to do so.

No certificate until directors elected.

2. No application for such certificate shall be made until directors have been elected by the subscribers to the stock in the manner hereinbefore required. 1913, c. 9, s. 14.

Statement of payments by provisional directors.

15. At the time of the application for the certificate, there shall be submitted to the Treasury Board a sworn statement setting forth the several sums of money paid in connection with the incorporation and organization of the bank, and such statement shall, in addition, include a list of all the unpaid liabilities, if any, in connection with or arising out of such incorporation and organization.

To what limited.

2. Prior to the time at which the certificate is given no payments on account of incorporation and organization expenses shall be made out of moneys paid in by subscribers except reasonable sums for the payment of clerical assistance, legal services, office rental, advertising, stationery, postage and expenses of travel, if any.

When certificate may be granted.

3. No certificate shall be given by the Treasury Board until it has been shown to the satisfaction of the Board, by

affidavit or otherwise, that all the requirements of this Act and of the special Act of incorporation of the bank, as to the subscriptions to the capital stock, the payment of money by subscribers on account of their subscriptions, the payment required to be made to the Minister, the election of directors, deposit for security of note issue, or other preliminaries, have been complied with, and that the sum so paid is then held by the Minister, and unless it appears to the Board that the expenses of incorporation and organization are reasonable.

Within one year.

4. No such certificate shall be given except within one year from the passing of the Act of incorporation of the bank applying for the said certificate. 1913, c. 9, s. 15.

If certificate not granted, powers to cease.

16. If the bank does not obtain a certificate from the Treasury Board within one year from the time of the passing of its Act of incorporation, all the rights, powers and privileges conferred on the bank by its Act of incorporation shall thereupon cease and determine, and be of no force or effect whatever.

Ordinary disbursements allowed, but other expenses subject to resolution.

2. If stock books have been opened and subscriptions in whole or in part paid, but no certificate from the Treasury Board obtained within the time limited by the preceding subsection, no part of the money so paid, or accrued interest thereon, shall be disbursed for commissions, salaries, charges for services or for other purposes, except a reasonable amount for payment of clerical assistance, legal services, office rental, advertising, stationery, postage and expenses of travel, if any, unless it is so provided by resolution of the subscribers at a meeting convened after notice, at which the greater part of the money so paid is represented by subscribers or by proxies of subscribers; and each subscriber shall be entitled at such a meeting to one vote for each ten dollars paid on account of his subscription.

Application to court to settle amount of disbursements.

3. If the amount allowed by such resolution for commissions, salaries or charges for services be deemed insufficient by the provisional directors, or directors elected under section 13 of this Act, as the case may be, or if no resolution for such purpose be passed after a meeting has been duly called, then the provisional directors, or directors elected as aforesaid, may apply to a judge of any superior or county court having jurisdiction where the chief office of the bank is fixed by its Act of incorporation, to settle and determine all charges and the reasonableness of the amount of the disbursements already made to which such money and interest, if any, shall be subject, before distribution of the balance to the subscribers.

Notice of meeting and application to court, with statement.

4. Notice of the meeting and notice of the application respectively referred to in the next preceding subsections shall be given by mailing the notice in the post office,

registered and post paid, at least twenty-one days prior to the date fixed for such meeting or the hearing of such application, to the several subscribers to their respective post office addresses as contained in the stock books; and each of such notices shall contain a statement, in summary form, of the several amounts for commissions, salaries, charges for services and disbursements which it is proposed shall be provided by resolution for payment, or settled and determined by a judge, as the case may be.

Voting.

5. Votes of subscribers may be given at such meeting by proxy, the holder of such proxy to be a subscriber, and subscribers may be heard either in person or by counsel on such application.

Ratio payable by subscribers.

6. In order that the sums paid and payable under the provisions of this section may be equitably borne by the subscribers, the provisional directors or the directors, as the case may be, shall, after the amount of such sums is ascertained as herein provided, fix the proportionate part thereof chargeable to each subscriber at the ratio of the number of shares, in respect of which he is a subscriber to the total number of shares *bona fide* subscribed.

Payment of excess.

7. The respective amounts so fixed shall, before return of the sums paid in to the subscriber, be deducted therefrom, and if the respective sums paid in are not as much as the amounts so fixed, then the excess in each case shall be payable forthwith by the subscriber to the provisional directors or the directors, as the case may be.

Deductions.

8. The total of the amounts in excess mentioned in the next preceding subsection which the provisional directors or the directors are unable to get in or collect in what seems to them a reasonable time shall, with any legal costs incurred, be deducted by them from the sums then remaining in their hands to the credit of the several subscribers in the ratio hereinbefore mentioned, the shares in respect of which no such collections have been made being eliminated from the basis of calculation.

Return of excess to subscribers.

9. The provisional directors or directors, after payment by them of the sums payable under this section, shall return to the subscribers, with any interim interest accretions, the respective balances of the moneys paid in by the subscribers. 1913, c. 9, s. 16.

Deposit, how disposed of if certificate granted.

17. Upon the issue of the certificate in manner hereinbefore provided, the Minister shall forthwith pay to the bank the amount of money so deposited with him as aforesaid, without interest, after deducting therefrom the sum of five thousand dollars required to be deposited under the provisions of this Act for the securing of the notes issued by the bank.

If certificate not granted.

2. In case no certificate is issued by the Treasury Board within the time limited for the issue thereof, the amount

so deposited shall be returned to the bank for distribution in the manner provided by this Act.

Minister not bound.

3. In no case shall the Minister be under any obligation to see to the proper application in any way of the amount so returned. 1913, c. 9, s. 17.

INTERNAL REGULATIONS.

Regulation by by-law.

18. The shareholders of the bank may, at any annual general meeting or at any special general meeting duly called for the purpose, regulate, by by-law, the following matters incident to the management and administration of the affairs of the bank, that is to say:—

(a) The day upon which the annual general meeting of the shareholders for the election of directors shall be held;

(b) The record to be kept of proxies, and the time, not exceeding twenty days, within which proxies must be produced and recorded prior to a meeting in order to entitle the holder to vote thereon;

(c) The number of the directors, which shall be not less than five, and the quorum thereof, which shall be not less than three;

(d) Subject to the provisions hereinafter contained, the qualifications of directors;

(e) The method of filling vacancies in the board of directors, whenever the same occur during each year;

(f) The time and proceedings for the election of directors in case of a failure of any election on the day appointed for it;

(g) The remuneration of the president, vice-president and other directors; and,

(h) The amount of discounts or loans which may be made to directors, either jointly or severally, or to any one firm or person, or to any shareholder, or to corporations.

Copy of by-laws to be sent to shareholders.

2. A copy of the by-laws in force on the first day of July, one thousand nine hundred and *twenty-three*, in respect of the several matters hereinbefore in this section set out, together with a copy of this section of the Act, shall, before the thirty-first day of December, one thousand nine hundred and *twenty-three*, be sent to each shareholder at his last known post office address, as shown by the books of the bank; and after the first day of July, one thousand nine hundred and *twenty-three*, within six months after the end of each successive five year period, a copy of the by-laws, in respect of the said matters, in force at the end of each such period, shall be sent as aforesaid.

Guarantee and pension funds.

3. The shareholders may authorize the directors to establish guarantee and pension funds for the officers and employees of the bank and their families, and to contribute

thereto out of the funds of the bank, *and such guarantee or pension fund, whether contributed in whole or in part out of the funds of the bank or not, shall be invested in securities in which a trustee may invest under the Trust Companies Act, 1914. Any conversion of investments rendered necessary by this provision shall be made within such time or times as the Minister may deem reasonable.*

Existing by-laws continued.

4. Until it is otherwise prescribed by by-law under this section, the by-laws of the bank on any matter which may be regulated by by-law under this section shall remain in force, except as to any provision fixing the qualification of directors at an amount less than that prescribed by this Act. 1913, c. 9, s. 18. Am.

Exception.

Board of directors.

19. The stock, property, affairs and concerns of the bank shall be managed by a board of directors, who shall be elected annually in the manner hereinafter provided, and shall be eligible for re-election. 1913, c. 9, s. 19.

Qualifications.

20. Each director shall hold stock of the bank, of which stock he shall be the absolute and sole owner in his individual right and not as trustee or in the right of another, on which not less than—

(a) three thousand dollars have been paid up, when the paid-up capital stock of the bank is one million dollars or less;

(b) four thousand dollars have been paid up, when the paid-up capital stock of the bank is over one million dollars and does not exceed three million dollars;

(c) five thousand dollars have been paid up, when the paid-up capital stock of the bank exceeds three million dollars.

Required stock holdings.

2. No person shall be elected or continue to be a director unless he holds stock, of which he is the owner as aforesaid, paid up to the amount required by this Act, or such greater amount as is required by any by-law in that behalf.

Majority to be British subjects.

3. A majority of the directors shall be natural born or naturalized subjects of His Majesty and domiciled in Canada. 1913, c. 9, s. 20.

Election of directors.

21. The directors shall be elected by the shareholders at the annual general meeting.

At chief office.

2. The election shall take place at the place where the chief office of the bank is situate.

Notice.

3. Public notice of the annual general meeting shall be given by the directors by publishing such notice, for at least four weeks previously to the time of holding the said meeting, in a newspaper published at the place where the chief office of the bank is situate, and by mailing a copy of such notice to each shareholder at his last known post

office address, as shown by the books of the bank, at least twenty days prior to the time aforesaid. 1913, c. 9, s. 21.

Who shall be directors.

22. The persons, to the number authorized to be elected, who have the greatest number of votes at any election, shall be directors. 1913, c. 9, s. 22.

Provision in case of equality of votes.

23. If it happens at any election that two or more persons have an equal number of votes, and the election or non-election of one or more of such persons as a director or directors depends on such equality, then the directors who have a greater number of votes, or the majority of them, shall, in order to complete the full number of directors, determine which of the said persons so having an equal number of votes shall be a director or directors. 1913, c. 9, s. 23.

Election of president and vice-president.

24. The directors, as soon as may be after their election shall proceed to elect, by ballot, from their number a president and one or more vice-presidents.

Honorary president.

2. The directors may also elect by ballot one of their number to be honorary president. 1913, c. 9, s. 24.

Vacancies, how filled.

Proviso.

25. If a vacancy occurs in the board of directors the vacancy shall be filled in the manner provided by the by-laws: Provided that, if the vacancy is not filled, the acts of a quorum of the remaining directors shall not be thereby invalidated. 1913, c. 9, s. 25.

Vacancy in presidency or vice-presidency.

26. If a vacancy occurs in the office of the president or vice-president, the directors shall, from among themselves, elect a president or a vice-president, who shall continue in office for the remainder of the year. 1913, c. 9, s. 26.

Postponed election of directors

27. If an election of directors is not made on the day appointed for that purpose, such election may take place on any other day, according to the by-laws made by the shareholders in that behalf.

Continuance in office.

2. The directors in office on the day appointed for the election of directors shall remain in office until a new election is made. 1913, c. 9, s. 27.

Meetings of directors.

28. The president, or in his absence a vice-president, shall preside at all meetings of the directors.

Temporary chairman.

2. If at any meeting of the directors both president and vice-presidents are absent, one of the directors present, chosen to act *pro tempore*, shall preside.

Voting.

3. The president, a vice-president or president *pro tempore*, so presiding, shall vote as a director, and shall,

if there is an equal division on any question, also have a casting vote.

Record of attendance of Directors.

4. A record shall be kept of the attendance at each meeting of directors. A summary thereof prepared so as to show the total number of directors' meetings held and the number attended by each director shall be sent to each shareholder with the notice of the annual meeting required by Section twenty-one; and such summary may state the nature and extent of the services rendered by any director who, by reason of residing at a point remote from the chief office of the bank, has been unable to attend meetings of directors. 1913, c. 9, s. 28. Am.

General powers of directors.

29. The directors may make bylaws and regulations, not repugnant to the provisions of this Act, or to any by-law duly passed by the shareholders or to the laws of Canada, with respect to—

(a) the management and disposition of the stock, property, affairs and concerns of the bank;

(b) the duties and conduct of the officers, clerks and servants employed therein; and,

(c) all such other matters as appertain to the business of a bank.

Existing by-laws continued.

2. All by-laws of the bank heretofore lawfully made and now in force with regard to any matter respecting which the directors may make by-laws under this section, including any by-laws for the establishing of guarantee and pension funds for the employees of the bank, shall remain in force until they are repealed or altered by other by-laws made under this Act. 1913, c. 9, s. 29.

Appointment of officers.

30. The directors may appoint as many officers, clerks and servants as they may consider necessary for the carrying on of the business of the bank, *and may authorize any officer of the bank to make such of these appointments as they may deem expedient.*

Directors may authorize officer to make appointments.

Salaries.

2. Such officers, clerks and servants may be paid such salaries and allowances as the directors *or such officer, in the case of appointments made by him,* consider necessary.

Security.

3. The directors before permitting any general manager, manager, or other officer, clerk or servant of the bank to enter upon the duties of his office, *and any officer, authorized as aforesaid, before permitting any officer, clerk or servant of the bank appointed by him to enter upon the duties of his office,* shall require him to give a bond, guarantee or other security to the satisfaction of the directors *or such officer as the case may be,* for the due and faithful performance of his duties. 1913, c. 9, s. 30. Am.

Special general meeting.

31. A special general meeting of the shareholders of the bank, may be called at any time by—

(a) the directors of the bank or any four of them; or,

(b) any number not less than twenty-five of the shareholders, acting by themselves or by their proxies, who are together proprietors of at least one-tenth of the paid-up capital stock of the bank.

Notice. 2. Such directors or shareholders shall give six weeks' previous public notice, specifying therein the object of such meeting.

Place. 3. Such meeting shall be held at the usual place of meeting of the shareholders.

Removal of president, vice-president or director. 4. If the object of the special general meeting is to consider the proposed removal, for maladministration or other specified and apparently just cause, of the president or a vice-president, or of a director of the bank, and if a majority of the votes of the shareholders at the meeting is given for such removal, a director to replace him shall be elected or appointed in the manner provided by the by-laws of the bank, or, if there are no by-laws providing therefor, by the shareholders at the meeting.

Another to replace.

Choosing another president or vice-president. 5. If it is the president or a vice-president who is removed, his office shall be filled by the directors in the manner provided in case of a vacancy occurring in the office of president or vice-president. 1913, c. 9, s. 31.

One vote for each share. **32.** Every shareholder shall, on all occasions on which the votes of the shareholders are taken, have one vote for each share held by him for at least thirty days before the time of meeting.

Ballot. 2. In all cases when the votes of the shareholders are taken, the voting shall be by ballot.

Majority to determine. 3. All questions proposed for the consideration of the shareholders shall be determined by a majority of the votes of the shareholders present or represented by proxy.

Casting vote. 4. The chairman elected to preside at any meeting of the shareholders shall vote as a shareholder only, unless there is a tie, in which case he shall, except as to the election of a director, have a casting vote.

As to joint holders of shares. 5. If two or more persons are joint holders of shares, any one of the joint holders may be empowered, by letter of attorney from the other joint holder or holders, or a majority of them, to represent the said shares, and to vote accordingly.

Proxies. 6. Shareholders may vote by proxy, but no person other than a shareholder eligible to vote shall be permitted to vote or act as proxy.

Officers not to vote. 7. No general manager, manager, clerk or other subordinate officer of the bank shall vote either in person or by proxy, or hold a proxy for the purpose of voting.

Renewal of proxies. 8. No appointment of a proxy to vote at any meeting of the shareholders of the bank shall be valid for that purpose unless it has been made or renewed in writing within one year last preceding the time of such meeting.

Calls must be paid before voting.

9. No shareholder shall vote, either in person or by proxy, on any question proposed for the consideration of the shareholders of the bank at any meeting of the shareholders, or in any case in which the votes of the shareholders of the bank are taken, unless he has paid all calls made by the directors which are then due and payable. 1913, c. 9, s. 32.

CAPITAL STOCK.

Increase of capital.

33. The capital stock of the bank may be increased, from time to time, by such percentage, or by such amount, as is determined upon by by-law passed by the shareholders at the annual general meeting, or at any special general meeting called for the purpose.

Approval of Treasury Board.

2. No such by-law shall come into operation, or be of any force or effect, unless and until a certificate approving thereof has been issued by the Treasury Board.

Conditions for approval.

3. No such certificate shall be issued by the Treasury Board unless application therefor is made within three months from the time of the passing of the by-law, nor unless it appears to the satisfaction of the Treasury Board that a copy of the by-law, together with notice of intention to apply for the certificate, has been published for at least four weeks in *The Canada Gazette*, and in one or more newspapers published in the place where the chief office of the bank is situate.

Treasury Board may refuse.

4. Nothing herein contained shall be construed to prevent the Treasury Board from refusing to issue such certificate if it thinks best so to do. 1913, c. 9, s. 33.

Allotment.

34. Any of the original unsubscribed capital stock, or of the increased stock of the bank, shall, at such time as the directors determine, be allotted to the then shareholders of the bank *pro rata*, at such *price* and on such terms as are fixed by the directors: Provided that—

To present shareholders.

(a) no fraction of a share shall be so allotted;

(b) in no case shall a rate be fixed by the directors, which will make the premium, if any, paid or payable on the stock so allotted, exceed the percentage which the rest or reserve fund of the bank then bears to the paid-up capital stock thereof;

(c) payment shall not be required in greater amounts or at shorter intervals than ten per cent of the price every thirty days; and,

(d) the price of such stock shall be paid in money.

Notice of allotment.

2. Notice of allotment shall be mailed to the shareholders at their last known post office address as shown by the record of the bank, and the directors shall in such notice fix a date not less than ninety days from the day on which the notice is mailed within which the allotment is to be accepted.

Allotment to the public.

3. Any of such allotted stock which is not accepted by a shareholder to whom the allotment has been made, within the time so fixed, or which he declines to accept, together with such shares as remain unallotted because of the provisions of this section that no fraction of a share can be allotted, may be offered for subscription to the public in such manner and on such terms as the directors prescribe.

Distribution of fractions.

4. Any sums received in excess of the rate per share fixed by the directors under this section in respect of fractions of shares offered for subscription to the public shall be rateably distributed to the respective shareholders from whose shares the fractions arose. 1913, c. 9, s. 34. Am.

Reduction of capital.

35. The capital stock of the bank may be reduced by by-law passed by the shareholders at the annual general meeting, or at a special general meeting called for the purpose.

Approval Treasury Board.

2. No such by-law shall come into operation or be of force or effect until a certificate approving thereof has been issued by the Treasury Board.

Conditions for approval.

3. No such certificate shall be issued by the Treasury Board unless application therefor is made within three months from the time of the passing of the by-law, nor unless it appears to the satisfaction of the Board that—

(a) the shareholders voting for the by-law represent a majority in value of all the shares then issued by the bank; and,

(b) a copy of the by-law, together with notice of intention to apply to the Treasury Board for the issue of a certificate approving thereof, has been published for at least four weeks in *The Canada Gazette*, and in one or more newspapers published in the place where the chief office of the bank is situate.

Treasury Board may refuse.

4. Nothing herein contained shall be construed to prevent the Treasury Board from refusing to issue the certificate if it thinks best so to do.

Statements to be submitted to Treasury Board.

5. In addition to evidence of the passing of the by-law, and of the publication thereof in the manner in this section provided, statements showing—

(a) the amount of stock issued;

(b) the number of shareholders represented at the meeting at which the by-law passed;

(c) the amount of stock held by each such shareholder;

(d) the number of shareholders who voted for the by-law;

(e) the amount of stock held by each of such last mentioned shareholders;

(f) the assets and liabilities of the bank in full; and,

(g) the reasons and causes why the reduction is sought;

shall be laid before the Treasury Board at the time of the application for the issue of a certificate approving the by-law.

Not to affect liability of shareholders.

6. The passing of the by-law, and any reduction of the capital stock of the bank thereunder, shall not in any way diminish or interfere with the liability of the shareholders of the bank to the creditors thereof at the time of the issue of the certificate approving the by-law.

If legislation is asked to sanction reduction.

7. If in any case legislation is sought to sanction any reduction of the capital stock of any bank, a copy of the by-law or resolution passed by the shareholders in regard thereto, together with statements similar to those by this section required to be laid before the Treasury Board, shall, at least one month prior to the introduction into Parliament of the bill relating to such reduction, be filed with the Minister.

Limit of reduction.

8. The capital shall not be reduced below the amount of two hundred and fifty thousand dollars of paid-up stock. 1913, c. 9, s. 35.

SHARES AND CALLS.

Shares personalty.

36. The shares of the capital stock of the bank shall be personal property.

Books of subscription.

2. For the purpose of disposing of stock which may be offered for subscription to the public under section 34 of this Act, stock books may be opened at the chief office of the bank, or at such of its branches, or elsewhere, as the directors prescribe.

Particulars entered.

3. Each subscriber shall, at the time of subscription, give his post office address, and description, and these particulars shall appear in the stock books in connection with the name of the subscriber and the number of shares subscribed for. 1913, c. 9, s. 36.

Notice of double liability.

37. There shall be printed in small pica type, or type of larger size, on each page in the stock books upon which subscriptions are recorded and on every document constituting or authorizing a subscription, on a part of the page and document, respectively, which may be readily seen by the person recording the subscription, or by the person signing the document, a copy of section 125 of this Act. 1913, c. 9, s. 37.

Calls on shares.

38. The directors may make such calls of money from the several shareholders for the time being, upon the shares subscribed for by them respectively, as they find necessary.

Number of.

2. Any number of calls may be made by one resolution.

Intervals for calls.

3. Such calls shall be payable at intervals of not less than thirty days.

Notice.

4. Notice of such calls shall be given to the shareholders.

Limitation.

5. No such call shall exceed ten per cent of each share subscribed. 1913, c. 9, s. 38.

Capital lost to be called for.

39. If any part of the paid-up capital is lost the directors shall, if all the subscribed stock is not paid up, forthwith make calls upon the shareholders to an amount equivalent to the loss: Provided that all net profits shall be applied to make good such loss.

Returns to Minister.

2. Any such loss of capital and the calls, if any, made in respect thereof, shall be mentioned in the next return made by the bank to the Minister. 1913, c. 9, s. 39.

Recovery of calls and instalments.

Forfeiture.

40. In case of the non-payment of any call, or instalment under an accepted allotment, the directors may, in the corporate name of the bank, sue for, recover, collect and get in any such call or instalment, or may cause and declare the shares in respect of which any such default is made to be forfeited to the bank. 1913, c. 9, s. 40.

Fine for failure to pay call.

41. If any shareholder refuses or neglects to pay any instalment or call upon his shares of the capital stock at the time appointed therefor, such shareholder shall incur a penalty, to the use of the bank, of a sum of money equal to ten per cent of the amount of such shares.

Sale of forfeited shares at public auction.

2. If the directors declare any shares to be forfeited to the bank they shall, within six months thereafter, without any previous formality, other than public notice published for at least four weeks, of their intention so to do, sell at public auction the said shares, or so many of the said shares as shall, after deducting the reasonable expenses of the sale, yield a sum of money sufficient to pay the unpaid instalments or calls due on the remainder of the said shares, and the amount of penalties incurred upon the whole.

Transfer, how executed.

3. The president, a vice-president, or the general manager of the bank shall execute the transfer to the purchaser of the shares so sold; and such transfer shall be as valid and effectual in law as if it had been executed by the original holder of the shares thereby transferred.

Remission of forfeiture or penalty.

4. The directors, or the shareholders at a general meeting may, notwithstanding anything in this section contained, remit, either in whole or in part, and conditionally or unconditionally, any forfeiture or penalty incurred by the non-payment of instalments or calls as aforesaid. 1913, c. 9, s. 41.

Recovery by action.

42. In any action brought to recover any money due on any instalment or call, it shall not be necessary to set forth the special matter in the declaration or statement of claim, but it shall be sufficient to allege that the defendant

Allegations.

is the holder of one share or more, as the case may be, in the capital stock of the bank, and that he is indebted to the bank for instalments or calls upon such share or shares, in the sum to which the instalments or calls amount, as the

case may be, stating the amount and number of the instalments or calls.

Proof.

2. It shall not be necessary, in any such action, to prove the appointment of the directors. 1913, c. 9, s. 42.

TRANSFER AND TRANSMISSION OF SHARES.

Conditions for transfer of shares.

43. No transfer of the shares of the capital stock of the bank shall be valid unless—

(a) made, registered and accepted by the person to whom the transfer is made, or by his attorney appointed in writing, in a book or books kept for that purpose; and,

(b) the person making the transfer has, if required by the bank, previously discharged all his debts or liabilities to the bank which exceed in amount the remaining stock, if any, belonging to such person, valued at the then current rate.

Entries in books.

2. The post office address and description of the transferee shall be entered in such book.

Fraction of share not transferable.

3. No fractional part of a share, or less than a whole share shall be transferable.

Share register office to be opened in each province.

4. The bank may open and maintain in any province in Canada in which it has resident shareholders and in which it has one or more branches or agencies, a share-registry office, to be designated by the directors, at which the shares of the shareholders, resident within the province, shall be registered and at which, and not elsewhere, except as hereinafter provided, such shares may be validly transferred.

Register and transfer of shares.

5. Shares of persons who are not resident in Canada or in any province in which there is a branch or agency of the bank may be registered and shall be transferable at the chief office of the bank or elsewhere, as the directors may designate.

When change of residence.

6. Whenever there is a change in the ownership of shares, and the new shareholder resides in a province other than that in which the former shareholder resided, and whenever there is a change in the residence of a shareholder from one province to another, or whenever a shareholder residing outside of Canada becomes a resident of a province in Canada, the registration of the shares shall be changed to the registry of the province in which the shareholder has his residence, if there is a branch or agency of the bank in that province, and if a share-registry has been opened in that province, and the shares of such shareholder shall thereafter be transferable at such registry and not elsewhere, except as herein provided.

Residence defined.

7. For the purposes of this section, a shareholder shall be deemed to be resident in the province in which he has, according to the books of the bank, his post office address.

Agents.

8. The directors shall appoint such agents for the purposes of this section as they deem necessary. 1913, c. 9, s. 43.

List of transfers.

44. A list of all transfers of shares registered each day in the books of the bank at the respective places where transfers are authorized, showing in each case the parties to such transfers and the number of shares transferred, shall be made up at the end of each day.

For inspection.

2. Such lists shall be kept at the said respective places for the inspection of the shareholders. 1913, c. 9, s. 44.

Requirements for valid transfer.

45. All sales or transfers of shares, and all contracts and agreements in respect thereof, hereafter made or purporting to be made, shall be null and void, unless the person making the sale or transfer, or the person in whose name or behalf the sale or transfer is made, at the time of the sale or transfer,—

(a) is the registered owner in the books of the bank of the share or shares so sold or transferred, or intended or purporting to be sold or transferred; or,

(b) has the registered owner's assent to the sale.

Contract to state number.

2. The distinguishing number or numbers, if any, of such share or shares shall be designated in the contract of agreement of sale or transfer.

Purchasers without notice.

3. Notwithstanding anything in this section contained, the rights and remedies under any contract of sale, which does not comply with the conditions and requirements in this section mentioned, of any purchaser who has no knowledge of such non-compliance, are hereby saved. 1913, c. 9, s. 45.

Sale of shares under execution.

46. When any share of the capital stock has been sold under a writ of execution, the officer by whom the writ was executed shall, within thirty days after the sale, leave with the bank an attested copy of the writ, with the certificate of such officer endorsed thereon, certifying to whom the sale has been made.

Transfer, how executed.

2. The president, a vice-president or the general manager of the bank shall execute the transfer of the share so sold to the purchaser, but not until after all debts and liabilities to the bank of the holder of the share, and all liens in favour of the bank existing thereon, have been discharged as by this Act provided.

Validity.

3. Such transfer shall be to all intents and purposes as valid and effectual in law as if it had been executed by the holder of the said share. 1913, c. 9, s. 46.

Transmission of shares.

47. If the interest in any share in the capital stock of any bank is transmitted by or in consequence of—

(a) the death, lunacy, bankruptcy, or insolvency of any shareholder; or,

(b) the marriage of a female shareholder; or,

(c) any lawful means, other than a transfer according to the provisions of this Act;

How authenticated.

the transmission shall be authenticated by a declaration in writing, as hereinafter mentioned, or in such other manner as the directors of the bank require.

Declaration.

2. Every such declaration shall distinctly state the manner in which and the person to whom the share has been transmitted, and shall give his post office address and description, and such person shall make and sign the declaration.

Acknowledgment.

3. The person making and signing the declaration shall acknowledge the same before a judge of a court of record, or before the mayor, provost or chief magistrate of a city, town, borough or other place, or before a notary public, or a commissioner for taking affidavits, where the same is made and signed.

To be left with bank.

4. Every declaration so signed and acknowledged shall be left with the general manager, or other officer or agent of the bank, who shall thereupon enter the name of the person entitled under the transmission in the register of shareholders.

Exercise of rights as shareholder.

5. Until the transmission has been so authenticated, no person claiming by virtue thereof shall be entitled to participate in the profits of the bank, or to vote in respect of any such share of the capital stock. 1913, c. 9, s. 47.

Transmission by marriage of female shareholders.

48. If the transmission of any share of the capital stock has taken place by virtue of the marriage of a female shareholder, the declaration shall be accompanied by a copy of the register of such marriage, or other particulars of the

Declaration.

celebration thereof, and shall declare the identity of the wife, with the holder of such share, and shall be made and signed by such female shareholder and her husband.

If separate property of wife.

2. The declaration may include a statement to the effect that the share transmitted is the separate property and under the sole control of the wife, and that she may, without requiring the consent or authority of her husband, receive and grant receipts for the dividends and profits accruing in respect thereof, and dispose of and transfer the share itself.

Revocation.

3. The declaration shall be binding upon the bank and persons making the same, until the said persons see fit to revoke it by a written notice to the bank to that effect.

Omission not to invalidate.

4. The omission of a statement in any such declaration that the wife making the declaration is duly authorized by her husband to make the same shall not invalidate the declaration. 1913, c. 9, s. 48.

Authentication of declaration and papers in certain cases.

49. Every such declaration and instrument as are by the last two preceding sections required to perfect the transmission of a share in the bank shall, if made in any country other than Canada, the United Kingdom or a British colony,—

(a) be further authenticated by the clerk of a court of record under the seal of the court, or by the British consul or vice-consul, or other accredited representative of His Majesty's Government in the country where the declaration or instrument is made; or,

(b) be made directly before such British consul, vice-consul or other accredited representative.

Further evidence.

2. The directors, general manager or other officer or agent of the bank may require corroborative evidence of any fact alleged in any such declaration. 1913, c. 9, s. 49

Transmission by will or intestacy.

50. If the transmission has taken place by virtue of any testamentary instrument, or by intestacy, the probate of the will, or the letters of administration, or act of curatorship or tutorship, or an official extract therefrom, shall, together with the declaration, be produced and left with the general manager or other officer or agent of the bank.

Entry.

2. The general manager or other officer or agent shall thereupon enter in the register of shareholders the name of the person entitled under the transmission. 1913, c. 9, s. 50.

Transmission by decease.

51. Notwithstanding anything in this Act, if the transmission of any share of the capital stock has taken place by virtue of the decease of any shareholder, the production to the directors and the deposit with them of—

(a) any authenticated copy of the probate of the will of the deceased shareholder, or of letters of administration of his estate, or of letters of verification of heirship, or of the act of curatorship or tutorship, granted by any court in Canada having power to grant the same, or by any court or authority in England, Wales, Ireland, or any British colony, or of any testament, testamentary or testament dative expede in Scotland; or,

(b) an authentic notarial copy of the will of the deceased shareholder, if such will is in notarial form according to the law of the province of Quebec; or,

(c) if the deceased shareholder died out of His Majesty's dominions, any authenticated copy of the probate of his will or letters of administration of his property, or other document of like import, granted by any court or authority having the requisite power in such matters;

shall be sufficient justification and authority to the directors for paying any dividend, or for transferring or authorizing the transfer of any share, in pursuance of and in conformity

to the probate, letters of administration, or other such document as aforesaid. 1913, c. 9, s. 51.

SHARES SUBJECT TO TRUSTS.

Bank not bound to see to trusts.

52. The bank shall not be bound to see to the execution of any trust, whether expressed, implied or constructive, to which any share of its stock is subject.

Receipt.

2. The receipt of the person in whose name any such share stands in the books of the bank, or, if it stands in the names of more persons than one, the receipt of one of such persons shall be a sufficient discharge to the bank for any dividend or any other sum of money payable in respect of such share, unless, previously to such payment, express notice to the contrary has been given to the bank.

Bank not bound.

3. The bank shall not be bound to see to the application of the money paid upon such receipt whether given by one of such persons or all of them. 1913, c. 9, s. 52.

Executor or trustee not personally liable.

53. No person holding stock in the bank as executor, administrator, guardian, trustee, tutor or curator—

(a) of or for any estate, trust or person named in the books of the bank as being represented by him; or,

(b) if the will or other instrument under or by virtue of which the stock is so held be named in the books of the bank in connection with such holding,

shall be personally subject to any liability as a shareholder; but the estate and funds in his hands shall be liable in like manner and to the same extent as the testator, intestate, ward or person interested in such estate and funds would be, if living and competent to hold the stock in his own name.

Cestui que trust liable.

2. If the trust is for a living person or corporation, such person or corporation shall also be liable as a shareholder to the extent of his or its respective interest in the shares.

Executor or trustee liable if trust not named.

3. If the estate, trust or person so represented, or will or other instrument, is not named in the books of the bank, the executor, administrator, guardian, trustee, tutor or curator shall be personally liable in respect of the stock, as if he held it in his own name as owner thereof. 1913, c. 9, s. 53.

ANNUAL AND SPECIAL STATEMENTS.

Statement to be laid before annual meeting.

54. At every annual general meeting of the shareholders for the election of directors, the outgoing directors shall submit a clear and full statement of the affairs of the bank, exhibiting, on the one part, the liabilities of the bank, and, on the other part, the assets and resources thereof, and the statement shall be signed by the general manager or other principal officer of the bank next in authority in the management of the affairs of the bank at the time at which the

statement is signed, and shall be signed on behalf of the board by the president or a vice-president or any other two directors, neither of whom shall be an officer of the bank.

Liabilities.

2. The statement shall, without restricting the generality of the requirement of the next preceding subsection, include and show, on the one part, the amount of the—

(a) capital stock paid in,
(b) rest or reserve fund,
(c) dividends declared and unpaid,
(d) balance of profits, as per profit and loss account referred to in subsection *6* of this section,
(e) notes of the bank in circulation,
(f) deposits not bearing interest,
(g) deposits bearing interest, including interest accrued to date of statement,
(h) *advances under the Finance Act,*
(i) balances due to other banks in Canada,
(j) balances due to banks and banking correspondents in the United Kingdom and foreign countries,
(k) bills payable,
(l) letters of credit *outstanding,*
(m) liabilities not included in the foregoing;

Assets.

3. The statement shall include and show, on the other part, the amount of—

(a) current coin held by the bank,
(b) Dominion notes held,
(c) notes of other banks,
(d) *United States and other foreign currencies,*
(e) cheques on other banks,
(f) balances due by other banks in Canada,
(g) balances due by banks and banking correspondents elsewhere than in Canada,
(h) Dominion and provincial government securities, not exceeding market value,
(i) Canadian municipal securities, and British, foreign and colonial public securities other than Canadian, *not exceeding market value,*
(j) railway and other bonds, debentures and stocks, not exceeding market value,
(k) call and short (not exceeding thirty days) loans in Canada on stocks, debentures and bonds *and other securities of a sufficient marketable value to cover,*
(l) call and short (not exceeding thirty days) loans elsewhere in Canada *on stocks, debentures and bonds and other securities of a sufficient marketable value to cover,*
(m) other current loans and discounts in Canada (less rebate of interest), *after making full provision for all bad and doubtful debts,*

(*n*) other current loans and discounts elsewhere than in Canada (less rebate of interest), *after making full provision for all bad and doubtful debts,*

(*o*) liabilities of customers under letters of credit as per contra,

(*p*) real estate other than bank premises,

(*q*) *non-current loans*, estimated loss provided for,

(*r*) bank premises, at not more than cost, less amounts (if any) written off,

(*s*) deposit with the Minister for the purposes of the Circulation Fund,

(*t*) deposit in the central gold reserves,

(*u*) other assets not included in the foregoing.

4. *Whenever a bank carries on any part of its operations in the name of a corporation controlled by such bank, then there shall accompany the statement, a further statement or statements showing the assets and liabilities of each such corporation, and the value placed upon the bank's interest in the corporation; and the auditors of the bank shall, or any purposes within the purview of this Act, be deemed auditors of such controlled corporation, and the shareholders of the bank at every annual general meeting shall appoint such person to act as proxy for the bank at any and all meetings of such controlled corporation as they may see fit.*

Other particulars.

5. Any other or further particulars than those called for by subsections 2 *and 3* of this section, which, in the opinion of the directors, are necessary to a full and clear statement of the affairs of the bank shall also be included and shown in such statement.

Profit and loss account.

6. A profit and loss account for the financial year of the bank next preceding the date of the annual general meeting shall accompany the statement and be attached thereto, and shall be signed on behalf of the board by the same persons as are required by this section to sign the statement referred to.

Copies of statement to be sent to shareholders and Minister.

7. A copy of the statement and of the profit and loss account, together with a copy of the minutes of the annual general meeting, shall be sent within four weeks thereafter to each shareholder at his last known post office address, as shown by the books of the bank, and *concurrently therewith a certified copy* of each of these shall be sent to the Minister. 1913, c. 9, s. 54. Am.

Further statements as required by by-law.

55. The directors shall also submit to the shareholders such further statements of the affairs of the bank as the shareholders require by by-law passed at the annual general meeting, or at any special general meeting of the shareholders called for the purpose.

When to be submitted.

2. The statements so required shall be submitted at the annual general meeting, or at any special general meeting called for the purpose, or at such time and in such manner

as is set forth in the by-law of the shareholders requiring such statements. 1913, c. 9, s. 55.

SHAREHOLDERS' AUDIT.

Who qualified to audit.

56. *The affairs of the bank shall be audited by two persons, residing in Canada, each one of whom shall be an accountant who has for at least six years preceding the date of his appointment, as hereinafter provided, practised his profession in Canada, and who shall also be a member in good standing of an Institute or Association of Accountants incorporated under the authority of the Legislature of any province of Canada.*

Lists to be furnished to the Association.

2. A list or lists shall be furnished to the Minister and also to the Association by each such incorporated Institute or Association of Accountants on or before the thirty-first day of July, nineteen hundred and twenty-three, and thereafter on or before the thirtieth day of June in each year, of all members of their corporation in good standing whose names are entitled to be included therein as determined by the provisions of the last preceding subsection, together with their addresses and the names of the firms, if any, of which they are members, and such list or lists shall be certified under their corporate seals respectively.

The Minister may remove name or names.

3. The Minister may, not later than the thirtieth day of September next following, remove from such list or lists the name of any person of whose appointment to be an auditor of a bank he may disapprove.

Publication of list.

4. The Minister shall, as soon thereafter in each year as may be convenient, cause to be inserted in two successive issues of The Canada Gazette, a public notice containing the names and other particulars of persons included in such list or lists and not removed therefrom by the Minister, and the persons included in such published notice shall be deemed qualified for appointment as auditors of a bank.

Appointment of auditors.

5. The shareholders shall at each annual general meeting appoint two persons, not members of the same firm, whose names are included in the last published list, to audit the affairs of the bank, but if the same two persons, or members respectively of the same two firms have been appointed for two years in succession to audit the affairs of any one bank, one such person or any member of one such firm shall not be again appointed to audit the affairs of such bank during the period of two years next following the term for which he was last appointed.

Vacancy.

6. If any vacancy should occur in the office of auditor of a bank, notice thereof shall forthwith be given by the bank to the Minister, who shall thereupon appoint some other person included in the published list for the year to serve for the unexpired term of the person previously appointed.

Remuneration of Auditors.

7. The remuneration of auditors shall be fixed by the shareholders at the time of their appointment, and in the event of any vacancy and the appointment of another auditor under the next preceding subsection, the remuneration so fixed shall be divided between them as the directors shall consider just and reasonable.

Powers and rights of auditors.

8. Every auditor of a bank shall have a right of access to the books and accounts, cash, securities, documents and vouchers of the bank, and shall be entitled to require *and receive* from the directors and officers of the bank such information and explanation as may be necessary for the performance of the duties of the auditors.

Procedure and scope of audit.

9. The Minister may from time to time require that the auditors of a bank shall report to him upon the adequacy of the procedure adopted by the bank for the safety of its creditors and shareholders, and as to the sufficiency of their own procedure in auditing the affairs of the bank; and the Minister may at his discretion enlarge or extend the scope of the audit, or direct that any other or particular examination be made or procedure established in the particular case as the public interest may seem to require.

Duty with respect to directors.

10. It shall be the duty of the auditors to report individually or jointly as to them may seem fit to the general manager and to the directors in writing any transactions or conditions affecting the well being of the bank which are not satisfactory to them, and which in their opinion require rectification, and without restricting the generality of this requirement they shall report specifically to the general manager and to the directors from time to time upon any loans exceeding one per cent of the paid-up capital of the bank which in their judgment are inadequately secured, but this provision shall not be construed to relieve any director from the due and proper discharge of the duties of a director. The report shall be transmitted or delivered by the auditors to the general manager at his office and to each director at his last known post office address and the said report shall be incorporated in the minutes of the directors' meeting first following the receipt of the said report.

Report of Auditors.

11. The auditors shall make a report to the shareholders on the statement of the affairs of the bank to be submitted by the directors to the shareholders under Section 54 of this Act during their tenure of office; and the report shall state—

(a) whether or not they have obtained all the information and explanations they have required;

(b) whether, in their opinion, the transactions of the bank which have come under their notice have been within the powers of the bank;

(c) whether, in their opinion, the statement referred to in the report discloses the true condition of the bank;

(d) whether the statement is as shewn by the books of the bank.

Attached to anrual statement and read.

12. The auditors' report shall be attached to the statement submitted by the directors to the shareholders under section

54 of this Act, and the report shall be read before the shareholders in the annual general meeting.

Audit and report on further statements.

13. Any further statement of the affairs of the bank submitted by the directors to the shareholders under section 55 of this Act shall be subject to audit and report, and the report of the auditors thereon shall state—

(a) whether or not they have obtained the information and explanation they have required;

(b) whether, in their opinion, such further statement discloses to the extent thereof the true condition of the bank.

Attached to statement and read.

14. The auditors' report shall be attached to the further statement referred to in the next preceding subsection, and shall be read before the shareholders at the meeting to which such further statement is submitted, and a copy

Copies.

of the statement and report shall be *mailed to every shareholder at his last known address.*

Auditor not to undertake other employment for bank.

15. A person appointed under this section to audit the affairs of a bank shall not, during the term for which such person is appointed, either by himself, or by the firm of which he is a member, or by any other member of such firm, accept any retainer or undertake any employment on behalf of or at the instance of such bank or any officer thereof, whether at the expense of the bank or not, other than that of auditor hereunder; and failure to comply with the provisions of this subsection shall be an offence against this Act.

16. No person shall be appointed an auditor of a bank if such person or any member of his firm is a director or officer of such bank. 1913, c. 9, s. 56. Am.

AUDITORS' REPORT TO MINISTER.

Examination by auditor appointed by Minister.

56A. The Minister may direct and require any auditor appointed under the next preceding section of this Act, or any other auditor whom he may select, to examine and inquire specially into any of the affairs or business of the bank, and the auditor so appointed or selected, as the case may be, shall, at the conclusion of his examination and inquiry, report fully to the Minister the results thereof.

Powers of auditor.

2. For the purposes of this section the auditor appointed or selected as aforesaid shall have all the rights and powers given to an auditor under the next preceding section.

Remuneration.

3. For the performance of the duties imposed by this section the auditor shall be paid as remuneration, out of the Consolidated Revenue Fund, such sum as the Governor in Council may direct.

To be deemed auditor of bank.

4. The person selected by the Minister under this section shall, for the purposes of section 153 of this Act, be deemed to be an auditor of the bank. 1913, c. 9, s. 56 A.

DIVIDENDS.

Quarterly or half yearly dividends.

57. The directors of the bank shall, subject to the provisions of this Act, declare quarterly or half yearly dividends of so much of the profits of the bank as to the majority of them seems advisable.

Notice.

2. The directors shall give public notice, published for at least four weeks, of the payment of such dividends previously to the date fixed for such payment.

Where payable.

3. Dividends shall, on and after the date fixed for payment, be payable at the chief office of the bank, and at such of its branches, and at such other places, as the directors prescribe.

Books closed.

4. The directors may close the transfer books during a certain time, not exceeding fifteen days, before the payment of each dividend.

Liability of bank.

5. The liability of any bank under any law, custom or agreement to pay dividends heretofore or hereafter declared and payable on its capital stock shall continue notwithstanding any statute of limitations or any enactment or law relating to prescription. 1913, c. 9, s. 57.

No prescription.

Dividend not to impair capital.

58. No dividend or bonus shall be declared so as to impair the paid-up capital of the bank.

Directors liable for such dividend.

2. The directors who knowingly and wilfully concur in the declaration or making payable of any dividend or bonus, whereby the paid-up capital of the bank is impaired, shall be jointly and severally liable for the amount of such dividend or bonus, as a debt due by them to the bank. 1913, c. 9, s. 58.

Dividend limited unless there is a certain reserve.

59. No division of profits, either by way of dividends or bonus, or both combined, or in any other way, exceeding the rate of eight per cent per annum, shall be made by the bank, unless, after making the same, the bank has a rest or reserve fund, equal to at least thirty per cent of its paid-up capital after *providing all the appropriations necessary for ascertained and estimated losses.*

Personal liability of directors.

2. The directors who knowingly and wilfully concur in any division of profits exceeding the rate of eight per cent per annum, unless after making the same the bank has a rest or reserve fund equal to at least thirty per cent of its paid up capital after making the appropriations necessary to provide for losses, shall be jointly and severally liable for the amount so divided, as a debt due by them to the bank. 1913, c. 9, s. 59. Am.

CASH RESERVES.

Cash reserves in Dominion notes.

60. The bank shall hold in Dominion notes not less than forty per cent of the cash reserves which it has in Canada.

Supply of Dominion notes.

2. The Minister shall make such arrangements as are necessary for ensuring the delivery of Dominion notes to any bank, in exchange for an equivalent amount of gold coin lawfully current at the several branch offices of the Department of Finance *established for the redemption of Dominion notes under the provisions of The Dominion Notes Act, 1914.*

Redemption.

3. Such notes shall be redeemable at any of the branch offices mentioned in subsection 2 hereof. 1913, c. 9, s. 60, Am.

ISSUE AND CIRCULATION OF NOTES.

Issue of notes.

61. The bank may issue and re-issue its notes payable to bearer on demand and intended for circulation: Provided that—

Proviso.

(a) the bank shall not, during any period of suspension of payment of its liabilities, issue or re-issue any of its notes; and,

(b) if, after any such suspension, the bank resumes business without the consent in writing of the curator, hereinafter provided for, it shall not issue or re-issue any of its notes until authorized by the Treasury Board so to do.

$5, or multiples.

2. No such note shall be for a sum less than five dollars, or for any sum which is not a multiple of five dollars.

Amount limited.

3. Except as hereinafter provided, the total amount of the notes of a bank in circulation at any time shall not exceed the aggregate of—

(a) the amount of the unimpaired paid-up capital of the bank; and,

(b) the amount of current gold coin and of Dominion notes held for the bank in the central gold reserves hereinafter mentioned.

Appointment of trustees.

4. The Association may, with the approval of the Minister, appoint three trustees and the Minister may appoint a fourth trustee, and the trustees so appointed shall receive such amounts in current gold coin and Dominion notes, or either, as any bank may desire from time to time to deposit with them. The amounts so deposited are herein referred to as "central gold reserves" and shall be held and dealt with in accordance with the provisions of this Act.

"Central gold reserves."

By-laws respecting.

5. The Association may make by-laws, rules and regulations under section 124 of this Act respecting the custody and management of the central gold reserves and the carrying out of the provisions of this Act relating to such reserves.

Excess of notes over paid up capital.

6. When and so long as the amount of the notes of a bank in circulation in excess of its unimpaired paid-up capital is less than the amount deposited by it in the central gold reserves, the excess of the amount so deposited shall belong to the bank as its property, and the bank may apply to the trustees for a return of the excess last mentioned, and upon receiving from the bank a statement signed by the chief accountant and by the general manager or other principal officer next in authority in the management of the affairs of the bank at the time the statement is signed, and otherwise in the form provided by said by-laws, rules or regulations, setting forth to the best of the information and belief of these officers the amount of the notes of the bank in circulation on the date of such statement, the trustees shall return the whole or part of the deposit of the bank, as the case may be. On and from the date when such statement is transmitted by registered post or delivered to the trustees, the amount applied for shall, for the purpose of the statement to be made by the trustees to the Minister under subsection 7 of this section, and for the purpose of calculating the total amount of the authorized note circulation of the bank, be deemed to have been withdrawn from the central gold reserves and shall not be taken into account in such statement nor included in such calculation; provided always that should the total amount of the notes of the bank in circulation be found, by reason of such withdrawal, to be in excess of the circulation of the bank authorized by this Act the bank shall not be deemed to be released or relieved from any of the penalties imposed by this Act for circulation of the notes of a bank in excess of the amount authorized by this Act.

Statement to be sent to Minister.

7. The trustees shall prepare and transmit by registered post or deliver to the Minister within the first twenty days of each month a statement to be signed by them showing the amount on each juridical day of the preceding month of the deposit of each bank in the central gold reserves and not withdrawn or deemed to be withdrawn under the provisions of this section.

Inspection and audit of gold coin and notes.

8. The Minister shall, from time to time, and not less frequently than twice in each year, cause an inspection and audit of the gold coin and Dominion notes held by the trustees to be made by officers of the Department of Finance.

Particulars of inspection.

9. It shall be the duty of such officers—

(a) to inspect and ascertain the amount of the gold coin and Dominion notes held by the trustees for the respective banks at the date of inspection; and,

(b) to ascertain from the books and accounts, documents and vouchers of the trustees the amounts of gold coin and Dominion notes held by the trustees for the

respective banks at any preceding date named by the Minister.

Powers of inspecting officer.

10. Every such officer shall have a right of access to the gold coin and Dominion notes held and to the books and accounts, documents and vouchers of the trustees, and shall be entitled to require from the trustees such information and explanation as may be necessary for the performance of his duties.

When bank insolvent.

11. Should the bank become insolvent within the meaning of this Act, the amount held for it in the central gold reserves shall be paid by the trustees to the liquidator or other person entitled by law to collect and receive the assets of the bank and shall be applied in redeeming the notes of such bank in circulation and for no other purpose, or in making the payment to the Minister required by section 116 of this Act.

Vacancy in office of trustee.

12. When a vacancy in the office of a trustee appointed by the Association occurs, by resignation, death or other cause, the trustee to fill the vacancy shall, subject to the approval of the Minister, be appointed by the Association; and when a vacancy occurs in the office of a trustee appointed by the Minister, the trustee to fill the vacancy shall be appointed by the Minister.

Remuneration of trustees.

13. The remuneration of trustees, including that of the trustee appointed by the Minister, and all charges and expenses incidental to the establishment and maintenance of the central gold reserves, shall be borne by the Association as the Association may, by by-law, rule or regulation, determine.

Additional issue during moving of crops.

14. During the usual season of moving the crops, that is to say, from and including the first day of September in any year to and including the last day of February next ensuing in addition to the said amount of notes hereinbefore authorized to be issued for circulation, the bank may issue its notes to an amount not exceeding fifteen per cent of the combined unimpaired paid-up capital and rest or reserve fund of the bank as stated in the statutory monthly return made by the bank to the Minister for the month immediately preceding that in which the additional amount is issued.

Notice o additional issue.

15. Whenever, under the authority of the next preceding subsection of this section, the issue of an additional amount of notes of the bank has been made, the general manager, or other principal officer next in authority in the management of the affairs of the bank for the time being, shall forthwith give notice thereof by registered letter addressed to the Minister and to the president of the Association.

Interest on additional issue.

16. While its notes in circulation are in excess of the aggregate referred to in subsection 3 of this section, the bank shall pay interest to the Minister at such rate, not exceeding five per cent per annum, as is fixed by the Governor in Council, on the amount of its notes in circulation

in excess from day to day; and the interest so paid shall form part of the Consolidated Revenue Fund.

Return by bank.

17. A return shall be made and sent by the bank to the Minister showing the amount of its notes in circulation for each juridical day during any month in which any amount of notes in excess of the amount of the unimpaired paid-up capital of the bank has been issued or is outstanding.

Time and form of return.

18. Such return shall be made up and sent within the first thirty days after the last day of the month in which any such amount in excess has been issued or is outstanding, and shall be accompanied by declarations which shall be a part of the return, and the declarations shall be in the form set forth in Schedule *H* to this Act, and shall be signed by the chief accountant, and by the president or a vice-president or the director then acting as president, and by the general manager or other principal officer next in authority in the management of the affairs of the bank at the time at which the declaration is signed. 1913, c. 9, s. 61. Am.

Signatures thereto.

Note issue at agency in British possessions other than Canada.

62. Notwithstanding the provisions of the last preceding section any bank may issue and re issue, at any branch, agency or office of the bank in any British colony or possession other than Canada, notes of the bank payable to bearer on demand and intended for circulation in such colony or possession, for the sum of one pound sterling each, or for any multiple of such sum, or for the sum of five dollars each, or for any multiple of such sum of the dollars in commercial use in such colony or possession, if the issue or reissue of such notes is not forbidden by the laws of such colony or possession.

Governor in Council to fix rate for circulation.

2. No issue of notes of the denomination of five such dollars, or any multiple thereof, shall be made in any such British colony or possession unless and until the Governor in Council, on the report of the Treasury Board, determines the rate, in Canadian currency, at which such notes shall be circulated as forming part of the total amount of the notes in circulation within the meaning of the last preceding section.

Redemption.

3. The notes so issued shall be redeemable at par at any branch, agency or office of the bank in the colony or possession in which they are issued for circulation, and not elsewhere, except as in this section specially provided; and the place of redemption of such notes shall be legibly printed or stamped across the face of each note so issued.

Redemption if agency is abolished.

4. In the event of the bank ceasing to have a branch or agency or office in any such British colony or possession, all notes issued in such colony or possession under the provisions of this section shall become payable and redeemable at the rate of four dollars and eighty-six and two-thirds

cents per pound sterling, or, in the case of the issue of notes of the denomination of five dollars, or any multiple thereof, of the dollars in commercial use in such colony or possession, at the rate established by the Governor in Council as required by this section, in the same manner as notes of the bank issued in Canada are payable and redeemable.

Total amount of circulation.

5. The amount of the notes at any time in circulation in any such colony or possession, issued under the provisions of this section, shall, at the rate mentioned in the last preceding subsection, form part of the total amount of the notes in circulation within the meaning of the last preceding section, and, except as herein otherwise specially provided, shall be subject to all the provisions of this Act.

No re-issue in Canada.

6. No notes issued for circulation in a British colony or possession other than Canada shall be re-issued in Canada.

Section limited.

7. Nothing in this section shall be construed to authorize any bank—

(a) to increase the total amount of its notes in circulation in Canada and elsewhere beyond the limit fixed by the last preceding section; or,

(b) to issue or re-issue in Canada notes payable to bearer on demand, and intended for circulation, for a sum less than five dollars, or for a sum which is not a multiple of five dollars. 1913, c. 9, s. 62.

Pledge of notes prohibited.

63. The bank shall not pledge, assign, or hypothecate its notes; and no advance or loan made on the security of the notes of a bank shall be recoverable from the bank or its assets. 1913, c. 9, s. 63.

Bank circulation redemption fund continued.

64. The moneys heretofore paid to and now deposited with the Minister by the banks to which this Act applies, constituting the fund known as the Bank Circulation Redemption Fund, shall continue to be held by the Minister for the purposes and subject to the provisions in this section mentioned and contained.

$5,000 to be retained upon issue of certificate.

2. The Minister shall, upon the issue of a certificate under this Act authorizing a bank to issue notes and commence the business of banking, retain, out of any moneys of such bank then in his possession, the sum of five thousand dollars, which sum shall be held for the purposes of this section, until the annual adjustment hereinafter provided for takes place in the year then next following.

Adjustment.

3. The amount at the credit of such bank shall, at such next annual adjustment, be adjusted by payment to or by the bank of such sum as is necessary to make the amount

Five per cent of average circulation.

of money at the credit of the bank equal to five per cent of the average amount of its notes in circulation from the time it commenced business to the time of such adjustment and such sum shall thereafter be adjusted annually as hereinafter provided.

Circulation Fund.

4. The amounts heretofore and from time to time hereafter paid, to be retained and held by the Minister as by this section provided, shall continue to form and shall form the Circulation Fund.

Its purposes.

5. The Circulation Fund shall continue to be held as heretofore for the sole purpose of payment, in the event of the suspension by a bank of payment in specie or Dominion notes of any of its liabilities as they accrue, of the notes then issued or re-issued by such bank, intended for circulation, and then in circulation, and interest thereon.

Fund to bear interest.

6. The Circulation Fund shall bear interest at the rate of three per cent per annum.

Adjustment annually.

7. The Circulation Fund shall be adjusted, as soon as possible after the thirtieth day of June in each year, in such a way as to make the amount at the credit of each bank contributing thereto, unless herein otherwise specially provided, equal to five per cent of the average note circulation of such bank during the then last preceding twelve months.

Average note circulation, how determined.

8. The average note circulation of a bank during any period shall be determined from the average of the amount of its notes in circulation, as shown by the monthly returns for such period made by the bank to the Minister; and where, in any return the greatest amount of notes in circulation at any time during the month is given, such amount shall, for the purposes of this section, be taken to be the amount of the notes of the bank in circulation during the month to which such return relates: Provided, however, that in determining the average note circulation of a bank under this subsection the daily average for each month of the amount of the bank's deposit (if any) in the central gold reserves which has not been withdrawn or deemed to be withdrawn within the meaning of this Act shall be deducted from the greatest amount of the notes of the bank in circulation at any time during the month.

Proviso.

Rights of Minister.

9. The Minister shall, with respect to all notes paid out of the Circulation Fund, have the same rights as any other holder of notes of the bank: Provided that all such notes, and all interest thereon, so paid by the Minister, after the amount at the credit of such bank in the Circulation Fund, and all interest due or accruing due thereon, has been exhausted, shall bear interest, at the rate of three per cent per annum, from the time such notes and interest are paid until such notes and interest are repaid to the Minister by or out of the assets of such bank. 1913, c. 9, s. 64.

Proviso.

Notes of bank suspending payment to bear interest.

65. In the event of the suspension by a bank of payment in specie or Dominion notes of any of its liabilities as they accrue, the notes of the bank, issued or re-issued, intended for circulation, and then in circulation, shall bear interest at the rate of five per cent per annum, from the day

of the suspension to such day as is named by the directors, or by the liquidator, receiver, assignee, or other proper official, for the payment thereof.

Notice of time for payment.

2. Notice of such day shall be given by advertisement in at least three consecutive issues of a daily newspaper, published in the place in which the chief office of the bank is situate, and if there is no daily newspaper published there, then by advertisement in two consecutive issues of any weekly newspaper published in that place.

As to notes not then presented.

3. If any notes presented for payment on or after any day named for payment thereof are not paid, all notes then unpaid and in circulation shall continue to bear interest until such further day is named for payment thereof, of which day notice shall be given in manner hereinbefore provided.

Notes not redeemed to be paid out of Circulation Fund.

4. If the directors of the bank or the liquidator, receiver, assignee or other proper official fails to make arrangements within two months from the day of the suspension of payment by the bank, for the payment of all of its notes and interest thereon, the Minister may make arrangements for the payment out of the Circulation Fund, of the notes remaining unpaid and all interest thereon, and the Minister shall give such notice of the payment as he thinks expedient.

Interest to cease.

5. Notwithstanding anything herein, all interest upon such notes shall cease upon and from the date named by the Minister for such payment.

Government not liable.

6. Nothing herein shall be construed to impose any liability upon the Government of Canada, or upon the Minister, beyond the amount available from time to time out of the Circulation Fund. 1913, c. 9, s. 65.

Payment from fund.

66. All payments made from the Circulation Fund shall be without regard to the amount contributed thereto by the bank in respect of whose notes the payments are made.

If fund exceeded.

2. If the payments from the Circulation Fund exceed the amount contributed to the Circulation Fund by the bank so suspending payment, and all interest due or accruing due to such bank thereon, the other banks to which this Act applies shall, on demand, make good to the Circulation Fund the amount of the excess, proportionately to the amount which each such other bank had or should have contributed to the Circulation Fund, at the time of the suspension of the bank in respect of whose notes the payments are made: Provided that—

Proviso.

(*a*) each of such other banks shall only be called upon to make good to the Circulation Fund its share of the excess in payments not exceeding in any one year one per cent of the average amount of its notes in circulation;

(*b*) such circulation shall be ascertained in such manner as the Minister decides; and,

(*c*) the Minister's decision shall be final.

Amounts recovered, how distributed.

3. All amounts recovered and received by the Minister from the bank on account of which such payments were made shall, after the amount of such excess has been made good as aforesaid, be distributed among the banks contributing to make good such excess, proportionately to the amount contributed by each. 1913, c. 9, s. 66.

Refund of deposit if bank is wound up.

67. In the event of the winding-up of the business of a bank by reason of insolvency or otherwise, the Treasury Board may, on the application of the directors, or of the liquidator, receiver, assignee or other proper official, and on being satisfied that proper arrangements have been made for the payment of the notes of the bank and any interest thereon, pay over to the directors, liquidator, receiver, assignee or other proper official, the amount of the Circulation Fund at the credit of the bank, or such portion thereof as it thinks expedient. 1913, c. 9, s. 67.

Treasury Board rules.

68. The Treasury Board may make all such rules and regulations as it thinks expedient with reference to—

(*a*) the payment of any moneys out of the Circulation Fund, and the manner, place and time of such payment;

(*b*) the collection of all amounts due to the Circulation Fund;

(*c*) all accounts to be kept in connection therewith; and,

(*d*) generally the management of the Circulation Fund and all matters relating thereto. 1913, c. 9, s. 68.

Minister may enforce payments.

69. The Minister may, in his official name, by action in the Exchequer Court of Canada, enforce payment, with costs of action, of any sum due and payable by any bank which should form part of the Circulation Fund. 1913, c. 9, s. 69.

Arrangements to be made for circulation at par, and redemption.

70. The bank shall make such arrangements as are necessary to ensure the circulation at par, in any and every part of Canada, of all notes issued or re-issued by it and intended for circulation; and towards this purpose the bank shall establish agencies for the redemption and payment of its notes *at the places at which the Governor in Council has established branch offices of the Department of Finance for the redemption of Dominion notes*, and at such other places as are from time to time designated by the Treasury Board. 1913, c. 9, s. 70. Am.

Bank must take its own notes.

71. The bank shall always receive in payment its own notes at par at any of its branches, agencies or offices, and

whether they are made payable there or not. 1913, c. 9, s. 71.

Payment in Dominion notes.

72. The bank, when making any payment shall, on the request of the person to whom the payment is to be made, pay the same, or such part thereof, not exceeding one hundred dollars, as such person requests, in Dominion notes for one, two or five dollars each, at the option of such person.

No torn or defaced notes.

2. No payment, whether in Dominion notes or bank notes, shall be made by the bank in bills that are unclean or torn or partially defaced by excessive handling.

Disinfection of notes.

3. The Treasury Board may make regulations providing for the disinfection and sterilization by the several banks of all bank notes and Dominion notes which have come into the bank's possession before a re-issue thereof to the public; and the bank, its officers, clerks and servants, shall carry out and execute the regulations made under the authority of this section. 1913, c. 9, s. 72.

Bills or notes binding though not sealed.

73. The bills or notes of the bank signed by the president, a vice-president, the general manager or other officer appointed by the directors of the bank to sign the same, promising the payment of money to any person, or to his order, or to the bearer, though not under the corporate seal of the bank, shall be binding and obligatory on the bank, in like manner and with the like force and effect as they would be upon any private person, if issued by him in his private or natural capacity, and shall be assignable in like manner as if they were so issued by a private person in his natural capacity.

Directors may depute officer to sign.

2. The directors of the bank may, from time to time, authorize or depute the general manager, a manager or other officer of the bank, or any director other than the president or a vice-president, or any manager of any branch or office of discount and deposit of the bank, to sign the notes of the bank intended for circulation. 1913, c. 9, s. 73.

Bills may be signed by machinery.

74. All bank notes and bills whereon the name of any person entrusted or authorized to sign such notes or bills on behalf of the bank is impressed by machinery provided for that purpose, by or with the authority of the bank, shall be good and valid to all intents and purposes, as if such notes and bills had been subscribed in the proper handwriting of the person entrusted or authorized by the bank to sign the same respectively, and shall be bank notes and bills within the meaning of all laws and statutes whatever, and may be described as bank notes or bills in all indictments and civil or criminal proceedings whatever : Provided that if all such names are impressed by machinery, at least one such name to each note or bill, together with a distinguishing device and number, shall be impressed or

engraved under the authority of the bank after the notes are received by the bank from the engraver and printer, and shall not be otherwise impressed or engraved. 1913, c. 9, s. 74.

Counterfeit or fraudulent notes to be stamped.

75. Every officer charged with the receipt or disbursement of public moneys, and every officer of any bank, and every person acting as or employed by any banker, shall stamp or write in plain letters, upon every counterfeit or fraudulent note issued in the form of a Dominion or bank note, and intended to circulate as money, which is presented to him at his place of business, the word "Counterfeit," "Altered" or "Worthless."

If wrongfully stamped.

2. If such officer or person wrongfully stamps any genuine note he shall, upon presentation, redeem it at the face value thereof. 1913, c. 9, s. 75.

BUSINESS AND POWERS OF A BANK.

Business and powers of bank.

76. The bank may—

(a) open branches, agencies and offices;

(b) engage in and carry on business as a dealer in gold and silver coin and bullion;

(c) deal in, discount and lend money and make advances upon the security of, and take as collateral security for any loan made by it, bills of exchange, promissory notes and other negotiable securities, or the stock, bonds, debentures and obligations of municipal and other corporations, whether secured by mortgage or otherwise, or Dominion, provincial, British, foreign, and other public securities; and,

(d) engage in and carry on such business generally as appertains to the business of banking.

Exceptions.

2. Except as authorized by this Act, the bank shall not, either directly or indirectly,—

(a) deal in the buying or selling, or bartering of goods, wares and merchandise, or engage or be engaged in any trade or business whatsoever;

(b) purchase, or deal in, or lend money, or make advances upon the security or pledge of any share of its own capital stock, or of the capital stock of any bank; or,

(c) lend money or make advances upon the security, mortgage or hypothecation of any lands, tenements or immovable property, or of any ships or other vessels, or upon the security of any goods, wares and merchandise.

(d) lend to or on the security of the general manager, assistant general manager, branch manager, or any officer, clerk or servant of the bank without the approval of the directors any amount or amounts exceeding in the aggregate one thousand dollars; or

(e) lend to or on the security of the general manager, assistant general manager, branch manager, or any officer,

clerk or servant of the bank any amount or amounts exceeding in the aggregate ten thousand dollars.

(f) lend money or make advances in excess of ten per cent of its paid-up capital to a director of the bank or to any company or corporation in which the president, general manager or a director of the bank is a partner or shareholder, as the case may be, without the approval of two-thirds of the directors present at a regular meeting, or meeting specially called for the purpose, of the board.

3. No agent or manager of any bank shall act as agent for any insurance company or for any person in the placing of insurance, nor shall any bank exercise pressure upon any borrower to place insurance for the security of such bank in any particular insurance agency, but nothing herein contained shall prevent such bank from requiring such insurance to be placed with an insurance company which it may approve. 1913, c. 9, s. 76. Am.

Bank to have lien upon the stock of its debtors.

77. The bank shall have a privileged lien, for any debt or liability for any debt to the bank, on the shares of its own capital stock, and on any unpaid dividends of the debtor or person liable, and may decline to allow any transfer of the shares of such debtor or person until the debt is paid.

Sale of shares.

2. The bank shall, within twelve months after the debt has accrued and become payable, sell such shares: Provided

Notice.

that notice shall be given to the holder of the shares of the intention of the bank to sell the same, by mailing the notice, in the post office, post paid, to the last known address of the holder, as shown by the records of the bank, at least thirty days prior to the sale.

Transfer.

3. Upon the sale being made the president, a vice-president or the general manager shall execute a transfer of the shares to the purchaser thereof in the usual transfer book of the bank.

Effect of transfer.

4. Such transfer shall vest in the purchaser all the rights in or to the said shares which were possessed by the holder thereof, with the same obligation of warranty on his part as if he were the vendor thereof, but without any warranty from the bank or by the officer of the bank executing the transfer. 1913, c. 9, s. 77.

Collateral securities may be sold.

78. The stock, bonds, debentures or securities, acquired and held by the bank as collateral security, may, in case of default in the payment of the debt, for the securing of which they were so acquired and held, be dealt with, sold and conveyed, either in like manner and subject to the same restrictions as are herein provided in respect of stock of the bank on which it has acquired a lien under this Act, or in like manner as and subject to the restrictions under which a private individual might in like circumstances deal with, sell and convey the same: Provided that the bank shall not be obliged to sell within twelve months.

Right of sale may be waived.

2. The right so to deal with and dispose of such stock, bonds, debentures or securities in manner aforesaid may be waived or varied by any agreement between the bank and the owner of the stock, bonds, debentures or securities. 1913, c. 9, s. 78.

Acquisition of real estate.

79. The bank may acquire and hold real and immovable property for its actual use and occupation and the management of its business, and may sell or dispose of the same, and acquire other property in its stead for the same purpose.

Return to Minister.

2. The bank shall annually, during the month of January, *transmit or deliver* to the Minister a return showing in detail the fair market value of its real and immovable property held under this section *either in its own name or in the name of a trustee or of a corporation controlled by the bank.*

Particulars.

3. Such return shall state separately each parcel of real property held by the bank and as to each such parcel shall state—

(a) the registered owner thereof, if the bank is not the registered owner;

(b) the amount of any mortgage or hypotheque thereon, and if more than one parcel is subject to the same mortgage or hypotheque, the parcels subject to such mortgage or hypotheque shall be segregated in such return and identified therewith;

How signed.

(c) the extent (if any) to which each such parcel is not held for the actual use and occupation of the bank;

and such return shall be signed by the chief accountant, and by the president, or a vice-president, or the director then acting as president, and by the general manager or other principal officer of the bank next in authority in the management of the affairs of the bank at the time at which the said return is made. 1913, c. 9, s. 79. Am.

Mortgages and hypotheques of realty, *and agreements of sale.*

80. The bank may take, hold and dispose of—

(a) mortgages and hypotheques upon real *and* personal, immovable *and* movable property: *Provided, however, that no mortgage or hypotheque shall be taken, held or disposed of in respect to, or be deemed to include, any personal property which, at the date of the coming into force of this Act, is by any statutory enactment exempt from seizure under writs of execution.*

(b) the rights of vendors or purchasers under agreements for the sale or purchase of real and personal, immovable and movable property.

by way of additional security for debts contracted to the bank in the course of its business.

As to personalty.

2. The rights, powers and privileges which the bank is by this Act declared to have, or to have had, in respect of real or immovable property mortgaged to it, shall be held

and possessed by it in respect of any personal or movable property which is mortgaged or hypothecated to the bank. 1913, c. 9, s. 80. Am.

Purchases of realty.

81. The bank may purchase any lands or real or immovable property offered for sale—

(a) under execution, or in insolvency, or under the order or decree of a court, as belonging to any debtor to the bank; or,

(b) by a mortgagee or other encumbrancer, having priority over a mortgage or other encumbrance held by the bank; or,

(c) by the bank under a power of sale given to it for that purpose, notice of such sale by auction to the highest bidder having been first given by advertisement for four weeks in a newspaper published in the county or electoral district in which such lands or property is situate,

in cases in which, under similar circumstances, an individual could so purchase, without any restriction as to the value of the property which it may so purchase, and may acquire a title thereto as any individual, purchasing at sheriff's sale, or under a power of sale, in like circumstances could do, and may take, have, hold and dispose of the same at pleasure. 1913, c. 9, s. 81.

Bank may acquire absolute title to mortgaged premises.

82. The bank may acquire and hold an absolute title in or to real or immovable property mortgaged to it as security for a debt due or owing to it, either by the obtaining of a release of the equity of redemption in the mortgaged property, or by procuring a foreclosure, or by other means whereby, as between individuals, an equity of redemption can, by law, be barred, or a transfer of title to real or immovable property can, by law, be effected, and may purchase and acquire any prior mortgage or charge on such property.

No Act or law to prevent.

2. Nothing in any charter, Act or law shall be construed as ever having been intended to prevent or as preventing the bank from acquiring and holding an absolute title to and in any such mortgaged real or immovable property, whatever the value thereof, or from exercising or acting upon any power of sale contained in any mortgage given to or held by the bank, authorizing or enabling it to sell or convey any property so mortgaged. 1913, c. 9, s. 82.

Property to be sold within certain time.

83. No bank shall hold any real or immovable property, howsoever acquired, except such as is required for its own use, for any period exceeding seven years from the date of the acquisition thereof, or any extension of such period as in this section provided, and such property shall be absolutely sold or disposed of, within such period or extended

period, as the case may be, so that the bank shall no longer retain any interest therein unless by way of security.

Extension of time.

2. The Treasury Board may direct that the time for the sale or disposal of any such real or immovable property shall be extended for a further period or periods, not to exceed five years.

Twelve years.

3. The whole period during which the bank may so hold such property under the foregoing provisions of this section shall not exceed twelve years from the date of the acquisition thereof.

Property not sold liable to forfeiture.

4. Any real or immovable property, not required by the bank for its own use, held by the bank for a longer period than authorized by the foregoing provisions of this section shall be liable to be forfeited to His Majesty for the use of the Dominion of Canada: Provided that—

Proviso.

(a) no such forfeiture shall take effect until the expiration of at least six calendar months after notice in writing to the bank by the Minister of the intention of His Majesty to claim the forfeiture; and,

(b) the bank may, notwithstanding such notice, before the forfeiture is effected sell or dispose of the property free from liability to forfeiture.

Provisions apply to realty now held.

5. The provisions of this section shall apply to any real or immovable property heretofore acquired by the bank and held by it at the time of the coming into force of this Act. 1913, c. 9, s. 83.

Loans on standing timber.

84. The bank may lend money upon the security of standing timber *or* the rights or licenses held by persons to cut or remove such timber; *provided that the instrument evidencing such security is registered against the land upon which such timber stands or in the offices in which are recorded such rights or licenses.* 1913, c. 9, s. 84. Am.

Loans to receiver or liquidator under Winding-up Acts *and to trustee under Bankruptcy Act.*

84A. The bank may lend money to a receiver, to a receiver and manager, to a liquidator appointed under any Winding-up Act, *or to a trustee under the Bankruptcy Act,* provided such receiver, receiver and manager, liquidator, *or trustee,* has been duly authorized or empowered to borrow; and, in respect of any money so lent, the bank may take security, with or without personal liability, from such receiver, receiver and manager, liquidator *or trustee* to such an amount, and upon such property and assets, as may be directed or authorized by any court of competent jurisdiction. 1913, c. 9, s. 84 A. Am.

Advances for building ships.

85. Every bank advancing money in aid of the building of any ship or vessel shall have the same right of acquiring and holding security upon such ship or vessel, while building and when completed, either by way of mortgage,

hypothèque, hypothecation, privilege or lien thereon, or purchase or transfer thereof, as individuals have in the province wherein the ship or vessel is being built.

Rights and obligations.

2. The bank may, for the purpose of obtaining and enforcing such security, avail itself of all such rights and means, and shall be subject to all such obligations, limitations and conditions, as are, by the law of such province, conferred or imposed upon individuals making such advances. 1913, c. 9, s. 85, ss. 2.

Warehouse receipts and bills of lading.

86. The bank may acquire and hold any warehouse receipt or bill of lading as collateral security for the payment of any debt incurred in its favour, or as security for any liability incurred by it for any person, in the course of its banking business.

Effect of taking.

2. Any warehouse receipt or bill of lading so acquired shall vest in the bank, from the date of the acquisition thereof,—

(a) all the right and title to such warehouse receipt or bill of lading and to the goods covered thereby of the previous holder or owner thereof; or,

(b) all the right and title to the goods, wares and merchandise mentioned therein of the person from whom such goods, wares and merchandise were received or acquired by the bank, if the warehouse receipt or bill of lading is made directly in favour of the bank, instead of to the previous holder or owner of such goods, wares and merchandise. 1913, c. 9, s. 86.

When previous holder is an agent.

87. If the previous holder of such warehouse receipt or bill of lading is any person—

(a) entrusted with the possession of the goods, wares and merchandise mentioned therein, by or by the authority of the owner thereof; or,

(b) to whom such goods, wares and merchandise are, by or by the authority of the owner thereof, consigned; or,

(c) who, by or by the authority of the owner of such goods, wares and merchandise, is possessed of any bill of lading, receipt, order or other document covering the same, such as is used in the course of business as proof of the possession or control of goods, wares and merchandise, or as authorizing or purporting to authorize, either by endorsement or by delivery, the possessor of such a document to transfer or receive the goods, wares and merchandise thereby represented;

the bank shall be, upon the acquisition of such warehouse receipt or bill of lading, vested with all the right and title of the owner of such goods, wares and merchandise, subject to the right of the owner to have the same retransferred to him if the debt or liability, as security for which such warehouse receipt or bill of lading is held by the bank, is paid.

Presumption of possession.

2. Any person shall be deemed to be the possessor of such goods, wares and merchandise, bill of lading, receipt, order or other document as aforesaid—

(a) who is in actual possession thereof; or,

(b) for whom, or subject to whose control such goods, wares and merchandise are, or bill of lading, receipt, order, or other document is held by any other person. 1913, c. 9, s. 87.

Loans to certain whole sale dealers.

88. The bank may lend money to any wholesale purchaser or shipper of or dealer in products of agriculture, the forest, quarry and mine, or the sea, lakes and rivers, or to any wholesale purchaser or shipper of or dealer in live stock or dead stock or the products thereof, upon the security of such products, or of such live stock or dead stock or the products thereof.

Grain.

2. The bank may lend money to a farmer upon the security of his threshed grain grown upon the farm.

Loans to wholesale manufacturers.

3. The bank may lend money to any person engaged in business as a wholesale manufacturer of any goods, wares and merchandise, upon the security of the goods, wares and merchandise manufactured by him, or procured for such manufacture.

Removal of goods.

4. If, with the consent of the bank, the products, goods, wares and merchandise, live stock or dead stock or the products thereof, upon the security of which money has been loaned under the authority of this section, are removed and other products, goods, wares and merchandise, livestock or dead stock or the products thereof of substantially the same character are respectively substituted therefor, then

Substitution.

to the extent of the value of the products, goods, wares and merchandise, or live stock or dead stock or the products thereof so removed, the products, goods, wares and merchandise, live stock or dead stock or the products thereof so substituted shall be covered by such security as if originally covered thereby; but failure to obtain the consent of the bank to any such substitution shall not affect the validity of the security either as respects any products, goods,

Security.

wares and merchandise, or live stock or dead stock or the products thereof actually substituted as aforesaid or in any other particular.

Owner may give the security.

5. Any such security, as mentioned in the foregoing provisions of this section, may be given by the owner of the said products, goods, wares and merchandise, stock or products thereof, or grain.

Form of security.

6. The security may be taken in the form set forth in Schedule C to this Act, or to the like effect.

Same rights as upon warehouse receipts.

7. The bank shall, by virtue of such security, acquire the same rights and powers in respect of the products, goods, wares and merchandise, stock or products thereof, or grain covered thereby as if it had acquired the same by virtue

of a warehouse receipt; provided, however, that the wages, salaries or other remuneration of persons employed by any wholesale purchaser, shipper or dealer, by any wholesale manufacturer, or by any farmer in connection with any of the several wholesale businesses referred to, or in connection with the farm, owing in respect of a period not exceeding three months, *and any claim by an unpaid vendor of or in respect to such products, goods, wares and merchandise to the amount remaining unpaid*, shall be a charge upon the property covered by the said security in priority to the claim of the bank thereunder, and such wages, salaries or other remuneration *and such claim of an unpaid vendor* shall be paid by the bank if the bank takes possession or in any way disposes of the said security or of the products, goods, wares and merchandise, stock or products thereof, or grain covered thereby.

Loans for purchase of seed grain.

8. The bank may lend money to the owner, tenant or occupier of land for the purchase of seed grain upon the security of any crop to be grown from such seed grain.

Security.

9. The security *taken under subsection eight of this section* may be taken in the form set forth in Schedule D to this Act or in a form to the like effect.

First lien upon seed grain and crop.

10. The bank shall by virtue of such security acquire a first and preferential lien and claim for the sum secured and interest thereon upon the seed grain purchased and the crop covered by the security, as well before as after the severance of the crop from the soil, and upon the grain threshed therefrom, and the bank shall by virtue of such security acquire the same rights and powers in respect of such seed grain and of the grain so threshed as if it had acquired such rights and powers by virtue of a warehouse receipt.

Same rights as upon warehouse receipts.

Right to enter and take possession in case of default, etc.

11. The bank shall have the right, through its servants or agents, in case of default in payment of the money lent or in case of neglect to care for and harvest the crop, or in case of any attempt to dispose of the crop without the consent of the bank, or in case of the seizure of the crop under process of law, to enter upon the land upon which the crop is grown, to take possession of, care for and harvest the crop and thresh the grain therefrom.

Loan for Live Stock Raising.

12. The bank may lend money to a farmer and to any person engaged in stock raising upon the security of his live stock; *provided however that such security shall not include and shall be deemed not to include any live stock which at the date of the coming into force of this Act is by any statutory enactment exempt from seizure under writs of execution. The provisions of subsection 4 of this section, making live stock substituted for live stock removed subject to the security, shall apply to the live stock substituted by the farmer or other person engaged in stock raising.* "Live stock" for the purposes of this section means horses and mares, bulls, cows, oxen,

bullocks, steers, heifers and calves, sheep and swine and the offspring of any of such animals.

Security.

13. The security taken under subsection twelve of this section may be taken in the form set forth in schedule E to this Act or in a form to the like effect.

Entry, seizure and sale.

14. The bank shall by virtue of the security taken under subsection *twelve* of this section have full power, right and authority, if the bills or notes therein mentioned or described or any of them are not paid according to their tenor, to enter upon the premises upon which the live stock mentioned in the security are, to take possession of or seize such live stock, and before or after such taking possession of or seizure, to sell such live stock, or such part thereof as may be necessary to realize the amount due and payable, at public auction, not less than five days after,—

(a) notice of the time and place of such sale has appeared in a newspaper published in or nearest to the place where the sale is to be made, and,

(b) posting a notice in writing or in print of the time and place of such sale in or at the post office nearest to the place where the sale is to be made.

Disposal of proceeds of sale.

15. After all necessary and reasonable expenses in connection with such seizure and sale have been deducted and prior privileges, liens or pledges existing in favour of third parties and for which claims may have been filed with the party making the sale have been satisfied, the balance of the proceeds of the sale shall be applied in payment of the said bills or notes and the surplus if any returned to the grantor. 1913, c. 9, s. 88; 1915, c. 1; 1916, c. 10.

88A. *Any person intending to give a bank security under the authority of section eighty-eight of this Act must give notice of such intention before any loan is made by the bank to such person and the security taken, by signing a document which may be in the form set out in Schedule F to this Act or to the like effect.*

Notice of intention to give security.

To be registered.

Such document shall be registered in the manner hereinafter provided, and, after this section comes into force, any security subsequently taken under the authority of section eighty-eight of this Act, before such document is registered, shall be null and void as against the creditors of such person and as against subsequent purchasers or mortgagees in good faith. A notice of intention when registered shall be deemed to be notice for the purposes of this section in respect of all securities taken by the bank from such person, under said authority, during the period of three years after the date of registration.

Where to be registered.

2. The document mentioned in the last preceding subsection shall be registered in the office of the Assistant Receiver General (hereinafter called the Assistant Receiver) in the province in which the place of business, or principal place of business in case the person has more than one place of business, of the

person is situate. If the person has no place of business then the document shall be registered in the office of the Assistant Receiver in the province in which such person resides. "Place of business" and "principal place of business" shall, in the case of a company incorporated in Canda, be deemed to be the place where the head office or chief place of business of the company is situate, or if a foreign corporation, then the place of business of such corporation for the purposes of this section shall be the place at which civil process in the province in which the loan is made can be served upon the company. "Assistant Receiver" in this section includes anyone acting for the Assistant Receiver.

Manner of registration.

3. The Assistant Receiver shall number consecutively every notice received by him and shall endorse thereon the number and the hour and date of receiving it, and shall file the notice and enter, in alphabetical order, in a book to be kept by him, the name of every person who has given notice of such intention, with the number endorsed thereon opposite to each name. The Assistant Receiver shall endorse over his signature on a copy of the document, to be supplied by the bank, for the records of the bank, the date of registration and number, and the production of the copy with such endorsation and signature shall be conclusive evidence in all courts of the registration and of the time of registration as thereon endorsed.

Cancellation.

4. The notice of intention may be cancelled by the Assistant Receiver in the book containing such registration at the place where the registration is entered on receipt by him from the bank named in the document registered of a certificate duly signed on behalf of the bank to the effect that each and every security under section 88 given to the bank by the person has been released, or that no security was given to the bank, as the case may be, and such certificate shall bear on the face thereof the number and date endorsed on the original document on file in the office of the Assistant Receiver. The Assistant Receiver shall number consecutively every release received by him and shall endorse thereon the number and the hour and date of its receipt and shall file the release.

Register open to inspection.

5. Every person, upon payment of the proper fees, shall have access to and be entitled to inspect the registration book and any document registered or filed pursuant to this section.

Fees.

6. For services under this Act, the Assistant Receiver shall be entitled to the following fees, for which he shall be accountable to the Consolidated Revenue Fund:—

For registration of each notice and endorsation of copy over signature	*25c.*
For production of registration book for inspection	*25c.*
For production of any notice for inspection	*25c.*
For registration of each certificate of release	*25c.*

Date.

7. This section shall come into force on the first day of August, nineteen hundred and twenty-three. New.

Goods manufactured from articles pledged.

89. If goods, wares and merchandise are manufactured or produced from the goods, wares and merchandise, or any of them, included in or covered by any warehouse receipt, or included in or covered by any security given under *section 88 of this Act*, while so covered, the bank holding such warehouse receipt or security shall hold or continue to hold such goods, wares and merchandise, during the process and after the completion of such manufacture or production, with the same right and title, and for the same purposes and upon the same conditions, as it held or could have held the original goods, wares and merchandise.

Prior claim of bank over unpaid vendor.

2. All advances made on the security of any bill of lading or warehouse receipt, or of any security given under *section 88 of this Act*, shall give to the bank making the advances a claim for the repayment of the advances on the products or stock, goods, wares and merchandise therein mentioned, or into which they have been converted, prior to and by preference over the claim of any unpaid vendor:

Proviso.

Provided that such preference shall not be given over the claim of any unpaid vendor who had a lien upon the products or stock, goods, wares and merchandise at the time of the acquisition by the bank of such warehouse receipt, bill of lading, or security, unless the same was acquired without knowledge on the part of the bank of such lien.

Sale of goods on non-payment of debt.

3. In the event of the non-payment at maturity of any debt or liability secured by a warehouse receipt or bill of lading, or secured by any security given under *section 88 of this Act*, the bank may sell the products or stock, goods, wares and merchandise or grain, mentioned therein, or so much thereof as will suffice to pay such debt or liability with interest and expenses, returning the surplus, if any, to the person from whom the warehouse receipt, bill of lading, or security, or the products or stock, goods, wares and merchandise or grain mentioned therein, as the case may be, were acquired: Provided that such power of sale shall be exercised subject to the following provisions namely:—

Proviso.

Notice of sale of saw-logs, railway ties and lumber.

(a) No sale, without the consent in writing of the owner of any products of the forest shall be made under this Act until notice of the time and place of such sale has been given by a registered letter, mailed in the post office, post paid, to the last known address of the pledgor thereof, at least thirty days prior to the sale thereof;

Notice of sale of goods.

(b) No such products or stock, other than products of the forest, and no goods, wares and merchandise, and no grain, shall be sold by the bank under this Act without the consent of the owner, until notice of the

time and place of sale has been given by a registered letter, mailed in the post office, post paid, to the last known address of the pledgor thereof, at least ten days prior to the sale thereof;

Sale by auction.

(c) Every sale, under such power of sale, without the consent of the owner, shall be made by public auction, after notice thereof by advertisement, in at least two newspapers published in or nearest to the place where the sale is to be made, stating the time and place thereof; and, if the sale is in the province of Quebec, then at least one of such newspapers shall be a newspaper published in the English language, and one other such newspaper shall be a newspaper published in the French language. 1913, c. 9, s. 89. Am.

Conditions under which bank may take security.

90. The bank shall not acquire or hold any warehouse receipt or bill of lading, or any such security as aforesaid, to secure the payment of any bill, note, debt, or liability, unless such bill, note, debt or liability is negotiated or contracted,—

(a) at the time of the acquisition thereof by the bank; or,

(b) upon the written promise or agreement that such warehouse receipt or bill of lading or security would be given to the bank:

Proviso.

Provided that such bill, note, debt or liability may be renewed, or the time for the payment thereof extended, without affecting any such security.

2. The bank may—

Exchanging of warehouse receipt for bill of lading and *vice versa*.

(a) on the shipment of any products or stock, goods, wares and merchandise, or grain, for which it holds a warehouse receipt, or any such security as aforesaid, surrender such receipt or security and receive a bill of lading in exchange therefor; or,

(b) on the receipt of any products or stock, goods, wares and merchandise, or grain, for which it holds a bill of lading, or any such security as aforesaid, surrender such bill of lading or security, store the products or stock, goods, wares and merchandise, or grain, and take a warehouse receipt therefor, or ship the products or stock, goods, wares and merchandise, or grain, or part of them, and take another bill of lading therefor. 1913, c. 9, s. 90.

Interest at 7 per cent may be charged.

91. The bank may stipulate for, take, reserve or exact any rate of interest or discount not exceeding seven per cent per annum and may receive and take in advance any such rate, but no higher rate of interest shall be recoverable by the bank. *The rate of interest or discount charged by the bank shall appear on the face of the note.*

Return to Minister.

2. The bank shall make a quarterly return to the Minister, as of the last juridical day of the months of March, June,

September and December in each year, giving such particulars as may be prescribed by regulations made by the Treasury Board of the interest and discount rates charged by the bank.

Signature to returns.

3. Such returns shall be made up and sent in within the first thirty days after the respective juridical days aforesaid, and shall be signed by the same persons as are required to sign the monthly returns made to the Minister under section 112 of this Act.

Any rate may be allowed.

4. *No bank shall directly or indirectly charge or receive any sum whatsoever for the keeping of any account unless such charge is made by express agreement between the Bank and the customer.* 1913, c. 9, s. 91. Am.

Liability of bank on deposits.

92. The bank may allow any rate of interest whatever upon money deposited with it.

2. The liability of the bank, under any law, custom or agreement to repay moneys heretofore or hereafter deposited with it and interest, if any, shall continue, notwithstanding any statute of limitations, or any enactment or law relating to prescription. 1913, c. 9, s. 92.

Percentage chargeable for collection.

93. When any note, bill, or other negotiable security or paper, payable at any of the bank's places or seats of business, branches, agencies or offices of discount and deposit in Canada, is discounted at any other of the bank's places or seats of business, branches, agencies or offices of discount and deposit, the bank may, in order to defray the expenses attending the collection thereof, receive or retain in addition to the discount thereon, a percentage calculated upon the amount of such note, bill, or other negotiable security or paper, not exceeding one-eighth of one per cent; provided that the bank may make a minimum charge of fifteen cents. 1913, c. 9, s. 93.

Agency charges.

94. The bank may, in discounting any note, bill or other negotiable security or paper, *bona fide* payable at any place in Canada, other than that at which it is discounted, and other than one of its own places or seats of business, branches, agencies or offices of discount and deposit in Canada, receive and retain, in addition to the discount thereon, a sum not exceeding one-fourth of one per cent on the amount thereof; provided that the bank may make a minimum charge of twenty-five cents. 1913, c. 9, s. 94.

Deposits may be received from persons unable to contract.

95. The bank may, subject to the provisions of this section, without the authority, aid, assistance or intervention of any other person or official being required,—

(a) receive deposits from any person whomsoever, whatever his age, status or condition in life, and whether such person is qualified by law to enter into ordinary contracts or not; and,

(*b*) from time to time repay any or all of the principal thereof, and pay the whole or any part of the interest thereon to such person, unless before such repayment the money so deposited in the bank is lawfully claimed as the property of some other person.

Payments by consent.

2. In the case of any such lawful claim the money so deposited may be paid to the depositor with the consent of the claimant, or to the claimant with the consent of the depositor.

Deposit limited to $2,000.

3. If the person making any such deposit could not, under the law of the province where the deposit is made, deposit and withdraw money in and from a bank without this section, the total amount to be received from such person on deposit shall not, at any time, exceed the sum of *two thousand* dollars. 1913, c. 9, s. 95. Am.

Bank not bound to see to trust in deposits.

96. The bank shall not be bound to see to the execution of any trust, whether expressed, implied or constructive, to which any deposit made under the authority of this Act is subject.

Receipt of one of two joint depositors sufficient.

Or of a majority.

2. Except only in the case of a lawful claim, by some other person, before repayment the receipt of the person in whose name any such deposit stands, or, if it stands in the names of two persons, the receipt of one, or, if it stands in the names of more than two persons, the receipt of a majority of such persons, shall, notwithstanding any trust to which such deposit is then subject, and whether or not the bank sought to be charged with such trust, and with which the deposit has been made, had notice thereof, be a sufficient discharge to all concerned for the payment of any money payable in respect of such deposit.

Application.

3. The bank shall not be bound to see to the application of the money paid upon such receipt.

Garnishee order affects only branch where served.

4. *An attaching or garnishee order or summons shall only affect and bind moneys to the credit of the debtor at the branch, agency or office of the bank where such order or summons or notice thereof is served.* 1913, c. 9, s. 96. Am.

If depositor dies, claim not exceeding $500, how proved.

97. If a person dies, having a deposit with the bank not exceeding the sum of five hundred dollars, the production to the bank of—

(*a*) any authenticated copy of the probate of the will of the deceased depositor, or of letters of administration of his estate, or of letters of verification of heirship, or of the act of curatorship or tutorship, granted by any court in Canada having power to grant the same, or by any court or authority in England, Wales, Ireland or any British colony, or of any testament, testamentary or testament dative expede in Scotland; or,

(*b*) an authentic notarial copy of the will of the deceased depositor, if such will is in notarial form, according to the law of the province of Quebec; or,

(*c*) if the deceased depositor died out of His Majesty's dominions, any authenticated copy of the probate of his will, or letters of administration of his property, or other document of like import, granted by any court or authority having the requisite power on such matters;

shall be sufficient justification and authority to the directors for paying such deposit, in pursuance of and in conformity to such probate, letters of administration, or other documents as aforesaid.

Deposit of copy of document.

2. When the authenticated copy or other document of like import is produced to the bank under subsection 1 of this section, there shall be deposited with the bank a true copy thereof. 1913, c. 9, s. 97.

DOMINION GOVERNMENT CHEQUES.

Dominion government cheques to be paid at par.

98. The bank shall not charge any discount or commission for the cashing of any official cheque of the Government of Canada or of any department thereof, whether drawn on the bank cashing the cheque or on any other bank, *nor upon any cheque drawn in favor of the Government of Canada or any department thereof, and tendered for deposit to the credit of the Receiver General of Canada.* 1913, c. 9, s. 98. Am.

PURCHASE OF THE ASSETS OF A BANK.

Bank may sell assets to another bank.

99. Any bank may sell the whole or any portion of its assets to any other bank which may purchase such assets; and the selling and purchasing banks may, for such purposes, enter into an agreement of sale and purchase, which agreement shall contain all the terms and conditions connected with the sale and purchase of such assets.

Consent of Minister.

2. No agreement by a bank to sell the whole or any portion of its assets to another bank shall be made unless and until the Minister, in writing, consents that an agreement under subsection 1 of this section may be entered into between the two banks. 1913, c. 9, s. 99.

Consideration.

100. The consideration for any such sale and purchase may be as agreed upon between the selling and purchasing banks.

If in shares of capital stock.

2. If the consideration, or any portion thereof, is shares of the capital stock of the purchasing bank, the agreement shall provide for the amount of the shares of the purchasing bank to be paid to the selling bank.

Not considered issued until

3. Until such shares so paid to the selling bank have been sold by such bank, or have been distributed among and

sold or distributed.

accepted by the shareholders of such bank, they shall not be considered issued shares of the purchasing bank for the purposes of its note circulation. 1913, c. 9, s. 100.

Agreement of sale to be submitted to selling shareholders at meeting.

101. The agreement of sale and purchase shall be submitted to the shareholders of the selling *and purchasing banks,* either at the annual general meeting of *the respective banks* or at a special general meeting thereof called for the purpose.

Copy to each shareholder by mail.

2. A copy of the agreement shall be mailed, post paid, to *every* shareholder of *each* bank to his last known address, at least four weeks previously to the date of the meeting at which the agreement is to be submitted, together with a notice of the time and place of the holding of such meeting. 1913, c. 9, s. 101. Am.

Agreement may be executed f they approve.

102. If at *each* meeting the agreement is approved by resolution carried by the votes of shareholders, present or represented by proxy, representing not less than two-thirds of the amount of the subscribed capital stock of the bank, the agreement may be executed under the seals of the banks, parties thereto, and application may be made to the Governor in Council, through the Minister, for approval thereof.

Approval of Governor in Council.

2. Until the agreement is approved by the Governor in Council it shall not be of any force or effect. 1913, c. 9, s. 102. Am.

Approval of shareholders of purchasing bank.

103. If the agreement provides for the payment of the consideration for such sale and purchase, in whole or in part, in shares of the capital stock of the purchasing bank, and for such purpose it is necessary to increase the capital stock of such bank, *a bylaw for the purpose may be passed by the shareholders at the meeting called to approve of the agreement.* 1913, c. 9, s. 103. Am.

Necessary increase of stock may be approved.

104. The Governor in Council may, on the application for his approval of the agreement, approve of the increase of the capital stock of the purchasing bank, which is necessary to provide for the payment of the shares of such bank to the selling bank, as provided in the said agreement. 1913, c. 9, s. 104.

Ordinary provisions for increase not to apply.

105. The provisions of this Act with regard to—

(a) the increase of the capital stock of the bank by bylaw of the shareholders approved by the Treasury Board; and,

(b) the allotment and sale of such increased stock;

shall not apply to any increase of stock made or provided for under the authority of the last two preceding sections. 1913, c. 9, s. 105.

Conditions on which Governor in Council may approve agreement.

106. The approval of the Governor in Council shall not be given to the agreement, unless—

(a) the consent of the Minister as prescribed by subsection 2 of section 99 of this Act has been given;

(b) the approval of the agreement is recommended by the Treasury Board;

(c) the application for approval thereof is made, by or on behalf of the bank executing it, within three months from the date of execution of the agreement; and,

(d) it appears to the satisfaction of the Governor in Council that all the requirements of this Act in connection with the approval of the agreement by the shareholders of the selling and purchasing banks have been complied with, and that, after the approval by the shareholders of the selling bank, notice of the intention of the banks to apply to the Governor in Council for the approval of the agreement has been published for at least four weeks in *The Canada Gazette*, and in one or more newspapers published in places where the chief offices of the banks are situate.

Information.

2. Such banks shall afford all information that the Minister requires.

Approval may be refused.

3. Nothing herein contained shall be construed to prevent the Governor in Council or the Treasury Board from refusing to approve of the agreement or to recommend its approval. 1913, c. 9, s. 106.

Further conditions.

107. The agreement shall not be approved of unless it appears that—

(a) proper provisions have been made for the payment of the liabilities of the selling bank;

(b) the agreement provides for the assumption and payment by the purchasing bank of the notes of the selling bank issued and intended for circulation,outstanding and in circulation; and,

(c) the amounts of the notes of both the purchasing and selling banks, issued for circulation, outstanding and in circulation, as shown by the then last monthly returns of the banks, do not together exceed the then paid-up capital of the purchasing bank and the amount (if any) held for both of the said banks in the central gold reserves referred to in section 61 of this Act; or if the amount of such notes does exceed such paid-up capital and the amount so held, an amount in cash, equal to the excess of such notes over such paid-up capital and the amount so held, has been deposited by the purchasing bank with the Minister.

Deposit.

2. The amount so deposited under paragraph *(c)* of subsection 1 of this section shall be held by the Minister as security for the redemption of the said excess of notes; and when the amount of the notes of the two banks out-

standing and in circulation is less than the aggregate of the paid-up capital of the purchasing bank, the amount aforesaid (if any) held in the central gold reserves, together with the amount so deposited, the difference shall, from time to time, be repaid by the Minister out of the deposit, to the extent thereof, to the purchasing bank, but without interest, on the application of such bank, and on the production of such evidence as the Minister may require to show the amount of the notes of the two banks then outstanding and in circulation. 1913, c. 9, s. 107.

Notes of selling bank to become notes of purchasing bank.

108. The notes of the selling bank so assumed and to be paid by the purchasing bank shall, on the approval of the agreement, be deemed to be, for all intents and purposes, notes of the purchasing bank issued for circulation; and the purchasing bank shall be liable in the same manner and to the same extent as if it had issued them for circulation.

Circulation Fund.

2. The amount at the credit of the selling bank in the Circulation Fund shall, on the approval of the agreement, be transferred to the credit of the purchasing bank.

As to withdrawal of deposit in central gold reserves.

3. The trustees shall not permit any part of the deposit (if any) of the selling bank in the central gold reserves to be withdrawn under the provisions of this Act after the last juridical day of the month in which notice of intention to apply to the Governor in Council for approval of the agreement has been given and pending such approval, unless and until the trustees are notified in writing by the Minister of his consent thereto; and on the approval of the agreement the trustees shall hold the deposit (if any) for and as if such deposit had been originally made by the purchasing bank.

Notes to be called in.

4. The notes of the selling bank shall not be re-issued, but shall be called in, redeemed and cancelled as quickly as possible. 1913, c. 9, s. 108.

Evidence of approval by Governor in Council.

109. The approval by the Governor in Council of the agreement shall be evidenced by a certified copy of the order in council approving thereof.

Order in council conclusive.

2. A copy of such order in council or extract thereof, and a copy of such agreement, purporting to be certified to be true by the clerk or assistant or acting clerk of the King's Privy Council for Canada shall, in all courts of justice and for all purposes, be *prima facie* evidence of the said agreement, and of its due execution, and of its approval by the Governor in Council, and of the regularity of all proceedings in connection therewith. 1913, c. 9, s. 109.

On approval of Governor in Council the assets pass.

110. On the agreement being approved of by the Governor in Council, the assets therein referred to as sold and purchased shall, in accordance with and subject to the terms thereof, and without any further conveyance, become vested in the purchasing bank.

Further assurance.

2. The selling bank shall, from time to time, subject to the terms of the agreement, execute such formal and separate conveyances, assignments and assurances, for registration purposes or otherwise, as are reasonably required to confirm or evidence the vesting in the purchasing bank of the full title or ownership of the assets referred to in the agreement. 1913, c. 9, s. 110.

Selling bank to cease business and be wound up.

111. As soon as the agreement is approved of by the Governor in Council, the selling bank shall cease to issue or re-issue notes for circulation, and shall cease to transact any business, except such as is necessary to enable it to carry out the agreement, to realize upon any assets not included in the agreement, to pay and discharge its liabilities, and generally to wind up its business; and the charter or Act of incorporation of such bank, and any Acts in amendment thereof then in force, shall continue in force only for the purposes in this section specified. 1913, c. 9, s. 111.

RETURNS.

Monthly returns.

112. *The bank shall, within the first twenty-eight days of each month, transmit or deliver to the Minister a return in the form set forth in Schedule G to this Act.*

What return shall show.

2. *Such return shall exhibit the condition of the bank on the last juridical day of the month last preceding.*

When return last received may be used.

3. Notwithstanding anything in this section, whenever, in the usual course of the post, the return of a branch or agency for the last juridical day of the month, mailed at the branch or agency on or before the second day of the following month, does not reach—

(a) the chief office of the bank on or before the eighteenth day of the month; or,

(b) the office of the general manager, if the office of the general manager is at a place other than the chief office of the bank, on or before the fifteenth day of the month,

the return last received from any such branch, exhibiting as far as that branch is concerned the condition of the bank at the date for which it purports to be made, may be used in the *preparation* of the monthly return called for by this section.

Special returns.

(4) The Minister may also call for *other or* special returns from any bank, *and may require that the bank shall transmit or deliver such other or special returns at monthly or other prescribed periods, or* whenever in his judgment they are necessary to afford a full and complete knowledge of its condition.

Within 30 days from demand.

(5) *The Minister may prescribe the time within which such other or special returns shall be transmitted or delivered to*

him; but unless otherwise prescribed the time within which any monthly or other periodic return shall be transmitted or delivered, shall be the time allowed by this section for a monthly return; provided that the Minister may extend the time for transmitting any special return for such further period, not exceeding thirty days, as he thinks expedient.
1913, c. 9, sections 112 and 113. Am.

Return accompanied by declaration.

113. *Every return provided for or required under the last preceding section shall be accompanied by declarations which shall be a part of the return, and the declarations shall be in the form set forth in Schedule G to this Act, and* shall be signed by the chief accountant or by the acting chief accountant, and by the president, or a vice president, or the director then acting as president, and by the general manager or other principal officer of the bank next in authority in the management of the affairs of the bank at the time at which the declaration is signed.

How signed.

Names of directors, president and vice-president sent to Minister.

2. As soon as may be after the annual general meeting there shall be sent to the Minister the names of the directors elected thereat and the names of the president and vice-presidents, and should any vacancy occur in the membership of the board of directors, or in the office of president, or vice-president, the Minister shall forthwith be notified of the name of the person by whom the vacancy has been filled.

Vacancy.

Notice to Minister of change of officers.

3. If any change is made in the holder of the office of chief accountant or of general manager, the Minister shall forthwith be notified of the name of the person by whom the vacancy has been filled.

Return to show true position.

4. Notwithstanding anything in the last preceding section contained it shall not, except as to the chief accountant or acting chief accountant of the bank, be sufficient for the purposes of any return provided for or required under the said section that such return agrees with the books of the bank, but the return shall set forth the true financial position of the bank on the last juridical day of the month last preceding the date of the return according to the latest information possessed by or reasonably available to the officers or any of them who sign the return.

Current loans not to include.

5. For the purposes of any return provided for or required under the last preceding section, or for the purposes of any statement or balance sheet prepared and issued by a bank, there shall not be included amongst "current loans", any loan in respect of which,—

(a) the borrower has not for a period of two years preceding the date of such return, statement or balance sheet, paid the interest thereon at the rate agreed, in cash, unassisted by the bank;

(b) the bank has taken possession of the property or any part of the property covered by any security given by the borrower with the intention of realizing thereon, or has

realized or taken any step or proceeding for the purpose of realizing upon any security given by the borrower;

(c) the bank has commenced an action at law to recover from the borrower the amount of the loan or any part thereof;

(d) the borrower has made an abandonment of his estate for the benefit of his creditors or any of them; or,

(e) there is other cause, sufficient in the opinion of the manager of the branch of the bank where such loan is domiciled, or in the opinion of any director or officer of the bank who prepares, signs, approves or concurs in such return, statement or balance sheet, for deeming such loan not to be a current loan.

Provided however, that any loan falling within this subsection may be included amongst current loans if the directors declare that after due inquiry they have approved such loan as a current loan.

Controlled corporations.

6. *Whenever a bank carries on any part of its operations in the name of a corporation controlled by such bank, then such bank shall, for the purposes of any return required under the last preceding section, transmit or deliver therewith, a separate return, showing the assets and liabilities of each such corporation, and the interest of the bank in such corporations shall be shown separately in any return respecting the affairs of the bank.*

Amounts written off bank premises.

7. *Whenever a bank has appropriated, out of its profits for any period, with the consent and approval of its shareholders had and obtained at any annual or special general meeting, any sum for the writing down of its bank premises or other assets, no portion of such sum so appropriated shall be again taken into account for the purposes of any return required under the last preceding section, or for the purposes of any statement prepared and issued by the bank, without the consent and approval of its shareholders, in like manner first had and obtained.*

Appropriations for losses.

8. *For the purposes of any return provided for or required under the last preceding section, the "Appropriation Account" shall be the total amount estimated or ascertained to be necessary to provide for losses, due to any cause whatsoever, according to the latest information which can be made available therefor.* 1913, c. 9, s. 112. Am.

Annual returns of unpaid dividends and balances.

114. The bank shall, within *thirty* days after the close of each calendar year, transmit or deliver to the Minister a return—

(a) of all dividends which have remained unpaid for more than five years; and,

(b) of all amounts or balances in respect of which no transactions have taken place, or upon which no interest has been paid, during the five years prior to the date of such return:

Provided that, in the case of moneys deposited for a fixed period, the said term of five years shall be reckoned from the date of the termination of such fixed period.

What return shall show.

2. The return mentioned in the last preceding subsection shall set forth—

(a) the name of each shareholder or creditor to whom such dividends, amounts or balances are, according to the books of the bank, payable;

(b) the last known address of each such shareholder or creditor;

(c) the amount due to each such shareholder or creditor;

(d) the branch or agency of the bank at which the last transaction took place;

(e) the date of such last transaction; and,

(f) if such shareholder or creditor is known to the bank to be dead, the names and addresses of his legal representatives, so far as known to the bank.

Further annual return.

3. The bank shall likewise, within *thirty* days after the close of each calendar year, transmit or deliver to the Minister a return of all certified cheques, drafts or bills of exchange, issued by the bank to any person, and remaining unpaid for more than five years prior to the date of such return, setting forth so far as known,—

Particulars.

(a) the names of the persons to whom, or at whose request, such drafts, certified cheques, or bills of exchange were issued;

(b) the addresses of such persons;

(c) the names of the payees of such drafts or bills of exchange;

(d) the amounts and dates of such certified cheques, drafts or bills of exchange;

(e) the names of the places where such certified cheques, drafts or bills of exchange were payable; and,

(f) the branches or agencies of the bank respectively from which such drafts, certified cheques, or bills of exchange were issued.

Amounts under five dollars.

4. If a dividend, amount or balance, certified cheque, draft, or bill of exchange is for a less sum than five dollars, and returns in respect thereof have been made under the preceding provisions of this section for five consecutive years, the bank may hereafter omit from the respective returns particulars required by the said provisions with regard to any such dividend, amount or balance, certified cheque, draft or bill of exchange.

Declarations and signatures.

5. The returns required by the foregoing provisions of this section shall be accompanied by declarations which shall be a part of the return, and the declarations shall be in the form set forth in Schedule *I* to this Act, and shall be signed by the chief accountant, and by the president or a vice-president or the director then acting as president, and by the general manager or other principal officer of

the bank next in authority in the management of the affairs of the bank at the time at which the declaration is signed.

Notice that dividend draft or cheque remains unpaid.

6. The bank shall transmit by registered post to the person to whom any such dividend, amount or balance is payable, and to the person to whom (in so far as known to the bank) and to the person at whose request any such draft, certified cheque or bill of exchange was issued, to the last known post office address of each person as shown by the books of the bank, a notice in writing stating that such dividend remains unpaid, or that in respect of such amount or balance no transaction has taken place or no interest has been paid, or that such draft, certified cheque or bill remains unpaid, as the case may be.

When notice to be given.

7. The notice called for by the next preceding sub-section *shall* be given *twice, namely, during the month of January next after the end of the first two-year period and also* during the month of January next after the end of the first five year period in respect of which—

(a) the dividend has remained unpaid; or,

(b) no transaction has taken place or no interest has been paid in connection with such amount or balance; or,

(c) the draft, certified cheque or bill has remained unpaid.

Certified annual list of shareholders transmitted to Minister.

8. The bank shall, within *thirty* days after the close of each calendar year, transmit or deliver to the Minister a list, certified by the general manager or other principal officer of the bank next in authority in the management of the affairs of the bank at the time at which the list is certified, and by the officer of the bank in charge of the register of shareholders, to be a correct list and in accordance with the books of the bank with regard thereto; and the list shall show—

(a) the names of the shareholders of the bank on the last day of such calendar year, with their last known post office addresses and descriptions;

(b) the number of shares then held by them respectively; and,

(c) the amount paid thereon.

Laid before Parliament.

9. The Minister shall lay such returns and lists before Parliament at the next session thereof. 1913, c. 9, s. 114. Am.

PAYMENTS TO THE MINISTER UPON WINDING UP.

Unclaimed moneys paid to Minister on winding up of bank.

115. If, in the event of the winding-up of the business of the bank in insolvency, or under any general winding-up Act, or otherwise, any moneys payable by the liquidator, either to shareholders or depositors, remain unclaimed,—

(*a*) for the period of three years from the date of suspension of payment by the bank; or,

(*b*) for a like period from the commencement of the winding-up of such business; or,

(*c*) until the final winding-up of such business, if the business is finally wound up before the expiration of the said three years;

With interest.

such moneys and all interest thereon shall, notwithstanding any statute of limitations or other Act relating to prescription, be paid to the Minister, to be held by him subject to all rightful claims on behalf of any person other than the bank.

Governor in Council may order payment to person entitled.

2. If a claim to any moneys so paid is thereafter established to the satisfaction of the Treasury Board, the Governor in Council shall, on the report of the Treasury Board, direct payment thereof to be made to the person entitled thereto, together with interest on the principal sum thereof,

Interest.

at the rate of three per cent per annum for a period not exceeding six years from the date of payment thereof to the Minister as aforesaid: Provided that no such interest shall be paid or payable on such principal sum unless interest thereon was payable by the bank paying the same to the Minister.

Bank discharged.

3. Upon payment to the Minister as herein provided, the bank and its assets shall be held to be discharged from further liability for the amounts so paid. 1913, c. 9, s. 115.

116. Upon the winding-up of a bank in insolvency or under any general winding-up Act, or otherwise, the assignees, liquidators, directors, or other officials in charge of such winding-up shall, before the final distribution of the assets, or within three years from the commencement of the suspension of payment by the bank, whichever shall first happen, pay over to the Minister a sum, out of the assets of the bank, equal to the difference between the amount then outstanding of the notes intended for circulation issued by the bank, together with any interest on such outstanding notes which may have accrued under section 65 of this Act, and the aggregate of the amount at the credit of the bank in the Circulation Fund and the amount (if any) paid to the Minister by the trustees under section 61 of this Act.

Circulation outstanding at distribution of assets.

Bank relieved.

2. Upon such payment being made, the bank and its assets shall be relieved from all further liability in respect of such outstanding notes.

Minister to redeem.

3. The sum so paid shall be held by the Minister and applied for the purpose of redeeming, whenever presented, such outstanding notes, without interest, except such as may have been paid over under this section. 1913, c. 9, s. 116.

Association to appoint curator.

117. The Association shall, if a bank suspends payment in specie or Dominion notes of any of its liabilities as they accrue, forthwith appoint a curator to supervise the affairs of such bank.

Removal.

2. The Association may at any time remove the curator, and may appoint another person to act in his stead. 1913, c. 9, s. 117.

Appointment by Association.

118. The appointment of the curator shall be made in the manner provided for in the by-law of the Association made in that behalf as hereinafter provided.

If no by-law.

2. If there is no such by-law the appointment shall be made in writing by the president of the Association, or by the person acting as president. 1913, c. 9, s. 118.

Powers and duties of curator.

119. The curator shall assume supervision of the affairs of the bank, and of all necessary arrangements for the payment of the notes of the bank issued for circulation, and, at the time of his appointment, outstanding and in circulation.

Generally.

2. The curator shall generally have all powers and shall take all steps and do all things necessary or expedient to protect the rights and interests of the creditors and shareholders of the bank, and to conserve and ensure the proper disposition, according to law, of the assets of the bank; and, for the purposes of this section, he shall have free and full access to all books, accounts, documents and papers of the bank.

Supervision.

3. The curator shall continue to supervise the affairs of the bank until he is removed from office, or until the bank resumes business, or until a liquidator is duly appointed to wind up the business of the bank. 1913, c. 9, s. 119.

Officers and clerks to assist curator.

120. The president, vice-president, directors, general manager, managers, clerks and officers of the bank shall give and afford to the curator all such information and assistance as he requires in the discharge of his duties. 1913, c. 9, s. 120.

No act of directors valid unless approved by curator.

121. No by-law, regulation, resolution or act, touching the affairs or management of the bank, passed, made or done by the directors during the time the curator is in charge of the bank, shall be of any force or effect until approved in writing by the curator. 1913, c. 9, s. 121.

Curator to make returns as required by Minister.

122. The curator *or liquidator* shall make all returns and reports, and shall give all information to the Minister, touching the affairs of the bank, that the Minister requires of him. 1913, c. 9, s. 122. Am.

Remuneration of curator.

123. The remuneration of the curator for his services, and his expenses and disbursements in connection with the discharge of his duties, shall be fixed and determined by a judge of a superior court in the province where the chief office of the bank is situate, and shall be paid out of the assets of the bank, and, in case of the winding-up of the bank, shall rank on the estate equally with the remuneration of the liquidator 1913, c. 9, s. 123.

BY-LAWS OF THE CANADIAN BANKERS' ASSOCIATION.

By-laws.

124. The Association may, at any meeting thereof, with the approval of two-thirds in number of the banks represented at such meeting, if the banks so approving have at least two-thirds in par value of the paid up-capital of the banks so represented, make by-laws, rules and regulations respecting—

As to what subjects.

(a) all matters relating to the appointment or removal of the curator, and his powers and duties;

(b) the supervision of the making of the notes of the banks which are intended for circulation, and the delivery thereof to the banks;

(c) the inspection of the disposition made by the banks of such notes;

(d) the destruction of notes of the banks;

(e) the custody and management of the central gold reserves and the carrying out of the provisions of this Act relating to such reserves; and,

(f) the imposition of penalties for the breach or non-observance of any by-law, rule or regulation made by virtue of this section.

Approval by Treasury Board.

2. No such by-law, rule or regulation, and no amendment or repeal thereof, shall be of any force or effect until approved by the Treasury Board.

Notice to other banks

3. Before any such by-law, rule or regulation, or any amendment or repeal thereof is so approved, the Treasury Board shall submit it to every bank which is not a member of the Association, and give to each such bank an opportunity of being heard before the Treasury Board with respect thereto.

Enforcement of by-laws.

4. The Association shall have all powers necessary to carry out, or to enforce the carrying out, of any by-law, rule or regulation, or any amendment thereof, so approved by the Treasury Board. 1913, c. 9, s. 124.

INSOLVENCY.

Double liability of shareholders.

125. In the event of the property and assets of the bank being insufficient to pay its debts and liabilities, each shareholder of the bank shall be liable for the deficiency, to an amount equal to the par value of the shares held by him, in addition to any amount not paid up on such shares.

"Shareholder" defined.

2. "Shareholder," within the meaning of this section, shall include an undisclosed principal and, to the extent of his interest, a *cestui que trust*, on whose behalf or for whose benefit shares in the capital stock of the bank are held. 1913, c. 9, s. 125.

Suspension for 90 days to constitute insolvency.

126. Any suspension by the bank of payment of any of its liabilities as they accrue, in specie or Dominion notes, shall, if it continues for ninety days consecutively, or at intervals within twelve consecutive months, constitute the bank insolvent, and work a forfeiture of its charter or Act of incorporation, so far as regards all further banking operations. 1913, c. 9, s. 126.

Charter to remain in force for calls and winding up.

127. The charter or Act of incorporation of the bank shall, in the case mentioned in the next preceding section, remain in force only for the purpose of enabling the directors, or other lawful authority, to make and enforce the calls mentioned in the next following section of this Act, and to wind up the business of the bank. 1913, c. 9, s. 127.

If no proceedings within 3 months thereafter, directors to make calls.

128. If any suspension of payment in full, in specie or Dominion notes, of all or any of the notes or other liabilities of the bank, continues for three months after the expiration of the time which, under the two last preceding sections would constitute the bank insolvent, and if no proceedings are taken under any Act for the winding-up of the bank, the directors shall make calls on the shareholders thereof, to the amount they deem necessary to pay all the debts and liabilities of the bank not exceeding the limit of liability of the shareholders hereinbefore specified, without waiting for the collection of any debts due to the bank or the sale of any of its assets or property.

Intervals.

2. Such calls shall be payable at intervals of thirty days.

Notice.

3. Notice of such calls shall be given to the shareholders.

Number.

4. Any number of such calls may be made by one resolution.

Amount.

5. No such call shall exceed twenty per cent on each share.

Payment.

6. Payment of such calls may be enforced in like manner as payment of calls on unpaid stock may be enforced.

First call.

7. The first of such calls may be made within ten days after the expiration of the said three months.

Procedure.

8. In the event of proceedings being taken, under any Act, for the winding-up of the bank in consequence of the insolvency of the bank, the said calls shall be made in the manner prescribed for the making of such calls in such Act.

Forfeiture for non-payment.

9. Any failure on the part of any shareholder liable to any such call to pay the same when due, shall work a forfeiture by such shareholder of all claim in or to any part of the assets of the bank: Provided that such call, and any further call

Proviso.

thereafter, shall nevertheless be recoverable from him as if no such forfeiture had been incurred. 1913, c. 9, s. 128.

Liability of directors not diminished.

129. Nothing in the four sections last preceding shall be construed to alter or diminish the additional liabilities of the directors as herein mentioned and declared. 1913, c. 9, s. 129.

Liability of shareholders who have transferred their stock.

130. *(a)* Persons who, having been shareholders of the bank, have only transferred their shares, or any of them, to others, as hereinbefore provided, within sixty days before the commencement of the suspension of payment by the bank; and,

Or whose subscriptions have been cancelled.

(b) Persons whose subscriptions to the stock of the bank have been forfeited, in manner hereinbefore provided, within the said period of sixty days before the commencement of the suspension of payment by the bank; shall be liable to all calls on the shares held or subscribed for by them, as if they held such shares at the time of such suspension of payment, saving their recourse against those by whom such shares were then actually held. 1913, c. 9, s. 130.

Order of charges.

Notes.

131. In the case of the insolvency of any bank,—

(a) the payment of the notes issued or re-issued by such bank, intended for circulation, and then in circulation, together with any interest paid or payable thereon as hereinbefore provided, shall be the first charge upon the assets of the bank;

Dominion Government.

(b) the payment of any amount due to the Government of Canada, in trust or otherwise, shall be the second charge upon such assets;

Provincial governments.

(c) the payment of any amount due to the government of any of the provinces, in trust or otherwise, shall be the third charge upon such assets; and,

Penalties.

(d) the amount of any penalties for which the bank is liable shall not form a charge upon the assets of the bank, until all other liabilities are paid. 1913, c. 9, s. 131.

OFFENCES AND PENALTIES.

Payments of Incorporation and Organization expenses.

Offences.

Payments of expenses prior to obtaining Treasury Board certificate.

131A. If prior to the time at which the certificate permitting the bank to issue notes and commence the business of banking has been obtained from the Treasury Board, any provisional director or director authorizes or is a party to the payment of, or receives, out of moneys paid in by subscribers or interest thereon, any sum for commission, salary or charges for services in connection

with or arising out of the incorporation or organization of the bank, it shall be an offence against this Act.

After certificate obtained.

2. If after the certificate has been obtained from the Treasury Board, any director authorizes payment of, or any general manager or other officer of the bank pays or causes to be paid any money for or on account of the incorporation or organization expenses of the bank, except and unless the sum so paid is mentioned or included in the statement submitted to the Treasury Board at the time at which the application is made under this Act to the Board for a certificate permitting the bank to issue notes and commence the business of banking, it shall be an offence against this Act.

When no certificate obtained.

3. If no certificate from the Treasury Board has been obtained within the time limited by this Act, it shall be an offence against this Act for any provisional director or director to authorize or be a party to the payment of, or to receive, out of moneys paid in by subscribers, any sum for commission, salary or charges for services in connection with or arising out of the incorporation or organization of the bank, unless provision has been made pursuant to section 16 of this Act for payment. 1913, c. 9, s. 131A.

Penalty for bank officers obtaining gifts or showing favour

131B. Every one is guilty of an offence and liable, upon conviction on indictment, to two years' imprisonment or to a fine not exceeding two thousand five hundred dollars, or to both, and, upon summary conviction, to imprisonment for six months, with or without hard labour, or to a fine not exceeding one hundred dollars, or both, who—

(a) being a director, general manager, manager, or other executive officer of a bank, corruptly accepts or obtains, or agrees to accept or attempts to obtain, from any person for himself or for any other person, any gift or consideration as an inducement or reward for doing or forbearing to do, or for having, after this Act comes into force, done or forborne to do, any act relating to the bank's business or affairs, or for showing or forbearing to show favour or disfavour to any person with relation to the bank's business or affairs; or,

Penalty for offering gifts or showing favour to bank officers

(b) corruptly gives or agrees to give or offers any gift or consideration to any director, general manager, manager, or other executive officer of a bank as an inducement or reward or consideration to such director, general manager, manager, or other executive officer of the bank, for doing or forbearing to do, or for having, after this Act comes into force, done or forborne to do any act relating to the bank's business or affairs, or for showing or forbearing to show favour or disfavour to any person with relation to the bank's business or affairs.

2. In this section "consideration" includes valuable consideration of any kind. 1913, c. 9, s. 131B.

Commencement of Business.

"Consideration" defined.

132. Every director or provisional director of any bank and every other person who, before the obtaining of the certificate from the Treasury Board, by this Act required, permitting the bank to issue notes or commence business, issues or authorizes the issue of any note of such bank, or transacts or authorizes the transaction of any business in connection with such bank, except such as is by this Act authorized to be transacted before the obtaining of such certificate, is guilty of an offence against this Act. 1913, c. 9, s. 132.

Commencing business without certificate.

Sale and Transfer of Shares.

Offence.

133. Any person, whether principal, broker or agent, who wilfully sells or transfers or attempts to sell or transfer—

(a) any share or shares of the capital stock of any bank by a false number; or,

Sale and transfer of shares contrary to requirements.

(b) any share or shares of which the person making such sale or transfer, or in whose name or on whose behalf the same is made, is not at the time of such sale, or attempted sale, the registered owner; or,

(c) any share or shares, without the assent to such sale of the registered owner thereof;

Offence.

is guilty of an offence against this Act. 1913, c. 9, s. 133.

Cash Reserves.

Penalty for cash reserve not held in prescribed notes.

134. Every bank which at any time holds in Dominion notes less than forty per cent of the cash reserves which it has in Canada shall incur a penalty of five hundred dollars for each such offence. 1913, c. 9, s. 134.

Issue and Circulation of Notes.

Excess of circulation.

135. If the total amount of the notes of the bank in circulation at any time exceeds the amount authorized by this Act the bank shall, —

(a) if the amount of such excess is not over one thousand dollars, incur a penalty equal to the amount of such excess; or,

(b) if the amount of such excess is over one thousand dollars, and not over twenty thousand dollars, incur a penalty of one thousand dollars; or,

(c) if the amount of such excess is over twenty thousand dollars, and not over one hundred thousand dollars, incur a penalty of ten thousand dollars; or,

(d) if the amount of such excess is over one hundred thousand dollars, and not over two hundred thousand dollars, incur a penalty of fifty thousand dollars; or,

(e) if the amount of such excess is over two hundred thousand dollars, incur a penalty of one hundred thousand dollars. 1913, c. 9, s. 135.

Unauthorized issue of notes for circulation.

136. Every person, except a bank to which this Act applies, who issues or re-issues, makes, draws, or endorses any bill, bond, note, cheque or other instrument, intended to circulate as money, or to be used as a substitute for money, for any amount whatsoever, shall incur a penalty of four hundred dollars.

Penalty, recovery of.

2. Such penalty shall be recoverable with costs, in any court of competent jurisdiction, by any person who sues for the same.

Appropriation.

3. A moiety of such penalty shall belong to the person suing for the same, and the other moiety to His Majesty for the public uses of Canada.

Intention presumed.

4. If any such instrument is made for the payment of a less sum than twenty dollars, and is payable either in form or in fact to the bearer thereof, or at sight, or on demand, or at less than thirty days thereafter, or is overdue, or is in any way calculated or designed for circulation, or as a substitute for money, the intention to pass the same as money shall be presumed, unless such instrument is—

Exceptions.

(a) a cheque on some chartered bank paid by the maker directly to his immediate creditor; or,

(b) a promissory note, bill of exchange, bond or other undertaking for the payment of money made or delivered by the maker thereof to his immediate creditor; and,

(c) not designed to circulate as money or as a substitute for money. 1913, c. 9, s. 136.

Defacement of notes.

137. Every person who mutilates, cuts, tears or perforates with holes any Dominion or bank note, or who in any way defaces a Dominion or bank note, whether by writing, printing, drawing or stamping thereon, or by attaching or affixing thereto anything in the nature or form of an advertisement shall, on summary conviction, be liable to a penalty not exceeding twenty dollars.

Penalty.

Issue, by bank, of notes not disinfected or sterilized.

2. Every officer, clerk and servant of a bank who, for the bank, re-issues to the public any bank notes or Dominion notes which have not been disinfected and sterilized in accordance with the regulations made by the Treasury Board under the authority of this Act shall, on the information of any person, on summary conviction, be liable to a penalty not exceeding twenty dollars.

Penalty.

3. In the event of the conviction of any officer, clerk or servant of a bank under this section, the bank shall thereby incur a penalty of fifty dollars. 1913, c. 9, s. 137.

Issuing notes during period of suspension.

138 *(a)* Every person who, being president, vice-president, director, general manager, manager, clerk or other officer of the bank, issues or re-issues, during any period of suspension of payment by the bank of its liabilities, any notes of the bank payable to bearer on demand, and intended for circulation, or authorizes or is concerned in any such issue or re-issue; and,

Or without authority of Treasury Board.

(b) if, after any such suspension, the bank resumes business without the consent in writing of the curator, hereinbefore provided for, every person who being president, vice-president, director, general manager, manager, clerk or other officer of the bank issues or re-issues, or authorizes or is concerned in the issue or re-issue of any such notes before being thereunto authorized by the Treasury Board; and,

And accepting such notes.

(c) every person who accepts, receives or takes, or authorizes or is concerned in, the acceptance, receipt or taking of any such notes, knowing the same to have been so issued or re-issued, from the bank, or from such president, vice-president, director, general manager, manager, clerk or other officer of the bank, in payment or part payment, or as security for the payment of any amount due or owing to such person by the bank;

Penalty.

is guilty of an indictable offence, and liable to imprisonment for a term not exceeding seven years, or to a fine not exceeding two thousand dollars, or to both. 1913, c. 9, s. 138.

Pledging of notes by officers of bank.

139. *(a)* Every person who, being the president, vice-president, director, general manager, manager, clerk or other officer of the bank, pledges, assigns, or hypothecates, or authorizes, or is concerned in the pledge, assignment or hypothecation of the notes of the bank; and,

Accepting.

(b) every person who accepts, receives or takes, or authorizes or is concerned in the acceptance or receipt or taking of such notes as a pledge, assignment or hypothecation;

Penalty.

shall be liable to a fine of not less than four hundred dollars and not more than two thousand dollars, or to imprisonment for not more than two years, or to both. 1913, c. 9, s. 139.

Issuing notes fraudulently.

140. *(a)* Every person who, being the president, vice-president, director, general manager, manager, clerk or other officer of a bank, with intent to defraud, issues or delivers, or authorizes or is concerned in the issue or delivery of notes of the bank intended for circulation and not then in circulation; and,

Knowingly accepting.

(b) every person who, with knowledge of such intent, accepts, receives or takes, or authorizes or is concerned in the acceptance, receipt or taking of such notes;

Penalty.

shall be guilty of an indictable offence, and liable to imprison-

ment for a term not exceeding seven years, or to a fine not exceeding two thousand dollars, or to both. 1913, c. 9, s. 140.

Annual Statement and Auditors' Report.

Issue of annual statement without auditors' report.

140A. If any copy of the statement or of the profit and loss account submitted under section 54 of this Act, which has not been signed as required by that section, is issued, circulated or published, or if any copy of such statement is issued, circulated or published without having a copy of the auditor's report attached thereto, the bank, and every director, general manager or other officer of the bank who is knowingly a party to the default, shall be liable to a fine not exceeding two hundred and fifty dollars. 1913, c. 9, s. 140A.

Penalty.

Warehouse Receipts, Bills of Lading and other Securities.

Bank acquiring warehouse receipt or bill of lading.

141. If any bank, to secure the payment of any bill, note, debt or liability, acquires or holds—

(a) any warehouse receipt or bill of lading; or,

(b) any instrument such as is by this Act authorized to be taken by the bank to secure money lent,—

(i) to any wholesale purchaser, or shipper of or dealer in products of agriculture, the forest, quarry and mine, or the sea, lakes and rivers, or to any wholesale purchaser or shipper of or dealer in live or dead stock, and the products thereof, upon the security of such products, or of such live or dead stock, or the products thereof;

(ii) to any person engaged in business as a wholesale manufacturer of any goods, wares and merchandise upon the security of the goods, wares and merchandise manufactured by such person, or procured for such manufacture;

(iii) to any farmer upon the security of threshed grain;

(iv) to any owner, tenant or occupier of land for the purchase of seed grain upon the security of any crop to be grown from such seed grain; or,

(v) to any farmer or person engaged in stock raising upon the security of live stock;

Except in certain cases.

such bank shall, unless—

(a) such bill, note, debt or liability is negotiated or contracted at the time of the acquisition by the bank of such warehouse receipt, bill of lading or security; or,

(b) such bill, note, debt or liability is negotiated or contracted upon the written promise or agreement that such warehouse receipt, bill of lading or security would be given to the bank; or,

(c) the acquisition or holding by the bank of such warehouse receipt, bill of lading or security is otherwise authorized by this Act;

Penalty.

incur a penalty not exceeding five hundred dollars. 1913, c. 9, s. 141. Am.

Non-compliance with requirements for sale.

142. If any debt or liability to the bank is secured by—

(a) any warehouse receipt or bill of lading; or,

(b) any other security such as is mentioned in the last preceding section;

and is not paid at maturity, such bank shall, if it sells the products or stock, goods, wares and merchandise or grain covered by such warehouse receipt, bill of lading or security, under the power of sale conferred upon it by this Act, without complying with the provisions to which the exercise of such power of sale is, by this Act, made subject, incur a

Penalty.

penalty not exceeding five hundred dollars. 1913, c. 9, s. 143.

Making false statements—

143. Every person is guilty of an indictable offence and liable to imprisonment for a term not exceeding two years who wilfully makes any false statement—

In warehouse receipt or bill of lading.

(a) in any warehouse receipt or bill of lading given under the authority of this Act to any bank; or,

In security upon products.

(b) in any instrument given to any bank under the authority of this Act, as security for any loan of money made by the bank to any wholesale purchaser or shipper of or dealer in products of agriculture, the forest, quarry and mine, or the sea, lakes and rivers, or of any wholesale purchaser, or shipper of or dealer in live or dead stock or the products thereof, *or farmer or person engaged in stock raising*, whereby any such products or stock is assigned or transferred to the bank as security for the payment of such loan; or,

In security upon manufactures.

(c) in any instrument given to any bank under the authority of this Act, as security for any loan of money made by the bank to any person engaged in business as a wholesale manufacturer of any goods, wares and merchandise, whereby any of the goods, wares and merchandise manufactured by him, or procured for such manufacture, are transferred or assigned to the bank as security for the payment of such loan; or,

In security upon grain.

(d) in any instrument given to any bank under the authority of this Act as security for any loan of money made by the bank to a farmer *or to the owner, tenant or occupier of land* whereby any grain is transferred or assigned to the bank as security for the payment of such loan. 1913, c. 9, s. 143. Am.

Wilfully disposing of or withholding goods covered by security.

144. Every person who, having possession or control of any products or stock, goods, wares and merchandise, or grain covered by any warehouse receipt or bill of lading or by any such security as in the last preceding section mentioned, and having knowledge of such receipt, bill of lading or security, without the consent of the bank in writing, and before the advance, bill, note, debt or liability thereby secured has been fully paid,—

(a) wilfully alienates or parts with any such products or stock, goods, wares or merchandise, or grain; or,

(b) wilfully withholds from the bank possession of any such products or stock, goods, wares and merchandise, or grain, upon demand, after default in payment of such advance, bill, note, debt or liability;

Penalty.

is guilty of an indictable offence, and liable to imprisonment for a term not exceeding two years. 1913, c. 9, s. 144.

Bank not selling shares subject to privileged lien.

145. *(a)* If any bank having, by virtue of the provisions of this Act, a privileged lien for any debt or liability for any debt to the bank, on the shares of its own capital stock of the debtor or person liable, neglects to sell such shares within twelve months after such debt or liability has accrued and become payable; or,

Or selling without notice.

(b) If any such bank sells any such shares without giving notice to the holder thereof of the intention of the bank to sell the same, by mailing such notice in the post office, post paid, to the last known address of such holder, at least thirty days prior to such sale;

Penalty.

such bank shall incur, for each such offence, a penalty not exceeding five hundred dollars. 1913, c. 9, s. 145.

Prohibited Business.

Bank doing prohibited business.

146. If any bank, except as authorized by this Act, either directly or indirectly—

(a) deals in the buying or selling or bartering of goods, wares and merchandise, or engages or is engaged in any trade or business whatsoever;

(b) purchases, deals in, or lends money or makes advances upon the security or pledge of any share of its own capita stock, or of the capital stock of any bank;

(c) lends money or makes advances upon the security, mortgage or hypothecation of any lands, tenements or immovable property, or of any ships or other vessels, or upon the security of any goods, wares and merchandise;

(d) lends to or on the security of the general manager, assistant general manager, branch manager, or any officer, clerk or servant of the bank without the approval of the directors any amount or amounts exceeding in the aggregate one thousand dollars, or

(e) lends to or on the security of the general manager, assistant general manager, branch manager, or any officer, clerk or servant of the bank any amount or amounts exceeding in the aggregate ten thousand dollars;

Penalty.

such bank shall incur a penalty not exceeding five hundred dollars. 1913, c. 9, s. 146. Am.

Hypothecation of notes prohibited.

146A. It shall be an offence against this Act for any director, officer, clerk or servant of the bank to pledge, assign or hypothecate the notes of the bank on behalf of the bank. 1913, c. 9, s. 146A.

Payment of liabilities of bank after suspension.

146B. If a bank suspends payment in specie or Dominion notes of any of its liabilities as they accrue, then, so long as such suspension continues, it shall be an offence against this Act for any director, officer, clerk or servant of the bank who has knowledge of such suspension to pay or cause to be paid to any person any debt or liability of the bank unless with the consent of a curator or liquidator duly appointed. 1913, c. 9, s. 146B.

Returns.

Bank not making monthly.

147. Every bank which neglects to *transmit or deliver* to the Minister, within the first twenty-*eight* days of any month, any monthly return by this Act required to be made up and sent in within the said twenty-*eight* days, exhibiting the condition of the bank on the last juridical day of the month last preceding, and signed in the manner and by the persons by this Act required, shall incur a penalty of fifty dollars for each and every day, after the expiration of such time during which *such neglect continues.* 53 V., c. 31, s. 85 Am.; 1913, c. 9, s. 147. Am.

Penalty.

Neglecting return of additional issue of notes.

147A. Every bank which neglects to *transmit or deliver* to the Minister, within the first thirty days after the last day of the month in which any amount of its notes in excess of the amount of the unimpaired paid-up capital of the bank has been issued or is outstanding, a return showing the amount of its notes in circulation for each juridical day during such month, and signed in the manner and by the persons by this Act required, shall incur a penalty of fifty dollars for each and every day, after the expiration of such time, during which *such neglect continues.* 1913, c. 9, s. 147A. Am.

Penalty.

Neglecting return of value of property.

147B. Every bank which neglects *to transmit or deliver* to the Minister during the month of January in each year a return showing in detail the fair market value of its real and immovable property held under section seventy-nine of this Act, *together with the other information prescribed*

Penalty.

by the said section, and signed in the manner and by the persons by this Act required, shall incur a penalty of fifty dollars for each and every day, after the expiration of such time, during which *such neglect continues.* 1913, c. 9, s. 147B. Am.

Neglecting quarterly return.

147C. Every bank which neglects to *transmit or deliver* to the Minister a quarterly return as of the last juridical day of the months of March, June, September and December in each year, giving such particulars as may be prescribed by regulations made by the Treasury Board of the interest and discount rates charged by the bank, such returns to be made up and sent in within the first thirty days after the respective juridical days aforesaid, and signed by the persons by this Act required, shall incur a penalty of fifty dollars for each and every day, after the expiration of such time, during which *such neglect continues.* 1913, c. 9, s. 147C. Am.

Penalty.

Not making returns required by Minister.

148. Every bank which neglects to *transmit or deliver* to the Minister, within thirty days from the date of the demand therefor by the Minister, or, if such time is extended by the Minister, within such extended time, not exceeding thirty days, as the Minister may allow, any special return, signed in the manner and by the persons by this Act required, which under the provisions of this Act, the Minister may, for the purpose of affording a full and complete knowledge of the condition of the bank, call for, shall incur a penalty of five hundred dollars for each and every day during which such neglect continues. 1913, c. 9, s. 148. Am.

Penalty.

Bank not making annual returns of drafts and bills.

149. Every bank which neglects to transmit or deliver to the Minister, within *thirty* days after the close of any calendar year, a return, signed in the manner and by the persons and setting forth the particulars by this Act required in that behalf, of all certified cheques, drafts or bills of exchange issued by the bank to any person and remaining unpaid for more than five years prior to the date of such return, shall incur a penalty of fifty dollars for each and every day during which such neglect continues. 1913, c. 9, s. 149. Am.

Penalty.

Not returning annual list.

150. Every bank which neglects to transmit or deliver to the Minister, within *thirty* days after the close of any calendar year, a certified list, as by this Act required, showing—

(a) the names of the shareholders of the bank on the last day of such calendar year, with their last known post office addresses and descriptions;

(b) the number of shares then held by such shareholders respectively; and,

(c) the amount paid thereon,

Penalty.

shall incur a penalty of fifty dollars for each and every day during which such neglect continues. 1913, c. 9, s. 150. Am.

Not making annual returns of dividends, balances, drafts and bills.

151. Every bank which neglects to transmit or deliver to the Minister, within *thirty* days after the close of any calendar year, a return, signed in the manner and by the persons by this Act required, of all dividends which have remained unpaid for more than five years, and also of all amounts or balances in respect of which no transactions have taken place, or upon which no interest has been paid, during the five years prior to the date of such return, and also of all certified cheques, drafts or bills of exchange issued by the bank and remaining unpaid for more than five years prior to the date of such return, as required by the provisions of this Act in the several cases respectively mentioned, shall incur a penalty of fifty dollars for each and every day during which such neglect continues.

Penalty.

Period of 5 years.

2. The said term of five years shall, in case of moneys deposited for a fixed period, be reckoned from the date of the termination of such fixed period. 1913, c. 9, s. 151. Am.

Date of posting return or list.

152. If any return or list, mentioned in either of the last eight preceding sections, is transmitted by post, the date appearing, by the post office stamp or mark upon the envelope or wrapper inclosing the return or list received by the Minister, as the date of deposit in the post office of the place at which the chief office of the bank was situated shall be taken *prima facie*, for the purpose of any of the said sections, to be the day upon which such return or list was transmitted to the Minister. 1913, c. 9, s. 152. Am.

Making false or deceptive statement in account or return.

153. *Every president, vice-president, director, auditor, general manager or other officer of the bank or trustee who knowingly prepares, signs, approves or concurs in any account, statement, return, report or document respecting the affairs of the bank containing any false or deceptive statement, or any return which does not set forth the true financial position of the bank including all the information required by Section 113 of this Act, shall be guilty of an indictable offence punishable, unless a greater punishment is in any case by law prescribed therefor, by imprisonment for a term not exceeding five years.*

Penalty.

Liability of officers.

2. Every president, vice-president, director, auditor, general manager or other officer of the bank or trustee who negligently prepares, signs, approves or concurs in any account, statement, return, report or document respecting the affairs of the bank containing any false or deceptive

statement, *or any return which does not set forth the true financial position of the bank including all the information required by Section 113 of this Act,* shall be guilty of an indictable offence punishable, unless a greater punishment is in any case by law prescribed therefor, by imprisonment for a term not exceeding three years. 1913, c. 9, s. 153 Am.

Calls in the case of Suspension of Payment.

Director refusing to make calls on suspension of bank.

154. *(a)* If any suspension of payment in full, in specie or Dominion notes, of all or any of the notes or other liabilities of the bank continues for three months after the expiration of the time which, under the provisions of this Act, would constitute the bank insolvent; and,

(b) if no proceedings are taken under any Act for the winding-up of the bank; and,

(c) if any director of the bank refuses to make or enforce, or to concur in the making or enforcing of any call on the shareholders of the bank, to any amount which the directors deem necessary to pay all the debts and liabilities of the bank;

Penalty.

such director shall be guilty of an indictable offence, and liable—

(a) to imprisonment for any term not exceeding two years; and,

(b) personally for any damages suffered by any such default. 1913, c. 9, s. 154.

Undue Preference to the Bank's Creditors.

Officers giving undue preference to any creditor.

155. Every person who, being the president, vice-president, director, general manager, manager, or other officer of the bank, wilfully gives or concurs in giving to any creditor of the bank any fraudulent, undue or unfair preference over other creditors, by giving security to such creditor, or by changing the nature of his claim, or otherwise howsoever, is guilty of an indictable offence, and liable—

Penalty.

(a) to imprisonment for a term not exceeding two years; and,

Damages.

(b) for all damages sustained by any person in consequence of such preference. 1913, c. 9, s. 155.

Use of the Title "Bank," etc.

Unauthorized use of title "bank," etc.

156. Every person using the word "bank," or the words "savings bank," "banking company," "banking house," "banking association," or "banking institution," or any word or words of import equivalent thereto in any foreign language, in a sign or in an advertisement, or in a title to

represent or describe his business or any part of his business without being authorised so to do by this Act, or by some other Act in force in that behalf, is guilty of an offence against this Act.

Offence.

Unauthorized use of words "banker," "private banker."

2. Every person who uses in a sign or in an advertisement or in a title to represent or describe his business words in a foreign language of import equivalent to the word "banker," or equivalent to the words "private banker," without being authorized so to do by this Act or by some other Act in force in that behalf, is guilty of an offence against this Act.

Offence.

Person receiving money on deposit.

3. The Minister may, upon the application of any interested person, require that any person who receives money on deposit or receives money for transmission to a foreign country without being authorized so to do, either by or under the authority of a statute of Canada or any province thereof, shall make to the Minister in such form as the Minister may prescribe, a return respecting the business so carried on; or the Minister may direct an inquiry into such business and that a report be made to him thereon by any one or more persons whom he may select from the list of persons eligible to audit the affairs of a bank, or by any other person whom he may designate for that purpose; and the Minister may, after due consideration of such return or report, require that such business be discontinued, or that security be deposited as a condition of the continuance thereof, to such extent and in such manner as the public interest may seem to require; and failure to comply with such requirement, within such time as the Minister shall allow, shall be an offence against this Act; and if the offender be a body corporate, then every officer of such body corporate shall be guilty of such offence. 1913, c. 9, s. 156, Am.

Penalty for Offence against this Act.

Offence against this Act.

157. Every person committing an offence, declared to be an offence against this Act, shall be liable to a fine not exceeding one thousand dollars, or to imprisonment for a term not exceeding five years, or to both, in the discretion of the court before which the conviction is had. 1913, c. 9, s. 157.

Penalty.

PROCEDURE.

Penalties enforceable at suit of Attorney General or Minister.

158. The amount of all penalties imposed upon a bank or person for any violation of this Act shall, unless otherwise provided by this Act, be recoverable and enforceable, with costs, at the suit of His Majesty instituted by the Attorney General of Canada, or by the Minister.

Appropriation.

2. Such penalties shall, unless otherwise provided by this Act, belong to the Crown for the public uses of Canada:

Proviso.

Provided that the Governor in Council, on the report of

the Treasury Board, may direct that any portion of any penalty be remitted, or paid to any person, or applied in any manner deemed best adapted to attain the objects of this Act, and to secure the due administration thereof. 1913, c. 9, s. 158.

Repeal 1913, c. 9. 1915, c. 1. 1916, c. 10.

159. *Chapter 9 of the Statutes of 1913, Chapter 1 of the Statutes of 1915 and Chapter 10 of the Statutes of 1916 are repealed, save and except that sections 112 and 153 of said chapter 9 shall remain in force to and including the thirtieth day of September, 1923.*

Commencement of Act.

160. This Act shall come into force on the first day of July, one thousand nine hundred and *twenty-three, save and except that sections 112, 113 and 153 thereof shall not come into force until the first day of October, one thousand nine hundred and twenty-three.*

SCHEDULE A.

Name of Bank	*Capital authorized*	Chief office of Bank
1. The Bank of Montreal	*$31,175,000*	Montreal
2. The Bank of Nova Scotia	*15,000,000*	Halifax
3. The Bank of Toronto	*10,000,000*	Toronto
4. The Molsons Bank	*5,000,000*	Montreal
5. La Banque Nationale	*5,000,000*	Quebec
6. La Banque Provinciale du Canada	*5,000,000*	Montreal
7. The Union Bank of Canada	*15,000,000*	Winnipeg
8. The Canadian Bank of Commerce	*25,000,000*	Toronto
9. The Royal Bank of Canada	*25,000,000*	Montreal
10. The Dominion Bank	*10,000,000*	Toronto
11. The Bank of Hamilton	*7,000,000*	Hamilton
12. The Standard Bank of Canada	*5,000,000*	Toronto
13. La Banque d' Hochelaga	*10,000,000*	Montreal
14. The Imperial Bank of Canada	*10,000,000*	Toronto
15. The Home Bank of Canada	*5,000,000*	Toronto
16. The Sterling Bank of Canada	*3,000,000*	Toronto
17. The Weyburn Security Bank	*1,000,000*	Weyburn

SCHEDULE B.

An Act to incorporate the————————Bank.

Whereas the persons hereinafter named have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition:

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

1. [*Insert names of those applying for incorporation; the full name, address and description of each director must be given*], together with such persons as become shareholders in the corporation by this Act created, are incorporated under the name of [*insert name of bank*] hereinafter called "the Bank."

2. The persons named in section 1 of this Act shall be the provisional directors of the Bank.

3. The capital stock of the Bank shall be————dollars.

4. The chief office of the Bank shall be at————.

5. This Act shall, subject to the provisions of section 16 of The Bank Act, remain in force until the first day of July, in the year one thousand nine hundred and *thirty-three.*

1913, c. 9, Sch. B, Am.

SCHEDULE C.

In consideration of an advance of————dollars made by the————Bank to A. B., for which the said Bank holds the following bills or notes: (*describe the bills or notes, if any*), [*or*, in consideration of the discounting of the following bills or notes by the————Bank for A. B.; (*describe the bills or notes*),] the products of agriculture, the forest, quarry and mine, [*or*, the sea, lakes and rivers, *or*, the live stock or dead stock, or, the products thereof, *or* the goods, wares and merchandise, *or*, the grain, (*as the case may be*),] mentioned below are hereby assigned to the said Bank as security for the payment on or before the————day of————of the said advance, together with interest thereon at the rate of————per cent per annum from the————day of————[*or*, of the said bills or notes, or renewals thereof, or substitutions therefor, and interest thereon, *or as the case may be*].

This security is given under the provisions of section eighty-eight of The Bank Act, and is subject to the provisions of the said Act.

The said products of agriculture, the forest, quarry and mine, [*or*, the sea, lakes and rivers, *or*, the live stock or dead stock, or the products thereof, *or*, the goods, wares and merchandise, *or*, the grain, (*as the case may be*),] are now owned by————, and are now in the possession

of————, and are free from any mortgage, lien or charge thereon (*or as the case may be*), and are in (*place or places where the goods are*), and are the following (*description of property assigned*).

Dated, etc.

(*N.B.—The bills or notes and the property assigned may be set out in schedules annexed.*)

1913, c. 9, Sch. C.

SCHEDULE D.

In consideration of an advance of dollars made by the Bank to A.B., for which the said bank holds the following bills or notes: (*describe the bills or notes, if any*) [*or*, In consideration of the discounting of the following bills or notes by the Bank for A. B.: (*describe the bills or notes*)] and inasmuch as the said advance [*or* the said discounting, *as the case may be*] was made on the representation that seed grain would be purchased with the advance [*or* proceeds of the discounting, *as the case may be*] and would be sown upon land in the province of situate and being the seed grain purchased and the crop grown from the grain so sown upon the land aforesaid and the grain threshed therefrom are hereby assigned to the said bank as security for the payment, on or before the day of , of the said advance, together with interest at the rate of per cent per annum from the day of [*or*, of the said bills or notes, or renewals thereof, or substitutions therefor, and interest thereon, *as the case may be*].

This security is given under the provisions of subsection 8 of section 88 of *The Bank Act* and is subject to the provisions of the said Act.

Dated at

1915, c. 1, Sch. G.

SCHEDULE E.

In consideration of an advance of dollars, made by the Bank to A. B., for which the said Bank holds the following bills or notes (*describe the bills or notes, if any*) [*or*, in consideration of the discounting of the following bills or notes by the Bank for A. B. (*describe the bills or notes*)], and, inasmuch as the said advance (*or* the said discounting, *as the case may be*) is made upon the security of the following live stock:

the said live stock are hereby assigned to the said Bank as security for the payment, on or before the day of of the said advance together with interest at the rate of per centum per annum from the day of

(*or*, of the said bills or notes or renewals thereof or substitutions therefor, and interest thereon, *as the case may be.*

This security is given under the provisions of subsection twelve of section eighty-eight of *The Bank Act*, and is subject to the provisions of the said Act.

Dated at

1916, c. 10, Sch. H Am.

SCHEDULE F.

To Whom it May Concern:

.....

(*name of person, firm or company. P.O. address*) *hereby gives notice that it is———— intention to give security under the authority of section 88 of The Bank Act, to the————Bank————.*

Dated at————this————day of————.

.....

(*New*)

SCHEDULE G.

Return of the liabilities and assets of the———Bank on the————day of————, 19—

Liabilities.

1. Notes in circulation.....$
2. Balance due to Dominion Government after deducting advances for credits, pay-lists, etc.....
3. *Advances under the Finance Act*.....
4. Balances due to provincial governments....
5. Deposits by the public, payable on demand in Canada.....
6. Deposits by the public, payable after notice or on a fixed day, in Canada.....
7. Deposits elsewhere than in Canada.....
8. Loans from other banks in Canada, secured, including bills re-discounted.....
9. Deposits made by and balances due to other banks in Canada.....
10. Due to banks and banking correspondents in the United Kingdom.....
11. Due to banks and banking correspondents elsewhere than in Canada and the United Kingdom.....

12. Bills payable.....
13. Letters of credit *outstanding*.....
14. Liabilities not included under foregoing heads.....
15. *Dividends declared and unpaid*.....
16. Rest or Reserve Fund.....
17. Capital paid up.....

$

Assets.

1. Current gold and sub-sidiary coin..... In Canada $ / Elsewhere $ } $
2. Dominion notes..... In Canada $ / Elsewhere $ } $
3. Notes of other banks.....
4. *United States and other foreign currencies*..
5. Cheques on other banks.....
6. Loans to other banks in Canada, secured, including bills re-discounted.....
7. Deposits made with and balances due from other banks in Canada.....
8. Due from banks and banking correspondents in the United Kingdom.....
9. Due from banks and banking correspondents, elsewhere than in Canada and the United Kingdom.....
10. Dominion government and provincial government securities.....
11. Canadian municipal securities, and British, foreign and colonial public securities other than Canadian.....
12. Railway and other bonds, debentures and stocks.....
13. Call and short (not exceeding thirty days) loans in Canada on stocks, debentures, bonds *and other securities of a sufficient marketable value to cover*.....
14. Call and short (not exceeding thirty days) loans elsewhere than in Canada *on stocks, debentures, bonds and other securities of a sufficient marketable value to cover*.....
15. Other current loans and discounts in Canada
16. Other current loans and discounts elsewhere than in Canada *after making full provision for bad and doubtful debts*.....
17. Loans to the Government of Canada.....
18. Loans to provincial governments.....
19. Loans to cities, towns, municipalities and school districts.....

20. *Non-current loans, estimated loss provided for*
21. Real estate other than bank premises.....
22. Mortgages on real estate sold by the bank..
23. Bank premises, at not more than cost, less amounts (if any) written off.....
24. Liabilities of customers under letters of credit as per contra.....
25. Deposit with the Minister of Finance for the security of note circulation.....
26. Deposit in the central gold reserves.....
27. *Shares of and loans to controlled companies*..
28. Other assets not included under the foregoing heads.....

	$
Capital authorized.....	$
Capital subscribed.....	
Rate per cent of last dividend declared.....	per cent.

Aggregate amount of loans to directors and firms of which they are partners, *and loans for which they are guarantors,* $————

Average amount of current gold and subsidiary coin held during the month, $————

Average amount of Dominion notes held during the month, $————

Greatest amount of notes *of the bank* in circulation at any time during the month, $————

Branch and Agency returns *used* in the *preparation of the foregoing* and antedating the last juridical day of the month aforesaid are as follows:—

Branch or Agency.	*Date of such return.*

I declare that the above return is correct according to the books of the bank.

E. F.,
Chief Accountant, (or Acting Chief Accountant, as the case may be).

We declare that the foregoing return is to the best of our knowledge and belief correct, and shows truly and clearly the financial position of the bank, *as required by sections 112 and 113 of the Bank Act;* and we further declare that the Bank has never, at any time during the period to which the said return relates, held in Dominion notes less than forty per cent. of the cash reserves which it has in Canada.

(Place).....this.....day of.....19..

A. B.,
President, (Vice-President, or Director acting as President, as the case may be).

C. D.,
General Manager, (or other principal officer, as the case may be).

1913, c. 9, Sch. D, Am.

SCHEDULE H.

Return of the————————Bank————————showing the amount of its notes in circulation for each juridical day during the month of————————, 19—.

Day of the Month.	*Paid-up Capital.*	**Reserve Fund.*	*Deposit Gold Coin and Dominion Notes.*	*Circulation.*	*Excess (if any).*

** N.B.—Returns for the months of March to August, inclusive, need not have the Reserve Fund column.*

I declare that the above return has been prepared under my directions and is correct according to the books of the bank.

E.F.,
Chief Accountant, (*or* Acting Chief Accountant, *as the case may be*).

We declare that the foregoing return is made up from the books of the bank, and that to the best of our knowledge and belief it is correct.

(Place)————————this————day of————, 19—.

A.B.,
President, (Vice-President, *or* Director acting as President, *as the case may be*).

C.D.,
General Manager, (*or other principal officer, as the case may be*).

1913, c. 9, Sch. E.

SCHEDULE I.

Return of unpaid dividends, balances and amounts, certified cheques, drafts and bills of exchange of the——— Bank at the close of the calendar year 19—, made in accordance with the provisions of subsections 1 to 5, inclusive, of section 114 of The Bank Act.

.....

.....

.....

I declare that the above return has been prepared under my directions and is correct according to the books of the bank.

E.F.,
Chief Accountant, *(or* Acting Chief Accountant, *as the case may be).*

We declare that the foregoing return is made up from the books of the bank, and that to the best of our knowledge and belief it is correct.

(Place)———————this———day of———, 19—.

A.B.,
President, (Vice-President, *or* Director acting as President, *as the case may be).*

C.D.,
General Manager, *(or other principal officer, as the case may be).*

1913, c. 9, Sch. F.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 84.

An Act to amend The Industrial Disputes Investigation Act, 1907.

First reading, March 21, 1923.

The MINISTER OF LABOUR.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
56434 1923

2nd Session, 14th Parliament, 12-13 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 84.

1907, c. 20; 1908, c. 33; 1910, c. 27; 1911, c. 12; 1914 (2nd Sess.) c. 2; 1918, c. (3); 1919, cc. 25, 26; 1919 (2nd Sess.) c. 19; 1921, c. 32.

An Act to amend The Industrial Disputes Investigation Act, 1907.

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

Declaration by officers of trade union.

1. Subparagraph *(b)* of paragraph two of section fifteen of *The Industrial Disputes Investigation Act, 1907*, as enacted by section two of chapter twenty-nine of the statutes of 1910, is amended by inserting after the word "committee", in the eighteenth line thereof, the words "of the employees"; and by inserting after the word "employer", in the nineteenth line thereof, the words "or that it has been impossible to secure conference or to enter into negotiations"; and by inserting after the word "further", in the last line thereof, the words "effort or".

Relation of parties pending proceedings.

2. Section fifty-seven of the said Act, as amended by section five of chapter twenty-nine of the statutes of 1910, and as further amended by section five of chapter twenty-nine of the statutes of 1920, is further amended by inserting after the word "intended", in the second line thereof, the words "or desired"; and by inserting after the word "intended", in the fourth line thereof, the words "or desired"; and by inserting after the word "dispute", in the fourth line thereof, the words "it shall be unlawful for the employer to make effective a proposed change in wages or hours or for the employees to go on strike"; and by inserting, after the word "affected", in the seventh line thereof, the words "the application for the appointment of a Board shall be made by the employers or employees proposing the change in wages or in hours";

Penalty for causing lockout.

3. Section fifty-eight of the said Act is amended by inserting after the word "lockout", in the first line thereof, the words "or making effective a change in wages or hours"; and by inserting after the word "lockout", in the last line thereof, the words "or change".

(NOTE.—NO ALTERATIONS ARE MADE EXCEPT THE ADDITION OF THE NEW WORDS IN ITALICS.)

Subparagraph (*b*) of section 15, of chapter 20. First portion of this subsection as it now stands, latter part to read as follows:

". . . . failing an adjustment of the dispute or a reference thereof by the Minister to a Board to the best of the knowledge and belief of the declarants a strike will be declared, that the dispute has been the subject of negotiations between the committee *of the employees* and the employer, *or that it has been impossible to secure conference or to enter into negotiations,* that all efforts to obtain a satisfactory settlement have failed, and that there is no reasonable hope of securing a settlement by further *effort or* negotiations. (1910, c. 29.)

SEC. 57.—Employers and employees shall give at least thirty days' notice of an intended *or desired* change affecting conditions of employment with respect to wages or hours; and in the event of such intended *or desired* change resulting in a dispute, *it shall be unlawful for the employer to make effective a proposed change in wages or hours or for the employees to go on strike,* until the dispute has been finally dealt with by a Board, and a copy of its report has been delivered through the Registrar to both the parties affected; *the application for the appointment of a Board shall be made by the employers or employees proposing the change in wages or hours;* neither of those parties shall alter the conditions of employment with respect to wages or hours, or on account of the dispute do or be concerned in doing, directly or indirectly, anything in the nature of a lockout or strike, or a suspension or discontinuance of employment or work, but the relationship of employer and employee shall continue uninterrupted by the dispute, or anything arising out of the dispute; but if, in the opinion of the Board, either party uses this or any other provision of this Act for the purpose of unjustly maintaining a given condition of affairs through delay, and the Board so reports to the Minister, such party shall be guilty of an offence, and liable to the same penalties as are imposed for a violation of the next preceding section (Am. 1920, c. 29).

SEC. 58.—Any employer declaring or causing a lockout *or making effective a change in wages or hours* contrary to the provisions of this Act shall be liable to a fine of not less than one hundred dollars, nor more than one thousand dollars for each day or part of a day that such lockout *or change* exists.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 84.

An Act to amend The Industrial Disputes Investigation Act, 1907.

AS PASSED BY THE HOUSE OF COMMONS, 20th APRIL, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
56458 1923

2nd Session, 14th Parliament, 12-13 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 84.

An Act to amend The Industrial Disputes Investigation Act, 1907.

1907, c. 20; 1910, c. 29; 1918, c. 27; 1920, c. 29.

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

Declaration by officers of trade union.

1. Subparagraph *(b)* of paragraph two of section fifteen of *The Industrial Disputes Investigation Act, 1907*, as enacted by section two of chapter twenty-nine of the statutes of 1910, is amended by inserting after the word "committee", in the eighteenth line thereof, the words "of the employees"; and by inserting after the word "employer", in the nineteenth line thereof, the words "or that it has been impossible to secure conference or to enter into negotiations"; and by inserting after the word "further", in the last line thereof, the words "effort or".

Relation of parties pending proceedings.

2. Section fifty-seven of the said Act, as amended by section five of chapter twenty-nine of the statutes of 1910, and as further amended by section five of chapter twenty-nine of the statutes of 1920, is further amended by inserting after the word "intended", in the second line thereof, the words "or desired"; and by inserting after the word "intended", in the fourth line thereof, the words "or desired"; and by inserting after the word "dispute", in the fourth line thereof, the words "it shall be unlawful for the employer to make effective a proposed change in wages or hours or for the employees to go on strike"; and by inserting, after the word "affected", in the seventh line thereof, the words "the application for the appointment of a Board shall be made by the employers or employees proposing the change in wages or in hours";

Penalty for causing lockout.

3. Section fifty-eight of the said Act is amended by inserting after the word "lockout", in the first line thereof, the words "or making effective a change in wages or hours"; and by inserting after the word "lockout", in the last line thereof, the words "or change".

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 85.

An Act to amend The Naturalization Acts, 1914 and 1920.

First reading, March 22, 1923.

The SECRETARY OF STATE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
56834 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 85.

1914, c. 44; 1914 (2 Sess.), c. 7; 1918, c. 32; 1919, c. 38; 1919 (2 Sess.), c. 3; 1920, c. 59.

An Act to amend The Naturalization Acts, 1914 and 1920.

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

Definition.

1. In this Act the expression "the principal Act" means *The Naturalization Acts, 1914 and 1920.*

Definition of natural-born British subject.

2. (1) Paragraph *(b)* of subsection one of section one of chapter forty-four of the statutes of 1914, *An Act respecting British Nationality, Naturalization and Aliens,* is repealed, and the following is substituted therefor:—

"*(b)* Any person born out of His Majesty's dominions whose father was, at the time of that person's birth a British subject, and who fulfils any of the following conditions, that is to say, if either—

(i) his father was born within His Majesty's allegiance; or

(ii) his father was a person to whom a certificate of naturalization had been granted; or

(iii) his father had become a British subject by reason of any annexation of territory; or

(iv) his father was at the time of that person's birth in the service of the Crown; or

(v) his birth was registered at a British consulate within one year or in special circumstances, with the consent of the Secretary of State, two years after its occurrence, or, in the case of a person born on or after the first day of January, nineteen hundred and fifteen, who would have been a British subject if born before that date, within twelve months after the first day of August, nineteen hundred and twenty-two; and"

3. At the end of the foregoing subsection the following is inserted:—

Explanatory Note—Section 2.

This section is verbatim section (1) of The British Nationality and Status of Aliens Act, 1922. The following is a copy of the Memorandum attached to this Act when it was before the British House of Commons:

"The object of this Bill is to provide for the continuance, under certain conditions, of the British Nationality of successive generations of British descent born abroad.

"Under the existing law British Nationality by descent ends after the first generation (or in the case of persons born before 1915, the second generation) born abroad.

"The Bill proposes that every child born abroad of a British father shall be a British subject, if two main conditions, calculated to show continued connection and sympathy with the British Empire, are fulfilled, namely:

"*(a)* The birth of a child is at the time registered at a British consulate; and

"*(b)* The child, on obtaining majority, asserts his British Nationality by a declaration duly registered.

"The Bill effects this by inserting certain provisions in section one of the British Nationality and Status of Aliens Act, 1914, which defines natural-born British subjects.

"For this purpose paragraph *(b)* of sub-section (1) of that section is to be replaced by the paragraph set out in calause 1 *(i)* of the Bill, which contains the new provision *(v)* relating to registration during the infancy of the child. Sub-clause (2) of clause 1 of the Bill contains the provision as to assertion of British Nationality at majority.

"The discussion at the Imperial Conferences which preceded the Naturalization Act of 1914 virtually established the legislation of this subject as a pact between the United Kingdom and the Dominions with the understanding that this legislation would be adopted by the Dominions."

Explanatory Note—Section 4.

Sections 19 to 24, inclusive, and section 33, ss (2), provide a method of local investigation by judges of the various courts, the application to the Secretary of State being filed with the Clerk of the Court. This method is not as satisfactory as expected when the Act of 1914 was passed. The local investigation cannot always be relied on and a complete investigation must be made in each case by the Department and this is done by the Immigration Department and the Royal North West Mounted Police. The sections referred to require the applicant to present himself before the Judge for examination. In large centres this creates no inconvenience, but in country districts it adds very much to the cost of the certificate. In many cases these regulations are prohibitive. The investigation by the Department is as thorough as can be by the local authorities.

Section 7 of the Act of 1920 provides for the cancellation of certificates granted to former enemies and the prohibition of naturalization of former enemies for ten years after the expiration of the war, with certain exceptions: (*a*) those who served with the allies during the war; (*b*) those of a race opposed to the former enemy governments; (*c*) those of British origin; and (*d*) those who came to Canada prior to 6th of July, 1909.

The repeal of this section will permit certificates being issued to former enemies.

The repeal of these sections is not contrary to the pact with the United Kingdom and the Dominions.

Proviso as to British Nationality at majority.

"Provided also that any person whose British Nationality is conditional upon registration at a British consulate shall cease to be a British subject unless within one year after he attains the age of twenty-one, or within such extended period as may be authorized in special cases by regulations made under this Act:

"(i) he asserts his British nationality by a declaration of retention of British nationality, registered in such manner as may be prescribed by regulations made under this Act; and

"(ii) if he is a subject or citizen of a foreign country under the law of which he can, at the time of asserting his British nationality, divest himself of the nationality of that foreign country by making a declaration of alienage or otherwise, he divests himself of such nationality accordingly."

Repeal.

4. Sections nineteen, twenty and twenty-four of *The Naturalization Act, 1914*, chapter forty-four of the statutes of 1914, as enacted by chapter fifty-nine of the statutes of 1920, and sections twenty-one, twenty-two and twenty-three and subsection two of section thirty-three and section seven of *The Naturalization Act, 1920*, are repealed.

5. Section thirty-three of the principal Act is amended by adding the following paragraph thereto:—

"British Consulate" defined.

"*(g)* The expression 'British Consulate' means the office of any British Consular Officer where a register of births is kept, and includes, in the case of any territory where there is no British Consulate and there is a British resident or other representative of His Majesty the office of such resident or representative."

Included in principal Act.

6. (1) Every enactment and word which is directed by this Act to be substituted for or added to any portion of the principal Act shall form part of the principal Act in the place assigned to it by this Act; and the principal Act, and all Acts, including this Act, which refer thereto shall, after the commencement of this Act, be construed as if the said enactment or word had been enacted in the principal Act, in the place so assigned, and where it is substituted for another enactment or word, had been enacted in lieu of that enactment or word.

Force of amending Acts.

(2) A reference in any enactment (whether passed before or after the passing of this Act) or in any document to *The Naturalization Acts, 1914 and 1920*, shall, unless the context otherwise requires, be construed to refer to that Act as amended by any enactment for the time being in force.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 85.

An Act to amend The Naturalization Acts, 1914 and 1920.

AS PASSED BY THE HOUSE OF COMMONS,
15th JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
56849 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 85.

1914, c. 44; 1914 (2 Sess.), c. 7; 1918, c. 32; 1919, c. 38; 1919 (2 Sess.), c. 3; 1920, c. 59.

An Act to amend The Naturalization Acts, 1914 and 1920.

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

Definition.

1. In this Act the expression "the principal Act" means *The Naturalization Acts, 1914 and 1920.*

Definition of natural-born British subject.

2. (1) Paragraph *(b)* of subsection one of section one of chapter forty-four of the statutes of 1914, *An Act respecting British Nationality, Naturalization and Aliens,* is repealed, and the following is substituted therefor:—

"*(b)* Any person born out of His Majesty's dominions whose father was, at the time of that person's birth a British subject, and who fulfils any of the following conditions, that is to say, if either—

(i) his father was born within His Majesty's allegiance; or

(ii) his father was a person to whom a certificate of naturalization had been granted; or

(iii) his father had become a British subject by reason of any annexation of territory; or

(iv) his father was at the time of that person's birth in the service of the Crown; or

(v) his birth was registered at a British consulate within one year or in special circumstances, with the consent of the Secretary of State, two years after its occurrence, or, in the case of a person born on or after the first day of January, nineteen hundred and fifteen, who would have been a British subject if born before that date, within twelve months after the first day of August, nineteen hundred and twenty-two; and"

3. At the end of the foregoing subsection the following is inserted:—

Explanatory Note—Section 2.

This section is verbatim section (1) of The British Nationality and Status of Aliens Act, 1922. The following is a copy of the Memorandum attached to this Act when it was before the British House of Commons:

"The object of this Bill is to provide for the continuance, under certain conditions, of the British Nationality of successive generations of British descent born abroad.

"Under the existing law British Nationality by descent ends after the first generation (or in the case of persons born before 1915, the second generation) born abroad.

"The Bill proposes that every child born abroad of a British father shall be a British subject, if two main conditions, calculated to show continued connection and sympathy with the British Empire, are fulfilled, namely:

"*(a)* The birth of a child is at the time registered at a British consulate; and

"*(b)* The child, on obtaining majority, asserts his British Nationality by a declaration duly registered.

"The Bill effects this by inserting certain provisions in section one of the British Nationality and Status of Aliens Act, 1914, which defines natural-born British subjects.

"For this purpose paragraph *(b)* of sub-section (1) of that section is to be replaced by the paragraph set out in caluse 1 *(i)* of the Bill, which contains the new provision *(v)* relating to registration during the infancy of the child. Sub-clause (2) of clause 1 of the Bill contains the provision as to assertion of British Nationality at majority.

"The discussion at the Imperial Conferences which preceded the Naturalization Act of 1914 virtually established the legislation of this subject as a pact between the United Kingdom and the Dominions with the understanding that this legislation would be adopted by the Dominions."

Explanatory Note—Section 4.

Sections 19 to 24, inclusive, and section 33, ss (2), provide a method of local investigation by judges of the various courts, the application to the Secretary of State being filed with the Clerk of the Court. This method is not as satisfactory as expected when the Act of 1914 was passed. The local investigation cannot always be relied on and a complete investigation must be made in each case by the Department and this is done by the Immigration Department and the Royal North West Mounted Police. The sections referred to require the applicant to present himself before the Judge for examination. In large centres this creates no inconvenience, but in country districts it adds very much to the cost of the certificate. In many cases these regulations are prohibitive. The investigation by the Department is as thorough as can be by the local authorities.

Section 7 of the Act of 1920 provides for the cancellation of certificates granted to former enemies and the prohibition of naturalization of former enemies for ten years after the expiration of the war, with certain exceptions: (*a*) those who served with the allies during the war; (*b*) those of a race opposed to the former enemy governments; (*c*) those of British origin; and (*d*) those who came to Canada prior to 6th of July, 1909.

The repeal of this section will permit certificates being issued to former enemies.

The repeal of these sections is not contrary to the pact with the United Kingdom and the Dominions.

Proviso as to British Nationality at majority.

"Provided also that any person whose British Nationality is conditional upon registration at a British consulate shall cease to be a British subject unless within one year after he attains the age of twenty-one, or within such extended period as may be authorized in special cases by regulations made under this Act:

"(i) he asserts his British nationality by a declaration of retention of British nationality, registered in such manner as may be prescribed by regulations made under this Act; and

"(ii) if he is a subject or citizen of a foreign country under the law of which he can, at the time of asserting his British nationality, divest himself of the nationality of that foreign country by making a declaration of alienage or otherwise, he divests himself of such nationality accordingly."

Certificates to enemy subjects.

4. Section seven of *The Naturalization Act, 1920*, chapter fifty-nine of the statutes of 1920, is hereby repealed.

5. Section thirty-three of the principal Act is amended by adding the following paragraph thereto:—

"British Consulate" defined.

"*(g)* The expression 'British Consulate' means the office of any British Consular Officer where a register of births is kept, and includes, in the case of any territory where there is no British Consulate and there is a British resident or other representative of His Majesty the office of such resident or representative."

Included in principal Act.

6. (1) Every enactment and word which is directed by this Act to be substituted for or added to any portion of the principal Act shall form part of the principal Act in the place assigned to it by this Act; and the principal Act, and all Acts, including this Act, which refer thereto shall, after the commencement of this Act, be construed as if the said enactment or word had been enacted in the principal Act, in the place so assigned, and where it is substituted for another enactment or word, had been enacted in lieu of that enactment or word.

Force of amending Acts.

(2) A reference in any enactment (whether passed before or after the passing of this Act) or in any document to *The Naturalization Acts, 1914 and 1920*, shall, unless the context otherwise requires, be construed to refer to that Act as amended by any enactment for the time being in force.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 102.

An Act to amend the Criminal Code.

First reading, March 26, 1923.

The MINISTER OF JUSTICE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
56985 1923

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2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 102.

An Act to amend the Criminal Code.

R.S., c. 146; 1909, c. 9; 1910, c. 10.

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

Definition of "Opium joint" repealed.

1. Section two hundred and twenty-seven A of the *Criminal Code*, Revised Statutes of Canada, 1906, chapter one hundred and forty-six, as enacted by chapter nine of the statutes of 1909, is repealed.

"Opium joint" taken out of penalty clause for keeping disorderly house.

2. Section two hundred and twenty-eight of the said Act, as enacted by chapter nine of the statutes of 1909, is amended by inserting the word "or" after the word "gaming-house" in the third line thereof and striking out the words "or opium joint" in the fourth line thereof.

Amendment to penalty clause in respect to advertising, printing, posting or selling intelligence on horse races.

3. Paragraph *(f)* of section two hundred and thirty-five of the said Act, as enacted by chapter ten of the statutes of 1910, is repealed and the following is substituted therefor:—

"*(f)* advertises, prints, publishes, exhibits, posts up, sells or supplies, or offers to sell or supply (i) other than on the premises of an association lawfully conducting race meetings in Canada, and during the actual progress of a race meeting thereon, any tips, selections, odds, winning money prices, pari-mutuel payments, or any similar intelligence with respect to or applicable to any horse-race, whether such race be held within or without the Dominion of Canada, and whether at the time of advertising, printing, publishing, exhibiting, posting up or applying such news or information such race has or has not taken place; (ii) any information intended to assist in or intended for use in connection with book-making, pool-selling, betting or wagering upon any fight, game, sport or race, other than a horse-race whether at the time of advertising, printing, publishing, exhibiting, posting up or supplying such news or information, such fight, game, sport or race has or has not taken place."

Amendment to penalty clause in respect to information to assist book-making, pool-selling, etc., on fights, games, sports or races.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 102.

An Act to amend the Criminal Code.

AS PASSED BY THE HOUSE OF COMMONS,
27th APRIL, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
57070 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 102.

An Act to amend the Criminal Code.

R.S., c. 146; 1909, c. 9; 1910, c. 10.

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

Definition of "Opium joint" repealed.

1. Section two hundred and twenty-seven A of the *Criminal Code*, Revised Statutes of Canada, 1906, chapter one hundred and forty-six, as enacted by chapter nine of the statutes of 1909, is repealed.

"Opium joint" taken out of penalty clause for keeping disorderly house.

2. Section two hundred and twenty-eight of the said Act, as enacted by chapter nine of the statutes of 1909, is amended by inserting the word "or" after the word "gaming-house" in the third line thereof and striking out the words "or opium joint" in the fourth line thereof.

Amendment to penalty clause in respect to advertising, printing, posting or selling intelligence on horse races.

3. Paragraph *(f)* of section two hundred and thirty-five of the said Act, as enacted by chapter ten of the statutes of 1910, is repealed and the following is substituted therefor:—

"*(f)* advertises, prints, publishes, exhibits, posts up, sells or supplies, or offers to sell or supply (i) other than on the premises of an association lawfully conducting race meetings in Canada, and during the actual progress of a race meeting thereon, any tips, selections, odds, winning money prices, pari-mutuel payments, or any similar intelligence with respect to or applicable to any horse-race, whether such race be held within or without the Dominion of Canada, and whether at the time of advertising, printing, publishing, exhibiting, posting up or applying such news or information such race has or has not taken place; (ii) any information intended to assist in or intended for use in connection with book-making, pool-selling, betting or wagering upon any fight, game, sport or race, other than a horse-race whether at the time of advertising, printing, publishing, exhibiting, posting up or supplying such news or information, such fight, game, sport or race has or has not taken place."

Amendment to penalty clause in respect to information to assist book-making, pool-selling, etc., on fights, games, sports or races.

Age of consent raised.

4. Section two hundred and ninety-four of the said Act is amended by striking out the word "fourteen" in the second line thereof and substituting therefor the word "sixteen."

Carnally knowing girl between 14 and 16.

5. Subsection two of section three hundred and one of the said Act, as enacted by chapter forty-three of the statutes of 1920, is amended by striking out the words "of previous chaste character" in the third line thereof.

Obtaining passage by fraud.

6. Section four hundred and twelve of the said Act is amended by inserting the word "badge" after the word "ticket" in the second line thereof, and also after the word "ticket" in the third line thereof.

Appeals where judgments of appeal courts conflict.

7. Section ten hundred and twenty-four A of the said Act, as enacted by chapter forty-three of the statutes of 1920, is amended by inserting after the word "conviction" in the fourth line thereof the words "or acquittal."

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 103.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1924.

AS PASSED BY THE HOUSE OF COMMONS, 27th MARCH, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
57061 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 103.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1924.

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS it appears by message from His Excellency the Right Honourable Julian Hedworth George, Baron Byng of Vimy, etc., etc., Governor General of Canada, and the estimates accompanying the said message, that the sums hereinafter mentioned are required to defray certain expenses of the public service of Canada, not otherwise provided for, for the financial year ending the thirty-first day of March, one thousand nine hundred and twenty-four, and for other purposes connected with the public service: May it therefore please Your Majesty that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:—

Short title.

1. This Act may be cited as *The Appropriation Act, No. 1, 1923.*

$44,725,058.25 granted for 1923-24.

2. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole forty-four million, seven hundred and twenty-five thousand, fifty-eight dollars and twenty-five cents towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and twenty-three, to the thirty-first day of March, one thousand nine hundred and twenty-four, not otherwise provided for, and being one-sixth of the amount of each of the several items to be voted, set forth in the Estimates for the fiscal year ending the thirty-first day of March, one thousand nine hundred and twenty-four, as laid before the House of Commons at the present session of Parliament, excepting therefrom the second item of

Resolution No. 141, "Ottawa, New Departmental Building, $500,000".

Account to be rendered in detail.

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

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 104.

An Act to change the name of The Penny Bank of Toronto.

First reading, April 11, 1923.

The MINISTER OF FINANCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
57803 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 104.

An Act to change the name of The Penny Bank of Toronto.

R.S., c. 31. 1911, c. 18; 1917, c. 11; 1922, c. 37.

WHEREAS The Penny Bank of Toronto was incorporated under the provisions of the *Penny Bank Act*, chapter thirty-one of the Revised Statutes of Canada, 1906, and whereas it appears desirable to change the name of the said bank: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Name changed to "The Penny Bank of Ontario".

1. The name of The Penny Bank of Toronto is changed to "The Penny Bank of Ontario", but such change of name shall not in any way impair, alter or affect the rights or liabilities of the said bank nor in any way affect any suit or proceeding now pending, or judgment existing either by, or in favour of, or against the said bank, which, notwithstanding such change in the name of the said bank, may be prosecuted, continued, completed and enforced as if this Act had not been passed.

Change not to affect rights or obligations.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 104.

An Act to change the name of The Penny Bank of Toronto.

AS PASSED BY THE HOUSE OF COMMONS, 20th APRIL, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
57810 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 104.

An Act to change the name of The Penny Bank of Toronto.

R.S., c. 31. 1911, c. 18; 1917, c. 11; 1922, c. 37.

WHEREAS The Penny Bank of Toronto was incorporated under the provisions of the *Penny Bank Act*, chapter thirty-one of the Revised Statutes of Canada, 1906, and whereas it appears desirable to change the name of the said bank: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Name changed to "The Penny Bank of Ontario".

1. The name of The Penny Bank of Toronto is changed to "The Penny Bank of Ontario", but such change of name shall not in any way impair, alter or affect the rights or liabilities of the said bank nor in any way affect any suit or proceeding now pending, or judgment existing either by, or in favour of, or against the said bank, which, notwithstanding such change in the name of the said bank, may be prosecuted, continued, completed and enforced as if this Act had not been passed.

Change not to affect rights or obligations.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 105.

An Act respecting the Canadian Order of the Woodmen of the World.

First reading, April 12, 1923.

(PRIVATE BILL).

Mr. GORDON.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
56438 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 105.

An Act respecting the Canadian Order of the Woodmen of the World.

Preamble.

1893, c. 92; 1903, c. 206; 1917, c. 83.

WHEREAS the Canadian Order of the Woodmen of the World has by its petition represented that it was duly incorporated by chapter ninety-two of the statutes of 1893, which Act was amended by chapter two hundred and six of the statutes of 1903 and chapter eighty-three of the statutes of 1917; and has prayed that the said Acts be consolidated and amended so as to alter its corporate name, to define more clearly and to extend and enlarge its objects and powers, and to make provision in certain cases for the allocation to the general fund of a portion of the premiums falling due in the benefit funds, and amongst other things to confer upon it the power to acquire and hold real estate for certain purposes. And it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Short title.

1. This Act may be cited as *The Canadian Woodmen of the World Consolidated Act.*

Corporation continued.

2. (1) The Canadian Order of the Woodmen of the World as at present constituted is hereby continued as a body corporate and politic possessed of all the powers, privileges and rights conferred upon it by the said Act of incorporation and amending Acts, and subject to its existing constitution and by-laws, but its name is hereby changed to "The Canadian Woodmen of the World", hereinafter called "the Order", and in the said Order under its new name is hereby vested all property corporeal and incorporeal, real and personal, legal and equitable with or of which under its former corporate name it heretofore was or is now invested or possessed together with all the rights, powers, privileges, obligations and duties pertaining or incidental thereto.

Name changed.

Rights saved.

(2) Such change of name or the repeal of the Acts by this Act provided shall not in any way impair, alter or affect the rights or liabilities of the Order as under the said Acts constituted, nor in any way affect the rights of creditors against the said Order, or affect any suit or proceeding now pending or judgment existing either by or in favor of or against the said Order.

By-laws and officers continued.

3. The by-laws of the Canadian Order of the Woodmen of the World filed in the office of the Superintendent of Insurance are hereby declared to be the existing constitution and laws of the Order and to be binding upon the Order and every member thereof until repealed, altered or amended as provided in the said by-laws; and the present officers and governing body of the Order shall continue to be its officers and governing body with all the rights, powers, privileges, obligations and duties conferred or imposed upon them or it by the said by-laws until in accordance with the provisions thereof their successors shall be elected or appointed, but wherever in said by-laws the Order is referred to as "The Canadian Order of the Woodmen of the World" they shall be taken to have been amended so as to read "The Canadian Woodmen of the World".

Objects.

4. The objects of the Order and the purposes which it is authorized to carry out are:—

(a) To unite its members in social and fraternal bonds;

(b) To establish, maintain and administer an insurance fund for the payment of:

(1) A benefit not exceeding five thousand dollars at the death of a member, the premiums for which shall be payable during the whole of life of the member or during a certain number of years;

(2) An old age endowment benefit not exceeding five thousand dollars, payable after the expiration of a certain number of years or upon the attainment of a certain age, but in neither case payable before the attainment by the member of the age of sixty-five years; or payable in the case of the death of a member prior to the expiration of the endowment period;

(3) A life annuity benefit not exceeding five hundred dollars per annum payable on and after the attainment by the member of the age of sixty-five years;

(4) A benefit to members in case of disability temporary or permanent, not exceeding one-half the amount of the mortuary benefit under the contract, the amount payable on the death of the member being reduced by the amount paid as such disability benefit;

(5) A benefit known as a "monument benefit" in accordance with the laws of the Order from time to time.

(c) To establish, maintain and administer a fund for the payment of sick benefits not exceeding ten dollars per week, and funeral benefits not exceeding two hundred dollars;

(d) To establish, maintain and administer a children's fund for the payment of insurance contracts upon the lives of children dependent upon the members of the Order not exceeding five hundred dollars;

(e) To establish, maintain and administer such other fund or funds as may be provided by the by-laws of the Order and as are necessary to the attainment of the foregoing objects.

Head office.

5. The head office of the Order shall be in the city of London, in the province of Ontario.

Head camp.

6. The Order shall be governed by a representative body to be known as "The Head Camp" of the Canadian Woodmen of the World whose officers shall be elected annually or biennially or as by by-law may be determined.

Power to make by-laws.

7. The Order shall have power to make by-laws governing the election of officers and prescribing and defining their duties and powers, and for the government, regulation and management of the Order, regulating the admission of new members, the constitution and governing of subordinate camps, the amount and the time and the manner of payment by members of premiums, dues and other obligations, and generally for the conduct, in all other particulars, of the affairs of the Order.

Investments.

8. The Order shall invest its funds only in accordance with the provisions of section sixty-eight and of paragraphs *(a)*, *(b)*, (i), *(c)* and *(d)* of subsection one of section sixty of *The Insurance Act, 1917*, and shall have the power of lending its funds only on the security of any of the securities in which the Order may invest and in accordance with paragraph *(b)* of subsection two of section sixty of the said Act.

Loans.

Annual meeting.

9. A meeting of the representatives of the Order in Head Camp shall be held annually on the third Wednesday in June, or such other month as the Head Camp may decide, in such place as the Head Camp may from time to time determine, at which meeting a statement of the affairs of the Order shall be submitted.

Proof of by-laws.

10. A copy of any by-law or by-laws of the Order, under the seal of the Order and purporting to be signed by an officer of the Order, shall be received as *prima facie* evidence of such by-law or by-laws in all courts of Canada.

General fund.

11. (1) The Order may maintain a general fund to which shall be credited all dues and other sums intended to be used for the payment of expenses and administration of the Order and all expenses of the Order shall be payable out of the general fund; and the Order may make provision in its constitution whereby in the event of there being a deficiency in the general funds, and a surplus above all liabilities in any one or more of the benefit funds, the Head Camp may at any session thereof provide for the allocation to the general fund of such portion of the premiums falling due in the said benefit funds during the succeeding twelve months as the Actuary of the Order may recommend, the amount so allocated to the general fund during the said period not to exceed, however, two months' premiums in the said benefit funds.

Notice.

(2) Notice of intention to make an allocation to the general fund of the premiums or any portion thereof falling due in any month in the said benefit funds shall be given in the official organ of the Order at least one month before the due date of the said premiums.

Surplus applied to other benefits.

12. The Order may make provision in its constitution whereby such portion of the surplus above all liabilities in any benefit fund as may be approved by the actuary of the Order may be applied to grant new or additional benefits authorized by this Act or to the remission of premiums or a portion thereof.

Loans on policies.

Paid-up policies.

13. The Order may make provision in its constituion for the granting of loans on policies for the purpose of paying premiums and to grant paid-up policies or other equities in lieu thereof, in the case of members desiring to be relieved of the payment of future regular benefit premiums, upon their policies or certificates of insurance.

When Act comes into force.

14. (1) This Act shall come into force upon the day of its acceptance by a two-third vote of the members present or duly represented at a Head Camp session of the Order and notice and proof of such acceptance shall be filed with the Superintendent of Insurance; and it is hereby declared that the session of Head Camp to be held during the year nineteen hundred and twenty-three, shall for the purpose of dealing with this Act be and be deemed to be a legislative session of said Head Camp notwithstanding anything to the contrary contained in the by-laws of the Order.

Head camp session legalized.

Notice.

(2) Notice of the fact that the said session of Head Camp shall be a legislative session shall be given, and this Act shall be printed in the official organ of the Order at least thirty days before the date of the said meeting of the Head Camp.

Repeal.

15. Upon the acceptance of this Act as provided in the next preceding section the Acts mentioned in the preamble hereof shall thereupon be repealed.

Insurance Act to apply.

16. The Order shall be subject to the provisions of *The Insurance Act, 1917*, and any amendments thereto.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 105.

An Act respecting the Canadian Order of the Woodmen of the World.

AS PASSED BY THE HOUSE OF COMMONS, 22nd MAY, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
56655 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 105.

An Act respecting the Canadian Order of the Woodmen of the World.

Preamble.
1893, c. 92; 1903, c. 206; 1917, c. 83.

WHEREAS the Canadian Order of the Woodmen of the World has by its petition represented that it was duly incorporated by chapter ninety-two of the statutes of 1893, which Act was amended by chapter two hundred and six of the statutes of 1903 and chapter eighty-three of the statutes of 1917; and has prayed that the said Acts be consolidated and amended so as to alter its corporate name, to define more clearly and to extend and enlarge its objects and powers, and to make provision in certain cases for the allocation to the general fund of a portion of the premiums falling due in the benefit funds, and amongst other things to confer upon it the power to acquire and hold real estate for certain purposes. And it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Short title.

1. This Act may be cited as *The Canadian Woodmen of the World Consolidated Act.*

Corporation continued.

2. (1) The Canadian Order of the Woodmen of the World as at present constituted is hereby continued as a body corporate and politic possessed of all the powers, privileges and rights conferred upon it by the said Act of incorporation and amending Acts, and subject to its existing constitution and by-laws, but its name is hereby changed to "The Canadian Woodmen of the World", hereinafter called "the Order", and in the said Order under its new name is hereby vested all property corporeal and incorporeal, real and personal, legal and equitable with or of which under its former corporate name it heretofore was or is now invested or possessed together with all the rights, powers, privileges, obligations and duties pertaining or incidental thereto.

Name changed.

Rights saved.

(2) Such change of name or the repeal of the Acts by this Act provided shall not in any way impair, alter or affect the rights or liabilities of the Order as under the said Acts constituted, nor in any way affect the rights of creditors against the said Order, or affect any suit or proceeding now pending or judgment existing either by or in favor of or against the said Order.

By-laws and officers continued.

3. The by-laws of the Canadian Order of the Woodmen of the World filed in the office of the Superintendent of Insurance are hereby declared to be the existing constitution and by-laws of the Order and to be binding upon the Order and every member thereof until repealed, altered or amended as provided in the said by-laws; and the present officers and governing body of the Order shall continue to be its officers and governing body with all the rights, powers, privileges, obligations and duties conferred or imposed upon them or it by the said by-laws until in accordance with the provisions thereof their successors shall be elected or appointed, but wherever in said by-laws the Order is referred to as "The Canadian Order of the Woodmen of the World" they shall be taken to have been amended so as to read "The Canadian Woodmen of the World".

Objects.

4. The objects of the Order and the purposes which it is authorized to carry out are:—

(a) To unite its members in social and fraternal bonds;

(b) To establish, maintain and administer an insurance fund for the payment of:

(1) A benefit not exceeding five thousand dollars at the death of a member, the premiums for which shall be payable during the whole of life of the member or during a certain number of years;

(2) An old age endowment benefit not exceeding five thousand dollars, payable after the expiration of a certain number of years or upon the attainment of a certain age, but in neither case payable before the attainment by the member of the age of sixty-five years; or payable in the case of the death of a member prior to the expiration of the endowment period;

(3) A life annuity benefit not exceeding five hundred dollars per annum payable on and after the attainment by the member of the age of sixty-five years;

(4) A benefit to members in case of disability temporary or permanent, not exceeding one-half the amount of the mortuary benefit under the contract, the amount payable on the death of the member being reduced by the amount paid as such disability benefit;

(5) A benefit known as a "monument benefit" in accordance with the by-laws of the Order from time to time.

(c) To establish, maintain and administer a fund for the payment of sick benefits not exceeding ten dollars per week, and funeral benefits not exceeding two hundred dollars;

(d) To establish, maintain and administer a children's fund for the payment of insurance contracts upon the lives of children dependent upon the members of the Order not exceeding five hundred dollars;

(e) To establish, maintain and administer such other fund or funds as may be provided by the by-laws of the Order and as are necessary to the attainment of the foregoing objects.

Head office.

5. The head office of the Order shall be in the city of London, in the province of Ontario.

Head camp.

6. The Order shall be governed by a representative body to be known as "The Head Camp" of the Canadian Woodmen of the World whose officers shall be elected annually or biennially or as by by-law may be determined.

Power to make by-laws.

7. The Order shall have power to make by-laws governing the election of officers and prescribing and defining their duties and powers, and for the government, regulation and management of the Order, regulating the admission of new members, the constitution and governing of subordinate camps, the amount and the time and the manner of payment by members of premiums, dues and other obligations, and generally for the conduct, in all other particulars, of the affairs of the Order.

Investments.

8. The Order shall invest its funds only in accordance with the provisions of section sixty-eight and of paragraphs *(a)*, (b) (i), *(c)* and *(d)* of subsection one of section sixty of *The Insurance Act, 1917*, and shall have the power

Loans.

of lending its funds only on the security of any of the securities in which the Order may invest and in accordance with paragraph *(b)* of subsection two of section sixty of the said Act.

Annual meeting.

9. A meeting of the representatives of the Order in Head Camp shall be held annually on the third Wednesday in June, or such other month as the Head Camp may decide, in such place as the Head Camp may from time to time determine, at which meeting a statement of the affairs of the Order shall be submitted.

Proof of by-laws.

10. A copy of any by-law or by-laws of the Order, under the seal of the Order and purporting to be signed by an officer of the Order, shall be received as *prima facie* evidence of such by-law or by-laws in all courts of Canada.

General fund.

11. (1) The Order may maintain a general fund to which shall be credited all dues and other sums intended to be used for the payment of expenses and administration of the Order and all expenses of the Order shall be payable out of the general fund; and the Order may make provision in its constitution whereby in the event of there being a deficiency in the general funds, and a surplus above all liabilities in any one or more of the benefit funds, the Head Camp may at any session thereof provide for the allocation to the general fund of such portion of the premiums falling due in the said benefit funds during the succeeding twelve months as the Actuary of the Order may recommend, the amount so allocated to the general fund during the said period not to exceed, however, two months' premiums in the said benefit funds.

Notice.

(2) Notice of intention to make an allocation to the general fund of the premiums or any portion thereof falling due in any month in the said benefit funds shall be given in the official organ of the Order at least one month before the due date of the said premiums.

Surplus applied to other benefits.

12. The Order may make provision in its constitution whereby such portion of the surplus above all liabilities in any benefit fund as may be approved by the actuary of the Order may be applied to grant new or additional benefits authorized by this Act or to the remission of premiums or a portion thereof.

Loans on policies.

13. The Order may make provision in its constituion for the granting of loans on policies for the purpose of paying premiums and to grant paid-up policies or other equities in lieu thereof, in the case of members desiring to be relieved of the payment of future regular benefit premiums, upon their policies or certificates of insurance.

Paid-up policies.

When Act comes into force.

14. (1) This Act shall not take effect, unless and until accepted and approved by resolution passed by a vote of not less than two-thirds of the members present or represented by proxy at a Head Camp session of the Order, and evidence of such acceptance and approval, satisfactory to the Superintendent of Insurance, has been filed with such Superintendent; and, if so accepted and approved, this Act shall come into force upon a subsequent day to be fixed for that purpose by the said resolution.

Notice.

(2) Notice of such acceptance and approval by the Order and by the said Superintendent, and of the day so fixed, shall be published by the Order in the *Canada Gazette*.

Head camp session legalized.

15. (1) It is hereby declared that the session or adjourned session of Head Camp to be held during the year nineteen hundred and twenty-three, shall for the purpose of dealing

with this Act be and be deemed to be a legislative session of said Head Camp notwithstanding anything to the contrary contained in the by-laws of the Order.

Notice in official organ.

(2) A copy of this Act and notice of the fact that the said session or adjourned session of Head Camp shall be a legislative session shall be published in the official organ of the Order at least thirty days before the date of the said meeting or adjourned meeting of the Head Camp.

Repeal.

16. Upon the coming into force of this Act, as provided by section fourteen hereof, the Acts mentioned in the preamble of this Act shall be deemed to be and be repealed, and the provisions of this Act shall be substituted for the provisions of the Acts so repealed.

Insurance Act to apply.

17. The Order shall be subject to the provisions of *The Insurance Act, 1917*, and any amendments thereto.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 112.

An Act to amend the Irrigation Act.

First reading, April 19, 1923.

THE MINISTER OF THE INTERIOR.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
57966 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 112.

An Act to amend the Irrigation Act.

R.S., c. 61; 1908, c. 38; 1910, c. 34; 1914, c. 37; 1919, c. 3; 1920, c. 55.

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

1. Section seven of the *Irrigation Act*, chapter sixty-one, Revised Statutes of Canada, 1906, as enacted by chapter fifty-five of the statutes of 1920, is amended by adding thereto the following:—

Water areas may be leased for mining purposes.

1908, c. 20, s. 37.

"Provided that this section shall not affect the right of His Majesty to dispose of minerals, under the provisions of *The Dominion Lands Act*, under lands forming the bed or shore of the said waters; and this proviso shall be deemed to have come into operation on the twenty-third day of July, one thousand eight hundred and ninety-four."

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 112.

An Act to amend the Irrigation Act.

AS PASSED BY THE HOUSE OF COMMONS,
25th APRIL, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
57968 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 112.

An Act to amend the Irrigation Act.

R.S., c. 61; 1908, c. 38; 1910, c. 34; 1914, c. 37; 1919, c. 3; 1920, c. 55.

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

1. Section seven of the *Irrigation Act*, chapter sixty-one, Revised Statutes of Canada, 1906, as enacted by chapter fifty-five of the statutes of 1920, is amended by adding thereto the following:—

Water areas may be leased for mining purposes.

1908, c. 20, s. 37.

"Provided that this section shall not affect the right of His Majesty to dispose of minerals, under the provisions of *The Dominion Lands Act*, under lands forming the bed or shore of the said waters; and this proviso shall be deemed to have come into operation on the twenty-third day of July, one thousand eight hundred and ninety-four."

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 115.

An Act to amend the Animal Contagious Diseases Act.

First reading, April 20, 1923.

The MINISTER OF AGRICULTURE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
55267 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 115.

An Act to amend the Animal Contagious Diseases Act.

R.S., c. 75; 1909, c. 3; 1913, c. 6; 1920, c. 3; 1922, c. 7.

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

Compensation reduced for pure bred cattle.

1. Section one of chapter seven of the statutes of 1922, *An Act to amend the Animal Contagious Diseases Act*, is amended by striking out the words "two hundred dollars for each head of cattle," in the eighteenth line thereof, and substituting therefor the words "one hundred and fifty dollars for each head of cattle."

Commencement of Act.

2. This Act shall come into operation on the first day of July, one thousand nine hundred and twenty-three,

Proviso as to animals slaughtered after 1st July, 1922.

Provided that, notwithstanding anything contained in this Act, or in chapter seven of the statutes of 1922, *An Act to amend the Animal Contagious Diseases Act*, the Minister may order compensation to be paid to the owners of animals which were slaughtered on or after the first day of July, one thousand nine hundred and twenty-two, but which had been valued and ordered to be slaughtered, under the *Animal Contagious Diseases Act*, previous to that date, at the rates which were authorized by statute immediately before the said chapter seven came into force,

Proviso as to animals slaughtered on or after 1st July, 1923.

Provided also that, notwithstanding anything contained in this Act, the Minister may order compensation to be paid to the owners of animals which may be slaughtered on or after the first day of July, one thousand nine hundred and twenty-three, but which shall have been valued and ordered to be slaughtered, under the provisions of the *Animal Contagious Diseases Act*, during the period from the first day of July, one thousand nine hundred and twenty-two to the thirtieth day of June, one thousand nine hundred and twenty-three, both dates inclusive, at the rates authorized under chapter seven of the statutes of 1922.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 115.

An Act to amend the Animal Contagious Diseases Act.

AS PASSED BY THE HOUSE OF COMMONS,
24th APRIL, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
55279 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 115.

An Act to amend the Animal Contagious Diseases Act.

R.S., c. 75; 1909, c. 3; 1913, c. 6; 1920, c. 3; 1922, c. 7.

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

Compensation reduced for pure bred cattle.

1. Section one of chapter seven of the statutes of 1922, *An Act to amend the Animal Contagious Diseases Act*, is amended by striking out the words "two hundred dollars for each head of cattle," in the eighteenth line thereof, and substituting therefor the words "one hundred and fifty dollars for each head of cattle."

Commencement of Act.

2. This Act shall come into operation on the first day of July, one thousand nine hundred and twenty-three,

Proviso as to animals slaughtered after 1st July, 1922.

Provided that, notwithstanding anything contained in this Act, or in chapter seven of the statutes of 1922, *An Act to amend the Animal Contagious Diseases Act*, the Minister may order compensation to be paid to the owners of animals which were slaughtered on or after the first day of July, one thousand nine hundred and twenty-two, but which had been valued and ordered to be slaughtered, under the *Animal Contagious Diseases Act*, previous to that date, at the rates which were authorized by statute immediately before the said chapter seven came into force,

Proviso as to animals slaughtered on or after 1st July, 1923.

Provided also that, notwithstanding anything contained in this Act, the Minister may order compensation to be paid to the owners of animals which may be slaughtered on or after the first day of July, one thousand nine hundred and twenty-three, but which shall have been valued and ordered to be slaughtered, under the provisions of the *Animal Contagious Diseases Act*, during the period from the first day of July, one thousand nine hundred and twenty-two to the thirtieth day of June, one thousand nine hundred and twenty-three, both dates inclusive, at the rates authorized under chapter seven of the statutes of 1922.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 116.

An Act respecting the Canadian National Railways.

First reading, April 20, 1923.

The Acting Minister of Railways and Canals.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
57191 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 116.

1919, c. 13; 1920, c. 13.

An Act respecting the Canadian National Railways.

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

Agreements to restore or make good loss or damage by fire or other casualty to mortgaged premises, and indemnify trustees.

1. The Governor in Council may from time to time cause an agreement or agreements to be executed by or on behalf of His Majesty the King undertaking or guaranteeing that any company designated in the schedule hereto will restore or make good all loss or damage to the mortgaged premises comprised in any mortgage or deed of trust (hereinafter called "such mortgage") at any time executed by any such company occasioned by fire or other causalty against which such company convenanted in such mortgage to insure, and indemnifying the trustee or trustees of any such mortgage against any consequences arising from any failure,—*(a)* on the part of such company to comply with such covenant to insure, and *(b)* on the part of such trustee or trustees to take any action in respect thereof.

Details subject to approval.

2. The times and manner of the giving of any such agreement or agreements, and the form and terms thereof, and the person who may sign the same on behalf of His Majesty, shall be such as the Governor in Council may from time to time approve or direct.

SCHEDULE

Any company mentioned or referred to in the following statutes:—

Chapter 13 of the Statutes of Canada, 1919.

Chapter 13 of the Statutes of Canada, 1920.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 116.

An Act respecting the Canadian National Railways.

AS PASSED BY THE HOUSE OF COMMONS, 23rd APRIL, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
57198 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 116.

1919, c. 13; 1920, c. 13.

An Act respecting the Canadian National Railways.

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

Agreements to restore or make good loss or damage by fire or other casualty to mortgaged premises, and indemnify trustees.

1. The Governor in Council may from time to time cause an agreement or agreements to be executed by or on behalf of His Majesty the King undertaking or guaranteeing that any company designated in the schedule hereto will restore or make good all loss or damage to the mortgaged premises comprised in any mortgage or deed of trust (hereinafter called "such mortgage") at any time executed by any such company occasioned by fire or other causalty against which such company convenanted in such mortgage to insure, and indemnifying the trustee or trustees of any such mortgage against any consequences arising from any failure,—*(a)* on the part of such company to comply with such covenant to insure, and *(b)* on the part of such trustee or trustees to take any action in respect thereof.

Details subject to approval.

2. The times and manner of the giving of any such agreement or agreements, and the form and terms thereof, and the person who may sign the same on behalf of His Majesty, shall be such as the Governor in Council may from time to time approve or direct.

SCHEDULE

Any company mentioned or referred to in the following statutes:—

Chapter 13 of the Statutes of Canada, 1919.

Chapter 13 of the Statutes of Canada, 1920.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 117.

An Act to amend the Admiralty Act.

Read a first time, April 20, 1923.

The MINISTER OF JUSTICE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
56013 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 117.

An Act to amend the Admiralty Act.

R.S., c. 141; 1920, c. 33; 1922, c. 4.

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

1. The *Admiralty Act*, chapter one hundred and forty-one of the Revised Statutes of Canada, 1906, is hereby amended by repealing section eleven of the said Act and substituting therefor the following:—

Deputy local judges.

"**11.** (1) The Governor in Council may, from time to "time, appoint for any Admiralty district one or more "deputy local judges, and any such deputy local judge "shall have and exercise all such jurisdiction, powers and "authority as are possessed by the local judge.

Tenure.

"(2) The appointment of a deputy local judge shall not be "determined by the occurrence of a vacancy in the office "of the local judge.

Revocation of appointment.

"(3) The Governor in Council may at any time revoke "the appointment of a deputy local judge."

No fees.

2. No judge, local judge or deputy local judge shall take or receive any fee of office upon the trial of any cause or upon any other judicial proceeding.

Salary of deputy local judge.

3. When the local judge of the Quebec Admiralty District resides at Montreal the deputy local judge residing at Quebec shall be paid the salary, if any, which he would have received if he were the local judge of the district, and in like manner when the local judge resides at Quebec the deputy local judge residing at Montreal shall receive the salary, if any, which he would have received if he were the local judge of the district; provided that not more than one deputy local judge in the district shall receive a salary.

"Deputy registrar."

4. Section fourteen of the *Admiralty Act*, is amended by inserting the words "a deputy registrar" immediately after the word "registrar" in the third line thereof.

Repeal.

5. Chapter thirty-three of the statutes of 1920 and chapter four of the statutes of 1922 are hereby repealed.

Commencement of Act.

6. Pursuant to the requirements of section four of the Colonial Courts of Admiralty Act, 1890, this Act shall not come into operation until His Majesty's pleasure thereon has been publicly signified in Canada.

Repeal.

5. Chapter thirty-three of the statutes of 1920 and chapter four of the statutes of 1922 are hereby repealed.

Commencement of Act.

6. Pursuant to the requirements of section four of the *Colonial Courts of Admiralty Act, 1890,* this Act shall not come into operation until His Majesty's pleasure thereon has been publicly signified in Canada.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 117.

An Act to amend the Admiralty Act.

AS PASSED BY THE HOUSE OF COMMONS, 25th APRIL, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
56029 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 117.

An Act to amend the Admiralty Act.

R.S., c. 141; 1920, c. 33; 1922, c. 4.

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

1. The *Admiralty Act*, chapter one hundred and forty-one of the Revised Statutes of Canada, 1906, is hereby amended by repealing section eleven of the said Act and substituting therefor the following:—

Deputy local judges.

"**11.** (1) The Governor in Council may, from time to "time, appoint for any Admiralty district one or more "deputy local judges, and any such deputy local judge "shall have and exercise all such jurisdiction, powers and "authority as are possessed by the local judge.

Tenure.

"(2) The appointment of a deputy local judge shall not be "determined by the occurrence of a vacancy in the office "of the local judge.

Revocation of appointment.

"(3) The Governor in Council may at any time revoke "the appointment of a deputy local judge."

No fees.

2. No judge, local judge or deputy local judge shall take or receive any fee of office upon the trial of any cause or upon any other judicial proceeding.

Salary of deputy local judge.

3. When the local judge of the Quebec Admiralty District resides at Montreal the deputy local judge residing at Quebec shall be paid the salary, if any, which he would have received if he were the local judge of the district, and in like manner when the local judge resides at Quebec the deputy local judge residing at Montreal shall receive the salary, if any, which he would have received if he were the local judge of the district; provided that not more than one deputy local judge in the district shall receive a salary.

"Deputy registrar."

4. Section fourteen of the *Admiralty Act*, is amended by inserting the words "a deputy registrar" immediately after the word "registrar" in the third line thereof.

Repeal.

5. Chapter thirty-three of the statutes of 1920 and chapter four of the statutes of 1922 are hereby repealed.

Commencement of Act.

6. Pursuant to the requirements of section four of the *Colonial Courts of Admiralty Act, 1890,* this Act shall not come into operation until His Majesty's pleasure thereon has been publicly signified in Canada.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 118.

An Act to amend the Militia Pension Act.

First reading, April 20, 1923.

The MINISTER OF NATIONAL DEFENCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
57059 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 118.

An Act to amend the Militia Pension Act.

R.S., c. 42; 1907, c. 28; 1910, c. 39; 1919, c. 61; 1920, c. 58.

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

1. Subsection eleven of section four of the *Militia Pension Act*, chapter forty-two of the Revised Statutes of Canada, 1906, as amended by chapter twenty-eight of the statutes of 1907, is repealed and the following is substituted therefor:—

Pensions of retired officers who served in the War and are employed in public service, to be continued.

"(11). If an officer to whom a pension has been granted under this Act is employed in the public service of Canada and is in receipt of a salary therefor, such pension shall be discontinued during the time such officer is in receipt of such salary unless the officer, prior to his retirement from the Force, served as an officer, non-commissioned officer, or man on active service outside of Canada or the United States during the war between Great Britain and Germany which commenced on the fourth day of August, one thousand nine hundred and fourteen, in which case unless, prior to the coming into force of this Act, or subsequent to the coming into force thereof, it has been or, is otherwise ordered by the Governor in Council the pension shall not be discontinued. Provided, however, that in the event of the gross annual pension granted to such last mentioned officer under the provisions of this Act, together with the annual rate of salary which such officer is receiving in the public service of Canada, making an annual amount greater than the annual rate of pay and allowances upon which such officer's pension was computed the payments of pension to such officer during the time he is in receipt of a salary in the public service of Canada shall be reduced so that the annual rate of emolument received by such officer by way of salary and pension shall not exceed the annual rate of pay and allowances upon which his pension was computed."

Adjustment to provide that annual emolument shall not exceed annual rate of pay and allowances upon which pension was computed.

Pensions paid to such officers not recoverable.

2. Any payments of pension which, prior to the coming into force of this Act, have been made to an officer who, at the time, was in receipt of a salary in the public service of Canada, shall not be recoverable from such officer if under section one of this Act he is eligible to receive the pension granted to him under the *Militia Pension Act* or a portion of such pension at the same time as he is in receipt of a salary in the public service of Canada.

When Act comes into force.

3. This Act shall be deemed to have come into force and operation on the first day of January, one thousand nine hundred and twenty-three.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 118.

An Act to amend the Militia Pension Act.

AS PASSED BY THE HOUSE OF COMMONS, 23rd APRIL, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
57072 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 118.

An Act to amend the Militia Pension Act.

R.S., c. 42; 1907, c. 28; 1910, c. 39; 1919, c. 61; 1920, c. 58.

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

1. Subsection eleven of section four of the *Militia Pension Act*, chapter forty-two of the Revised Statutes of Canada, 1906, as amended by chapter twenty-eight of the statutes of 1907, is repealed and the following is substituted therefor:—

Pensions of retired officers who served in the War and are employed in public service, to be continued.

"(11). If an officer to whom a pension has been granted under this Act is employed in the public service of Canada and is in receipt of a salary therefor, such pension shall be discontinued during the time such officer is in receipt of such salary unless the officer, prior to his retirement from the Force, served as an officer, non-commissioned officer, or man on active service outside of Canada or the United States during the war between Great Britain and Germany which commenced on the fourth day of August, one thousand nine hundred and fourteen, in which case unless, prior to the coming into force of this Act, or subsequent to the coming into force thereof, it has been or, is otherwise ordered by the Governor in Council the pension shall not be discontinued. Provided, however, that in the event of the gross annual pension granted to such last mentioned officer under the provisions of this Act, together with the annual rate of salary which such officer is receiving in the public service of Canada, making an annual amount greater than the annual rate of pay and allowances upon which such officer's pension was computed the payments of pension to such officer during the time he is in receipt of a salary in the public service of Canada shall be reduced so that the annual rate of emolument received by such officer by way of salary and pension shall not exceed the annual rate of pay and allowances upon which his pension was computed."

Adjustment to provide that annual emolument shall not exceed annual rate of pay and allowances upon which pension was computed.

Pensions paid to such officers not recoverable.

2. Any payments of pension which, prior to the coming into force of this Act, have been made to an officer who, at the time, was in receipt of a salary in the public service of Canada, shall not be recoverable from such officer if under section one of this Act he is eligible to receive the pension granted to him under the *Militia Pension Act* or a portion of such pension at the same time as he is in receipt of a salary in the public service of Canada.

When Act comes into force.

3. This Act shall be deemed to have come into force and operation on the first day of January, one thousand nine hundred and twenty-three.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 136.

An Act to amend The Immigration Act.

First reading, April 26, 1923.

The Acting Minister of Immigration and Colonization.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
58859 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 136.

1910, c. 27; 1911, c. 12; 1914 (2 Sess.), c. 2; 1919, cc. 25, 26; 1919 (2 Sess.), c. 19; 1921, c. 32.

An Act to amend The Immigration Act.

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

Enemy aliens.

1. Paragraph *(p)* of section three of *The Immigration Act*, chapter twenty-seven of the statutes of 1910, as enacted by chapter twenty-five of the statutes of 1919, is repealed.

Deported conspirators.

2. Paragraph *(s)* of section three of the said Act, as enacted by chapter twenty-five of the statutes of 1919, is amended by striking out the following words at the end of said paragraph:—

"or because such persons were or may be regarded as hostile or dangerous to the allied cause during the war;"

3. Section forty-one of the said Act, as enacted by chapter twenty-six of the statutes of 1919, is repealed and the following is substituted therefor:—

Certain persons to be deemed to belong to the prohibited or undesirable classes.

"Whenever any person other than a Canadian citizen advocates in Canada the overthrow by force or violence of the government of Great Britain or Canada, or other British dominion, colony, possession or dependency, or the overthrow by force or violence of constituted law and authority, or the assassination of any official of the Government of Great Britain or Canada or other British dominion, colony, possession or dependency, or of any foreign government, or shall by word or act create or attempt to create riot or public disorder in Canada, or shall by common repute belong to or be suspected of belonging to any secret society or organization which extorts money from, or in any way attempts to control, any resident of Canada by force or threat of bodily harm, or by blackmail; such person for the purposes of this Act shall be considered and classed as an undesirable immigrant, and it shall be the duty of any officer becoming cognizant thereof, and the duty of the

clerk, secretary or other official of any municipality in Canada wherein such person may be, to forthwith send a written complaint thereof to the Minister of Immigration, giving full particulars.

Deputy Minister may order investigation.

4. Subsection one of section forty-two of the said Act, as amended by section twenty-six of chapter twenty-five of the statutes of 1919, is amended by striking out the following words in the second and third line thereof:— "whether directly or through the Deputy Minister," and by inserting the words "or the Deputy Minister" after the word "Minister" in the fifth line thereof.

Arrest or prosecution of rejected or deported person.

5. Subsection four of section forty-two of the said Act, as amended by section sixteen of chapter twenty-five of the statutes of 1919, is further amended by striking out after the word "only" in the first line thereof the following words:— "by reason of inability to comply with the money qualification prescribed by any order in council passed under the authority of section thirty-seven of this Act" and substituting therefor the following:— "by reason of inability to comply with the provisions of any Order in Council which has been rescinded"

Fine increased for not giving lists of those on board ship.

6. Subsection one of section fifty-two of the said Act, as enacted by chapter twenty-five of the statutes of 1919, is amended by striking out the word "ten" in the twenty-seventh line thereof and substituting therefor the word "twenty".

Discharging crew without examination.

7. Subsection two of section fifty-two of the said Act, as enacted by chapter twenty-five of the statutes of 1919, is repealed and the following is substituted therefor:— "(2) If the master of any vessel arriving at any port of entry in Canada shall pay off or discharge any officer, seaman or other member of the crew or other person employed on such vessel without such person having first been examined by an immigration officer as required under section thirty-three of this Act, such master shall, if required by the agent or inspector-in-charge, with the approval of the Minister, pay to the agent or officer-in-charge the sum of twenty dollars for such officer, seaman, or other member of the crew or other person employed on such vessel who has been paid off or discharged without first having been examined by an immigration officer, and no such vessel shall be granted clearance pending the determination of the question of the liability to the payment of such fine, and, in the event such fine is imposed, while it remains unpaid; nor shall such fine be remitted or refunded: Provided, that clearance may be granted prior to the determination of

No clearance until fine paid or deposit made.

such question upon deposit of a sum sufficient to cover such fine; Provided further that the immigration officer-in-charge may allow any officer or seaman to enter Canada temporarily for the purpose of reshipping under such regulations as the Minister may prescribe."

Temporary entry.

8. Section fifty-two of the said Act, as enacted by chapter twenty-five of the statutes of 1919, is amended by adding thereto the following subsection:—

Deposit as security for return of deserters.

"(6) In case any officer, seaman or other member of the crew, or other person employed on any vessel deserts the vessel while in any Canadian port, such vessel shall not be granted clearance until the master has deposited with the officer-in-charge such sum as may be prescribed by him, which deposit shall be held as security for the return of such deserter to the vessel or for his deportation, whichever event shall first happen. In case such deserter returns to the vessel, or is deported under the provisions of this Act, the amount of such deposit shall be returned to the master less any expenses for detention, maintenance, transportation, subsistence, medical or hospital treatment or otherwise which the Government shall have incurred on account of such deserter."

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 136.

An Act to amend The Immigration Act.

AS PASSED BY THE HOUSE OF COMMONS,
11th MAY, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
58976 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 136.

An Act to amend The Immigration Act.

1910, c. 27; 1911, c. 12; 1914 (2 Sess.), c. 2; 1919, cc. 25, 26; 1919 (2 Sess.), c. 19; 1921, c. 32.

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

Enemy aliens.

1. Paragraph *(p)* of section three of *The Immigration Act*, chapter twenty-seven of the statutes of 1910, as enacted by chapter twenty-five of the statutes of 1919, is repealed.

Deported conspirators.

2. Paragraph *(s)* of section three of the said Act, as enacted by chapter twenty-five of the statutes of 1919, is amended by striking out the following words at the end of said paragraph:—
"or because such persons were or may be regarded as hostile or dangerous to the allied cause during the war;"

3. Section forty-one of the said Act, as enacted by chapter twenty-six of the statutes of 1919, is repealed and the following is substituted therefor:—

Certain persons to be deemed to belong to the prohibited or undesirable classes.

"**41.** Whenever any alien advocates in Canada the overthrow by force or violence of the government of Great Britain or Canada, or other British dominion, colony, possession or dependency, or the overthrow by force or violence of constituted law and authority, or assassination, or shall by word or act create or attempt to create riot or public disorder in Canada, or shall by common repute belong to or be suspected of belonging to any secret society or organization which extorts money from, or in any way attempts to control, any resident of Canada by force or threat of bodily harm, or by blackmail; such person for the purposes of this Act shall be considered and classed as an undesirable immigrant, and it shall be the duty of any officer becoming cognizant thereof, and the duty of the clerk, secretary or other official of any municipality in Canada wherein such person may be, to forthwith send a

written complaint thereof to the Minister of Immigration, giving full particulars.

4. Subsection one of section forty-two of the said Act, as amended by section twenty-six of chapter twenty-five of the statutes of 1919, is amended by striking out the following words in the second and third line thereof:—

"whether directly or through the Deputy Minister,"

and by inserting the words "or the Deputy Minister" after the word "Minister" in the fifth line thereof.

Deputy Minister may order investigation.

5. Subsection four of section forty-two of the said Act, as amended by section sixteen of chapter twenty-five of the statutes of 1919, is further amended by striking out after the word "only" in the first line thereof the following words:—

"by reason of inability to comply with the money qualification prescribed by any order in council passed under the authority of section thirty-seven of this Act"

and substituting therefor the following:—

"by reason of inability to comply with the provisions of any Order in Council which has been rescinded"

Arrest or prosecution of rejected or deported person.

6. Subsection one of section fifty-two of the said Act, as enacted by chapter twenty-five of the statutes of 1919, is amended by striking out all that portion of said section preceding the word "such" in the ninth line thereof and substituting therefor the following:—

"**52.** (1) Upon arrival of any vessel in Canada from any port or place outside of Canada, it shall be the duty of the transportation company, owner, agent, consignee, or master of a vessel, to deliver to the agent or inspector in charge at the port of entry such lists as may be required by the Minister containing the names of all officers, seamen or other persons employed on such vessel which lists shall contain whatever information the Minister shall prescribe, and before the departure of any such vessel, the Minister may also require"

Lists of seamen, employees, men discharged and deserters, must be delivered.

7. Subsection two of section fifty-two of the said Act, as enacted by chapter twenty-five of the statutes of 1919, is repealed and the following is substituted therefor:—

"(2) If the master of any vessel arriving at any port of entry in Canada shall pay off or discharge any officer, seaman or other member of the crew or other person employed on such vessel without such person having first been examined by an immigration officer as required under section thirty-three of this Act, such master shall, if required by the agent or inspector-in-charge, with the approval of the Minister, pay to the agent or officer-in-charge the sum of twenty dollars for such officer, seaman, or other member

Discharging crew without examination.

of the crew or other person employed on such vessel who has been paid off or discharged without first having been examined by an immigration officer, and no such vessel shall be granted clearance pending the determination of the question of the liability to the payment of such fine, and, in the event such fine is imposed, while it remains unpaid; nor shall such fine be remitted or refunded: Provided, that clearance may be granted prior to the determination of such question upon deposit of a sum sufficient to cover such fine; Provided further that the immigration officer-in-charge may allow any officer or seaman to enter Canada temporarily for the purpose of reshipping under such regulations as the Minister may prescribe."

No clearance until fine paid or deposit made.

Temporary entry.

8. Section fifty-two of the said Act, as enacted by chapter twenty-five of the statutes of 1919, is amended by adding thereto the following subsection:—

"(6) In case any officer, seaman or other member of the crew, or other person employed on any vessel deserts the vessel while in any Canadian port, such vessel shall not be granted clearance until the master has deposited with the officer-in-charge such sum as may be prescribed by him, which deposit shall be held as security for the return of such deserter to the vessel or for his deportation, whichever event shall first happen. In case such deserter returns to the vessel, or is deported under the provisions of this Act, the amount of such deposit shall be returned to the master less any expenses for detention, maintenance, transportation, subsistence, medical or hospital treatment or otherwise which the Government shall have incurred on account of such deserter."

Deposit as security for return of deserters.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 139.

An Act to amend The Bankruptcy Act.

First reading, April 27, 1923.

The MINISTER OF JUSTICE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
58951 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 139.

An Act to amend The Bankruptcy Act.

1919, c. 36; 1920, c. 34; 1921, c. 17; 1922, c. 8.

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

Short title.

1. This Act may be cited as *The Bankruptcy Act Amendment Act, 1923.*

2. (1) Paragraph *(f)* of section two of *The Bankruptcy Act, 1919*, is repealed and the following substituted therefor:—

"Authorized assignment."

"*(f)* 'Authorized assignment' means an assignment accepted and filed by the Official Receiver."

(2) Section two is further amended by adding the following paragraph after paragraph *(m)*:—

"Custodian."

"*(mm)* 'Custodian' means the creditor duly authorized to exercise the functions of custodian for the time being."

(3) Paragraph *(x)* of the said section, as enacted by chapter thirty-four of the statutes of 1920, is repealed and the following substituted therefor:—

"Locality of a debtor."

"*(x)* 'Locality of a debtor' (whether a bankrupt or assignor) means *(a)* the principal place where the debtor has carried on business during the year immediately preceding the date of the presentation against him of a bankruptcy petition or the making by him of an authorized assignment; or *(b)* the place where the debtor has resided during the year immediately preceding the date of the presentation against him of a bankruptcy petition or the making by him of an authorized assignment; or *(c)*, in cases not coming within *(a)* or *(b)*, the place where the greater portion of the property of such debtor is situate;"

(4) The said section is further amended by adding the following paragraph after paragraph *(y)*:—

"Official Receiver."

"*(yy)* 'Official Receiver' means the person in the locality of the debtor authorized to exercise the functions of the official receiver for the time being."

(5) Paragraph *(jj)* of the said section is repealed and the following substituted therefor:—

"Trustee or authorized trustee."

"*(jj)* 'trustee' or 'authorized trustee' means, dependent upon the context, any person, who is authorized by the creditors, pursuant to the provisions of this Act, to act as a trustee in bankruptcy or under an authorized assignment or in connection with a proposal by a debtor for a composition extension or scheme of arrangement to or with his creditors."

3. Subsection four of section four of the said Act is repealed and the following substituted therefor:—

If petitioning creditor is a secured creditor.

"(4) *(a)* If the petitioning creditor is a secured creditor he must in his petition either state that he is willing to give up his security for the benefit of the creditors in the event of the debtor being adjudged bankrupt, or give an estimate of the value of his security. In the latter case he may be admitted as a petitioning creditor to the extent of the balance of the debt due to him after deducting the value so estimated in the same manner as if he were an unsecured creditor."

Where petition may be presented.

"*(b)* The petition shall be presented to the court having jurisdiction in the locality of the debtor."

Proof of debt, etc.

(2) Subsection five of the said section is amended by adding at the end thereof the following words: "and appoint as custodian one of the most interested creditors, having regard, as far as the court deems just, to the wishes of the creditors."

Interim receiver.

4. Subsection one of section five of the said Act is amended by striking out the words "authorized trustee as" in the fourth line thereof.

Regarding vestment of property in trustee.

5. (1) Subsection one of section six of the said Act is repealed.

Selection of trustee.

(2) Subsection two of the said section is repealed

(3) Subsection three of the said section is repealed and the following substituted therefor:—

Vesting of property in trustee.

"(3) On a receiving order being made against a debtor, such debtor shall cease to have any capacity to dispose of or otherwise deal with his property affected by the receiving order, which shall be deemed to be in the custody of the court, and upon the appointment of a trustee as hereinafter provided, such property shall, subject to the rights of secured creditors, forthwith pass to and vest in such trustee, and in any case of change of trustee, the property shall pass from trustee to trustee without any conveyance, assignment or transfer whatever."

Transfer of proceedings to another division.

(4) Subsection four of the said section is amended by striking out all the words therein after the words "therein commenced" in the tenth and eleventh lines thereof.

Stay of proceedings.

6. Section seven of the said Act is repealed.

Application of Part I.

7. Section eight of the said Act is amended by striking out the words "this Part" in the first line thereof and substituting the words "section four."

8. The said Act is further amended by inserting immediately after section eight, the following section:—

"GENERAL.

When possession to be taken by custodian.

"8A. The custodian whether appointed by the court pursuant to a receiving order, or by the Official Receiver pursuant to an authorized assignment, shall take immediate possession of all the property of the debtor liable to seizure, and he may under the direction of the Official Receiver take conservatory measures and dispose of any perishable goods; he shall remain in possession until a trustee is appointed by the creditors."

9. The said Act is further amended by inserting immediately after section 8A the following section:—

Limitation regarding remedy of creditor against property or person of debtor.

"8B. On the making of a receiving order or authorized assignment, no creditor to whom the debtor is indebted in respect of any debt provable in bankruptcy shall have any remedy against the property or person of the debtor or shall commence or continue any action, execution or other proceedings for the recovery of a debt provable in bankruptcy unless with the leave of the court and on such terms as the court may impose; provided that, subject to the provisions of section forty-six, any secured creditor or person holding security on the property of the debtor may realize or otherwise deal with his security in the same manner as he would have been entitled to realize or deal with it if this section had not been passed, unless the court otherwise orders."

Regarding assignment for general benefit of creditor.

10. (1) Section nine of the said Act is amended by striking out the words "to an authorized trustee appointed pursuant to section fourteen with authority in the locality of the debtor" in the fourth, fifth and sixth lines.

(2) Section nine is further amended by adding thereto the following subsections:—

Authorized assignment.

"(2) Such authorized assignment shall be accompanied by the statement of affairs required by section fifty-four."

Filing of such authorized assignment.

"(3) The authorized assignment shall be offered to the Official Receiver in the locality of the debtor to be filed and it shall be inoperative until accepted and filed by such Official Receiver, who shall refuse to accept the same unless it is in the form prescribed by the General Rules or

words to the like effect, and accompanied by the sworn statement of affairs required by the preceding subsection. If the Official Receiver accepts the assignment, he shall file the same whereupon the property of the debtor shall be deemed to be in the custody of the court and the debtor shall cease to have any capacity to dispose of or otherwise deal with such property."

Appointment of custodian.

"(4) Immediately after the acceptance of the authorized assignment, the Official Receiver shall appoint a custodian whom he shall, as far as possible, select from the most interested creditors."

Procedure at first meeting of creditors.

"(5) The Official Receiver shall preside at the first meeting of creditors and upon the appointment of the trustee by the creditors, he shall complete the authorized assignment by certifying thereon the name of such trustee, and such assignment shall thereupon, subject to the rights of secured creditors, vest as of the date of the acceptance and filing of the said assignment in the trustee all the property of the debtor.

11. Section ten of the said Act is repealed, and the following substituted therefor:—

Form of assignment.

"**10.** Every Official Receiver with whom an assignment is filed, shall, when the same is completed as hereinbefore provided, deposit the same in the court having jurisdiction in the locality of the debtor, and if subsequently the trustee is displaced by a new trustee, such new trustee shall within four days of his appointment give notice thereof to the said court."

Publication of notice.

12. Subsection four of section eleven of the said Act is amended by inserting the words "by the custodian" after the word "gazetted" in the twelfth line thereof.

Registration of assignment.

(2) Subsection eight of section eleven is amended by substituting the words "Official Receiver" for the word "trustee" in the fourth line thereof and by inserting the words "custodian or" before the word "trustee" in the sixth line thereof.

Affidavit upon registration.

(3) Subsection eleven of section eleven is amended by inserting the words "custodian or" after the word "any" in the second line thereof.

13. Subsection one of section thirteen is repealed and the following is substituted therefor:—

Composition, extension or scheme of arrangement.

"**13.** (1) Where an insolvent debtor intends to make a proposal for,—

(a) a composition in satisfaction of his debts; or,

(b) an extension of time for payment thereof, or,

(c) a scheme of arrangement of his affairs;

he may, after the making of a receiving order against him or the making of an authorized assignment by him, require

in writing the trustee duly appointed to convene at the office of such trustee a meeting of such debtor's creditors for the consideration of such proposal.

(2) Subsection two of section thirteen is amended by striking out of the second and third lines the words:

Proceedings by debtor.

"within such time as the trustee may then fix" and substituting the word "before".

Proceedings by trustee.

(3) Subsection three of section thirteen, as enacted by chapter eight of the statutes of 1922, is amended by striking out the words "two-thirds" in the thirty-third and thirty-seventh lines and substituting the words "three-fourths".

Repeal.

(4) Subsections 3*a*, 3*b*, 3*c*, 3*d*, 3*e*, 3*f* of section thirteen, as enacted by chapter seventeen of the statutes of 1921, are repealed.

(5) Subsections eight and nine of section thirteen, as enacted by chapter eight of the statutes of 1922, are repealed and the following are substituted therefor:—

Court may refuse to approve the proposal.

"(8) If the court is of the opinion that the terms of the proposal are not reasonable or are not calculated to benefit the general body of creditors, the court shall refuse to approve the proposal, and the court shall refuse to approve the proposal whenever it is established that the debtor has committed any one of the offences mentioned in section eighty-nine of this Act."

Reasonable security.

"(9) If any of the facts mentioned in section fifty-nine of the present Act are proved against the debtor, the court shall refuse to approve the proposal unless it provides reasonable security for payment of not less than fifty cents in the dollar on all the unsecured debts provable against the debtor's estate."

(6) Subsection eighteen of section thirteen is repealed and the following substituted therefor:—

Court may make order annulling bankruptcy or assignment.

"(18) If the court approves the composition, extension or scheme, it may make an order annulling the bankruptcy or authorized assignment and vesting the property of the debtor in him or in such other person as the court may appoint on such terms and subject to such conditions, if any, as the court may declare."

14. Section fourteen of the said Act is repealed and the following substituted therefor:—

Security to be furnished by trustee.

"**14.** Every trustee appointed by the creditors as hereinafter provided shall within seven days give security to the satisfaction of the creditors by bond or in cash for due accounting and for payment over and transfer of all moneys and property received by him as such trustee."

Depositing of security.

"(2) Such security shall be deposited with the Official Receiver and shall be given in favour of the creditors generally and may be enforced by one of them on behalf of all by direction of the court".

Powers of trustee.

"(3) Every trustee duly appointed shall for the purpose of obtaining possession of and realizing upon the assets of the bankrupt or authorized assignor have power to act as such anywhere."

When trustee continued in trust.

"Provided that any person authorized as trustee and acting under a receiving order or authorized assignment or in connection with a proposal for a composition, extension or scheme at the date this Act comes into force, shall continue to act as such trustee unless replaced, pursuant to the provisions of this Act;

Continuance of security given.

"And provided further that nothing in this section shall have the effect to terminate the security heretofore given by any authorized trustee."

15. (1) Subsection one of section fifteen as enacted by chapter seventeen of the statutes of 1921, and subsection two of the said Act are repealed and the following substituted therefor:—

Appointment of trustee.

"**15.** (1) The creditors shall at their first meeting appoint by ordinary resolution any person but the Official Receiver as trustee for the administration of the estate.

Removal of trustee.

(2) A trustee may be removed and another trustee appointed or substituted by creditors by ordinary resolution at any meeting of creditors or for cause by the court."

Obligations of trustee.

(2) Subsection five of the said section is amended by striking out the words "accept an authorized assignment or to act as trustee" in the first and second lines, and substituting therefor the words "assume the duties of trustee" and by striking out all the words after the word "debtors" in the fourth line thereof.

Right of manufacturer.

16. Subsection two of section nineteen is amended by striking out the words "the receiving order or authorized assignment," in the fifth line thereof, and substituting therefor the words "his appointment."

17. Section twenty is amended by repealing paragraph *(b)* of subsection three, and by inserting therein after subsection 3 *(a)* the following subsection:—

Sales in the province of Quebec.

"(4) *(a)* The following paragraphs shall apply only to the province of Quebec:—

Sales of hypothecated immoveable property.

(b) No immoveable property whereon exists a hypothec or a privilege shall be sold by the trustee unless he has obtained the authorization of the judge pursuant to the permission in writing of the inspectors and after notice has been given to each hypothecary or privileged creditor, whose name is entered in the register of addresses which the registrars of the registration division are obliged to keep according to the laws of the province;

Method of sale of hypothecated property.

(c) The sale of such immoveable property, unless a written consent to the contrary is obtained from each hypothecary or privileged creditor whose claim has been duly registered, shall be made at public auction at the place prescribed and after advertisement as required for the sale of immoveable property by the sheriff in the district or place where such immoveable property is situate, and it shall have the same effect as to mortgages, hypothecs, privileges, or other real rights then existing thereon, as if the same had been made by the sheriff in the said province under a writ of execution issued in the ordinary course, and the title conveyed by such sale in the said province shall have equal validity with a title created by sheriff's sale and the conveyance of the trustee shall have the same effect as the sheriff's deed in the said province, such sale shall be subject to the contribution of the building and jury fund provided for in the case of sheriff's sale. In case of false bidding, the same recourse as in case of sheriff's sale may be exercised against the false bidder in the manner prescribed by the laws of the province; the present paragraph shall not be interpreted as affecting the right of a secured creditor to realize or otherwise deal with his security as provided by this Act;

Disposal of property so sold by sheriff.

(d) When an immoveable property affected by a hypothec or privilege is sold by the sheriff, the moneys realized from the sale remain in his hands to be paid by him to the privileged and hypothecary creditors in accordance with the report of distribution which shall be made by the prothonotary of the Superior Court in the usual way and the surplus shall be remitted to the trustee upon an order of the judge for its distribution among the chirographony creditors by means of a dividend sheet prepared in accordance with the provisions of this Act;

Duties imposed by civil code.

(e) On such sales, the trustee shall fulfil all the duties imposed on the sheriff by articles two thousand one hundred and sixty-one d to two thousand one hundred and sixty-one k inclusive of the civil code of the province of Quebec. The registrars of the different registration divisions of the said province shall also fulfil all the duties imposed upon them by the said articles; they are appointed officers of the court having jurisdiction in bankruptcy for the carrying out of the provision of this subsection. The omission to comply with any of the provisions of the said articles shall not invalidate any proceedings of the sale but the officer in default shall be responsible for all damages which may result therefrom."

Description of debtor's property.

18. Section twenty-five is amended by striking out the words "in the case of a bankrupt," where they occur in the fifteenth and sixteenth lines thereof.

Abstract of receipts and disbursements.

19. (1) Subsection two of section thirty-seven of the said Act is amended by inserting the words "and notice that he will apply to the court on a day named therein for his discharge" after the word "therefor" in the eighth line thereof.

Final dividends.

(2) Subsection seven of the said section, as enacted by chapter seventeen of the statutes of 1921, is amended by striking out all the words therein before the word "realized" in the fourth line thereof, and substituting therefor the words "When subsection four of section eleven and subsection two of section forty-two have been complied with as to gazetting, publishing and mailing notices to creditors, the trustee having"

Remuneration of trustee.

20. Subsection three of section forty of the said Act is amended by adding at the end thereof the following words: "except with the approval in writing of the inspectors and of the court."

21. Section forty-one of the said Act, as enacted by chapter seventeen of the statutes of 1921, is amended by adding thereto the following subsection:—

Application of trustee for discharge.

"(7) The trustee shall apply to the court for the discharge hereinbefore referred to within fifteen days of the payment of the final dividend and unless such discharge is obtained the trustee shall be ineligible to act in the future as trustee under this Act. There shall be no fee on this application unless it is contested."

Meetings of creditors.

22. (1) Subsection one of section forty-two of the said Act is amended by inserting the words "a trustee and" after the word "appoint" in the sixth line thereof.

Notice of meeting.

(2) Subsection two of the said section, as amended by chapter eight of the statutes of 1922, is further amended by substituting the word "custodian" for the word "trustee" wherever it occurs therein.

Right of creditor to vote.

(3) Subsection nine of the said section is amended by inserting the words "custodian or" before the word "trustee" in the fifth line thereof.

Voting by proxy.

(4) Subsection thirteen of the said section is amended by inserting the words "custodian or" before the word "trustee" in the second line thereof.

Proof of debts.

23. Subsection two of section forty-five is amended by inserting the words "custodian or" before the word "trustee" in the third line thereof.

24. Subsection three of section forty-six as enacted by chapter seventeen of the statutes of 1921, is repealed and the following substituted therefor:—

Secured creditor to value securities.

"(3) If a secured creditor does not either realize or surrender his security he may if he wishes to rank for dividend and he shall within thirty days after demand made upon him by the trustee, or within such further time as may be allowed by the inspectors or the court, file with the trustee a statutory declaration stating therein full particulars of his security, or securities, the date when each security was given and the value at which he assesses each thereof. A creditor shall be entitled to receive a dividend in respect only of the balance due to him after deducting the assessed value of his security."

(2) Subsection five of section forty-six is repealed and the following substituted therefor:—

May order security to be sold.

"(5) If the trustee is dissatisfied with the value at which a security is assessed, or if a secured creditor who has neither realized nor surrendered his security, fails to assess said security within the period above mentioned, the trustee may require that the property comprised in the security be offered for sale at such time and on such terms and conditions, as may be agreed on between the creditor and the trustee, or as, in default of such agreement the court may direct. If the sale be by public auction the creditor or the trustee on behalf of the estate may bid or purchase. In the province of Quebec if the security consists of a hypothec or privilege upon immovable property, the sale, when directed by the court, shall be made in accordance with the provisions of subsection four of section twenty of this Act, and said sale shall have the effect mentioned in said subsection."

(3) Subsection seven of section forty-six is repealed and the following substituted therefor:—

Amended valuation by creditor.

"(7) If a creditor after having valued his security, subequently realizes it, or if it is realized under the provisions of subsection five the net amount realized shall be substituted for the amount of any valuation previously made by the creditor and shall be treated in all respects as an amended valuation made by the creditor. The costs and expenses of any sale made under subsection five shall be in the discretion of the court."

Secured creditor may amend.

(4) Subsection eight of section forty-six is amended by striking out the words "within two months after filing his claim" in lines two and three of the said subsection.

Wife's claim.

25. Subsection two of section forty-eight is amended by striking out the words,—

"claim any dividend as a creditor in respect of any money or other estate hereafter lent or entrusted by

her to her husband, for the purpose of his trade or business, or"

Priority of claim.

26. Subsection one of section fifty-one is amended by inserting the word "two" before the word "succeeding" in the first line thereof and by inserting after the word "firstly" in the fifth line thereof, the words "costs and expenses of the custodian and"

27. The said Act is amended by inserting the following section immediately before section fifty-two, under the heading "Rights of Landlords":—

Application of provincial law prior to July, 1920.

"**51A.** The law in force in each province immediately before the first day of July, one thousand nine hundred and twenty, regulating the rights and privileges of lessors in the event of the insolvency of, or the voluntary assignment for the benefit of creditors by lessees shall be applicable to determine such rights and privileges in the case of any assignment by, or receiving order made against any lessee; provided that any such provincial law applicable only in case of leases to traders shall apply to leases to all bankrupts or assignors; and provided further that if there was no such provincial law in force immediately prior to the first day of July, one thousand nine hundred and twenty, the provisions contained in the next following section shall be applicable."

Examination of bankrupt by Official Receiver.

28. Subsection one of section fifty-four, as amended by chapter eight of the statutes of 1922, is further amended by inserting the following words after the word "made," in the second line thereof:—"the bankrupt or assignor shall present himself before the Official Receiver who shall examine him as to the causes of his insolvency and the disposition of his assets, and shall put to him the questions provided by the General Rules, or questions to the like effect. The Official Receiver shall make notes of such examination, and shall communicate them to the creditors at their first meeting. If the bankrupt or assignor fails to present himself for such examination within three days from the making of the receiving order, or the filing of the assignment, the court may, by warrant cause him to be apprehended and brought up for examination, and may order him to be committed to the common gaol of the judicial district in which he resides for any term not exceeding twelve months. Furthermore," and by inserting the words "In case of a receiving order" before the word "such" in the tenth line thereof.

Examination of debtors, etc.

29. Subsection one of section fifty-six is amended by inserting the words "any person reasonably thought to have knowledge of the affairs of the debtor" after the word

"debtor" in the seventh line, and by striking out all the words in the said subsection after the word "property" in the tenth line.

Powers of court regarding conditional discharge.

30. Subsection five of section fifty-eight of the said Act is amended by striking out the words "unless for special reasons the court otherwise determines" in the fifth line thereof.

31. The following section is added after section sixty-five:—

Officer to be assigned to duty by chief justice.

"**65A.** There shall be one Official Receiver in each locality, who shall have and perform only such responsibilities and duties as are prescribed by this Act, and rules, and who shall be such officer of the court as the chief justice shall from time to time assign to perform such duties and such officer shall have authority as such Official Receiver coterminous with his authority as such officer of the court;

Officers to be Official Receivers.

"(2) The following officers, or the persons for the time being exercising the functions of such officers, shall be Official Receivers until the chief justice assigns other officers to perform the duties of such Official Receivers;

"*(a)* in the province of Quebec, the prothonotaries of the Superior Court;

"*(b)* in the province of Nova Scotia, the prothonotaries of the Supreme Court;

"*(c)* in the province of New Brunswick, the Circuit Court clerks;

"*(d)* in the province of Prince Edward Island, the deputy prothonotaries of the Supreme Court;

"*(e)* in the province of Ontario, the registrar, or the local registrars of the Supreme Court, as the case may be;

"*(f)* in the province of Manitoba, the registrar or the deputy registrars of the Court of King's Bench, as the case may be;

"*(g)* in the province of Saskatchewan, the local registrars of the Court of King's Bench;

"*(h)* in the province of Alberta, the clerks of the Supreme Court;

"*(i)* in the province of British Columbia, the district registrars of the Supreme Court;

Tariff of costs and fees.

32. Section sixty-seven of the said Act, as amended by chapter seventeen of the statutes of 1921, is further amended by inserting the words "except with the approval in writing of the inspectors and of the court," after the word "proceeds" in the ninth line thereof.

33. Section ninety-four is amended by adding thereto:—

Criminal liability after composition.

"Any composition, extension or scheme of arrangement, although accepted or approved, may be annulled at the request of the trustee or of any creditor whenever the

debtor is afterwards convicted of any offence mentioned in section eighty-nine of this Act."

Commencement of Act.

34. This Act shall come into force by proclamation of His Excellency the Governor General.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 139.

An Act to amend The Bankruptcy Act.

AS PASSED BY THE HOUSE OF COMMONS,
29th MAY, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
58956 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 139.

An Act to amend The Bankruptcy Act.

1919, c. 36; 1920, c. 34; 1921, c. 17; 1922, c. 8.

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

Short title.

1. This Act may be cited as *The Bankruptcy Act Amendment Act, 1923.*

2. (1) Paragraph *(f)* of section two of *The Bankruptcy Act, 1919*, is repealed and the following substituted therefor:—

"Authorized assignment."

"*(f)* 'Authorized assignment' means an assignment accepted and filed by the Official Receiver."

(2) Section two is further amended by adding the following paragraph after paragraph *(m)*:—

"Custodian."

"*(mm)* 'Custodian' means the person duly authorized to exercise the functions of custodian for the time being."

(3) Paragraph *(x)* of the said section, as enacted by chapter thirty-four of the statutes of 1920, is repealed and the following substituted therefor:—

"Locality of a debtor."

"*(x)* 'Locality of a debtor' (whether a bankrupt or assignor) means *(a)* the principal place where the debtor has carried on business during the year immediately preceding the date of the presentation against him of a bankruptcy petition or the making by him of an authorized assignment; or *(b)* the place where the debtor has resided during the year immediately preceding the date of the presentation against him of a bankruptcy petition or the making by him of an authorized assignment; or *(c)*, in cases not coming within *(a)* or *(b)*, the place where the greater portion of the property of such debtor is situate;"

(4) The said section is further amended by adding the following paragraph after paragraph *(y)*:—

"Official Receiver."

"*(yy)* 'Official Receiver' means the person having authority in the locality of the debtor to exercise the functions of the official receiver for the time being."

(5) Paragraph *(jj)* of the said section is repealed and the following is substituted therefor:—

"Trustee or authorized trustee."

"*(jj)* 'trustee' or 'authorized trustee' means, dependent upon the context, any person, who is appointed by the creditors, pursuant to the provisions of this Act, to act as a trustee in bankruptcy or under an authorized assignment or in connection with a proposal by a debtor for a composition extension or scheme of arrangement to or with his creditors."

Ceasing to meet liabilities.

3. Section three of the said Act is amended by inserting the word "generally" after the word "liabilities" in paragraph *(j)* thereof.

4. Subsection four of section four of the said Act is repealed and the following is substituted therefor:—

If petitioning creditor is a secured creditor.

"(4) *(a)* If the petitioning creditor is a secured creditor he must in his petition either state that he is willing to give up his security for the benefit of the creditors in the event of the debtor being adjudged bankrupt, or give an estimate of the value of his security. In the latter case he may be admitted as a petitioning creditor to the extent of the balance of the debt due to him after deducting the value so estimated in the same manner as if he were an unsecured creditor."

Where petition may be presented.

"*(b)* The petition shall be presented to the court having jurisdiction in the locality of the debtor."

Proof of debt, etc.

(2) Subsection five of the said section is amended by adding at the end thereof the following words: "and appoint as custodian a qualified person, having regard, as far as the court deems just, to the wishes of the creditors."

Interim receiver.

5. Subsection one of section five of the said Act is amended by striking out the words "authorized trustee as" in the fourth line thereof.

Regarding vestment of property in trustee.

6. (1) Subsection one of section six of the said Act is repealed.

Selection of trustee.

(2) Subsection two of the said section is repealed.

(3) Subsection three of the said section is repealed and the following substituted therefor:—

Vesting of property in trustee.

"(3) On a receiving order being made against a debtor, such debtor shall cease to have any capacity to dispose of or otherwise deal with his property affected by the receiving order, which shall be deemed to be in the custody of the court, and upon the appointment of a trustee as hereinafter provided, such property shall, subject to the rights of secured creditors, forthwith pass to and vest in such trustee, and in any case of change of trustee, the property shall pass from trustee to

Transfer of proceedings to another division.

trustee without any conveyance, assignment or transfer whatever."

(4) Subsection four of the said section is amended by striking out all the words therein after the words "therein commenced" in the tenth and eleventh lines thereof.

Stay of proceedings.

7. Section seven of the said Act is repealed.

Application of Part I.

8. Section eight of the said Act is amended by striking out the words "this Part" in the first line thereof and substituting the words "section four."

9. The said Act is further amended by inserting immediately after section eight, the following section:—

"GENERAL.

When possession to be taken by custodian.

"8A. The custodian whether appointed by the court pursuant to a receiving order, or by the Official Receiver pursuant to an authorized assignment, shall take immediate possession of the books and all the property of the debtor liable to seizure, and he may under the direction of the Official Receiver take conservatory measures and dispose of any perishable goods; he shall remain in possession until a trustee is appointed by the creditors."

10. The said Act is further amended by inserting immediately after section 8A the following section:—

Stay of proceedings.

"8B. On the making of a receiving order or authorized assignment, no creditor to whom the debtor is indebted in respect of any debt provable in bankruptcy shall have any remedy against the property or person of the debtor or shall commence or continue any action, execution or other proceedings for the recovery of a debt provable in bankruptcy unless with the leave of the court and on such terms as the court may impose; provided that, subject to the provisions of section forty-six, any secured creditor or person holding security on the property of the debtor may realize or otherwise deal with his security in the same manner as he would have been entitled to realize or deal with it if this section had not been passed, unless the court otherwise orders."

Regarding assignment for general benefit of creditors.

11. (1) Section nine of the said Act is amended by striking out the words "to an authorized trustee appointed pursuant to section fourteen with authority in the locality of the debtor" in the fourth, fifth and sixth lines.

(2) Section nine is further amended by adding thereto the following subsections:—

Authorized assignment.

"(2) Such authorized assignment shall be accompanied by a sworn statement in the prescribed form showing the property of the debtor divisible among his creditors, the names and addresses of all his creditors and the amounts of their respective claims and the nature of each, whether privileged, secured or otherwise.

Filing of such authorized assignment.

"(3) The authorized assignment shall be offered to the Official Receiver in the locality of the debtor to be filed and it shall be inoperative until accepted and filed by such Official Receiver, who shall refuse to accept the same unless it is in the form prescribed by the General Rules or words to the like effect, and accompanied by the sworn statement of affairs required by the preceding subsection. If the Official Receiver accepts the assignment, he shall file the same whereupon the property of the debtor shall be deemed to be in the custody of the court and the debtor shall cease to have any capacity to dispose of or otherwise deal with such property."

Appointment of custodian.

"(4) Immediately after the acceptance of the authorized assignment, the Official Receiver shall appoint a custodian whom he shall, as far as possible, select from the most interested creditors."

Procedure at first meeting of creditors.

"(5) The Official Receiver or his nominee shall preside at the first meeting of creditors and shall decide any questions arising in connection with the appointment of the trustee by the creditors, and any creditor may appeal from his decision to the court. Upon the appointment of the trustee by the creditors, he shall complete the authorized assignment by certifying thereon the name of such trustee, and such assignment shall thereupon, subject to the rights of secured creditors, vest, as of the date of the acceptance and filing of the said assignment, in the trustee all the property of the debtor."

12. Section ten of the said Act is repealed, and the following is substituted therefor:—

Form of assignment.

"**10.** Every Official Receiver with whom an assignment is filed, shall, when the same is completed as hereinbefore provided, deposit the same in the court having jurisdiction in the locality of the debtor, and if subsequently the trustee is displaced by a new trustee, such new trustee shall within four days of his appointment give notice thereof to the said court."

Filing of assignment.

13. Section 10A of the said Act, as enacted by chapter seventeen of the statutes of 1921, is repealed.

Publication of notice.

14. Subsection four of section eleven of the said Act is amended by inserting the words "by the custodian" after the word "gazetted" in the twelfth line thereof.

Registration of assignment.

(2) Subsection eight of section eleven is amended by substituting the words "Official Receiver" for the word "trustee" in the fourth line thereof and by inserting the words "custodian or" before the word "trustee" in the sixth line thereof.

Affidavit upon registration.

(3) Subsection eleven of section eleven is amended by inserting the words "custodian or" after the word "any" in the second line thereof.

15. Subsection one of section thirteen is repealed and the following is substituted therefor:—

Composition, extension or scheme of arrangement.

"**13.** (1) Where an insolvent debtor intends to make a proposal for,—

(a) a composition in satisfaction of his debts; or,

(b) an extension of time for payment thereof, or,

(c) a scheme of arrangement of his affairs;

he may, after the making of a receiving order against him or the making of an authorized assignment by him, require in writing the trustee duly appointed to convene at the office of such trustee a meeting of such debtor's creditors for the consideration of such proposal.

(2) Subsection two of section thirteen is amended by striking out of the second and third lines the words:

Proceedings by debtor.

"within such time as the trustee may then fix" and substituting the word "before".

Proceedings by trustee.

(3) Subsection three of section thirteen, as enacted by chapter eight of the statutes of 1922, is amended by striking out the words "two-thirds" in the thirty-third and thirty-seventh lines and substituting the words "three-fourths".

Repeal.

(4) Subsections 3*a*, 3*b*, 3*c*, 3*d*, 3*e*, 3*f* of section thirteen, as enacted by chapter seventeen of the statutes of 1921, are repealed.

(5) Subsections eight and nine of section thirteen, as enacted by chapter eight of the statutes of 1922, are repealed and the following are substituted therefor:—

Court may refuse to approve the proposal.

"(8) If the court is of the opinion that the terms of the proposal are not reasonable or are not calculated to benefit the general body of creditors, the court shall refuse to approve the proposal, and the court shall refuse to approve the proposal whenever it is established that the debtor has committed any one of the offences mentioned in section eighty-nine of this Act."

Reasonable security.

"(9) If any of the facts mentioned in section fifty-nine of the present Act are proved against the debtor, the court shall refuse to approve the proposal unless it provides reasonable security for payment of not less than fifty cents in the dollar on all the unsecured debts provable against the debtor's estate."

(6) Subsection eighteen of section thirteen is repealed and the following is substituted therefor:—

Court may make order annulling bankruptcy or assignment.

"(18) If the court approves the composition, extension or scheme, it may make an order annulling the bankruptcy or authorized assignment and vesting the property of the debtor in him or in such other person as the court may appoint on such terms and subject to such conditions, if any, as the court may declare."

Stay of proceedings.

16. Section 13A of the said Act, as enacted by chapter seventeen of the statutes of 1921, is repealed.

17. Section fourteen of the said Act is repealed and the following is substituted therefor:—

Security to be furnished by trustee.

"**14.** Every trustee appointed by the creditors as hereinafter provided shall within seven days give security in cash or by bond of an approved guarantee company, satisfactory to the Official Receiver, conditioned for the due accounting and for the payment over and transfer of all moneys and property received by him as such trustee.

Depositing of security.

"(2) Such security shall be deposited with the Official Receiver and shall be given in favour of the creditors generally and may be enforced by one of them on behalf of all by direction of the court.

Powers of trustee.

"(3) Every trustee duly appointed shall for the purpose of obtaining possession of and realizing upon the assets of the bankrupt or authorized assignor have power to act as such anywhere.

When trustee continued in trust.

Provided that any person authorized as trustee and acting under a receiving order or authorized assignment or in connection with a proposal for a composition, extension or scheme at the date this Act comes into force, shall continue to act as such trustee unless replaced, pursuant to the provisions of this Act;

Continuance of security given.

And provided further that nothing in this section shall have the effect of terminating the security heretofore given by any such person; such security shall be kept in force until such time as the Governor in Council is satisfied that all moneys and properties received by the trustee have been duly accounted for and paid over to the parties entitled thereto."

18. (1) Subsection one of section fifteen as enacted by chapter seventeen of the statutes of 1921, and subsection two of the said section are repealed and the following is substituted therefor:—

Appointment of trustee.

"**15.** (1) The creditors shall at their first meeting appoint by ordinary resolution any person but the Official Receiver as trustee for the administration of the estate.

Removal of trustee.

"(2) A trustee may be removed and another trustee appointed or substituted by creditors by ordinary resolution at any meeting of creditors or for cause by the court."

Obligations of trustee.

(2) Subsection five of the said section is amended by striking out the words "accept an authorized assignment or to act as trustee" in the first and second lines, and substituting therefor the words "assume the duties of trustee" and by striking out all the words after the word "debtors" in the fourth line thereof.

Right of manufacturer.

19. Subsection two of section nineteen is amended by striking out the words "the receiving order or authorized assignment," in the fifth line thereof, and substituting therefor the words "his appointment."

20. Section twenty is amended by repealing paragraph *(b)* of subsection three, and by inserting therein after subsection 3 *(a)* the following subsection:—

Sales in the province of Quebec.

"(4) *(a)* The following paragraphs shall apply only to the province of Quebec:—

Sales of hypothecated immoveable property.

(b) No immoveable property whereon exists a hypothec or a privilege shall be sold by the trustee unless he has obtained the authorization of the judge pursuant to the permission in writing of the inspectors and after notice has been given to each hypothecary or privileged creditor, whose name is entered in the register of addresses which the registrars of the registration division are obliged to keep according to the laws of the province;

Method of sale of hypothecated property.

(c) The sale of such immoveable property, unless a written consent to the contrary is obtained from each hypothecary or privileged creditor whose claim has been duly registered, shall be made at public auction at the place prescribed and after advertisement as required for the sale of immoveable property by the sheriff in the district or place where such immoveable property is situate, and it shall have the same effect as to mortgages, hypothecs, privileges, or other real rights then existing thereon, as if the same had been made by the sheriff in the said province under a writ of execution issued in the ordinary course, and the title conveyed by such sale in the said province shall have equal validity with a title created by sheriff's sale and the conveyance of the trustee shall have the same effect as the sheriff's deed in the said province, such sale shall be subject to the contribution of the building and jury fund provided for in the case of sheriff's sale. In case of false bidding, the same recourse as in case of sheriff's sale may be exercised against the false bidder in the manner prescribed by the laws of the province; the present paragraph shall not be interpreted as affecting the right of a secured creditor to realize or otherwise deal with his security as provided by this Act;

Disposal of property so sold by sheriff.

(d) When an immoveable property affected by a hypothec or privilege is sold by the sheriff, the moneys realized from the sale remain in his hands to be paid by him to the privileged and hypothecary creditors in accordance with the report of distribution which shall be made by the prothonotary of the Superior Court in the usual way and the surplus shall be remitted to the trustee upon an order of the judge for its distribution among the chirographony creditors by means of a dividend sheet prepared in accordance with the provisions of this Act;

Duties imposed by civil code.

(e) On such sales, the trustee shall fulfil all the duties imposed on the sheriff by articles two thousand one hundred and sixty-one d to two thousand one hundred and sixty-one k inclusive of the civil code of the province of Quebec. The registrars of the different registration divisions of the said province shall also fulfil all the duties imposed upon them by the said articles; they are appointed officers of the court having jurisdiction in bankruptcy for the carrying out of the provision of this subsection. The omission to comply with any of the provisions of the said articles shall not invalidate any proceedings of the sale but the officer in default shall be responsible for all damages which may result therefrom."

Description of debtor's property.

21. Section twenty-five is amended by striking out the words "in the case of a bankrupt," where they occur in the fifteenth and sixteenth lines thereof.

Abstract of receipts and disbursements.

22. (1) Subsection two of section thirty-seven of the said Act is amended by inserting the words "and notice that he will apply to the court on a day named therein for his discharge" after the word "therefor" in the eighth line thereof.

Final dividends.

(2) Subsection seven of the said section, as enacted by chapter seventeen of the statutes of 1921, is amended by striking out all the words therein before the word "realized" in the fourth line thereof, and substituting therefor the words "When subsection four of section eleven and subsection two of section forty-two have been complied with as to gazetting, publishing and mailing notices to creditors, the trustee having"

Remuneration of trustee.

23. Subsection three of section forty of the said Act is amended by adding at the end thereof the following words: "except with the approval in writing of the inspectors and of the court."

Security released.

24. Subsection four of section forty-one of the said Act, as enacted by chapter seventeen of the statutes of 1921,

is amended by striking out the word "special" in the second line thereof, and substituting the word "one" for the word "eight" in the third line thereof.

25. Section forty-one of the said Act, as enacted by chapter seventeen of the statutes of 1921, is amended by adding thereto the following subsection:—

Application of trustee for discharge.

"(7) The trustee shall apply to the court for the discharge hereinbefore referred to within thirty days of the payment of the final dividend and if such discharge be refused the trustee shall be ineligible to be appointed in the future as trustee under this Act. There shall be no fee on this application unless it is contested."

Meetings of creditors.

26. (1) Subsection one of section forty-two of the said Act is amended by inserting the words "a trustee and" after the word "appoint" in the sixth line thereof.

Notice of meeting.

(2) Subsection two of the said section, as amended by chapter eight of the statutes of 1922, is further amended by substituting the word "custodian" for the word "trustee" wherever it occurs therein, and by striking out the words "at his office or some other convenient place" and substituting therefor the words "at the office of the Official Receiver in the locality of the debtor."

Right of creditor to vote.

(3) Subsection nine of the said section is amended by inserting the words "custodian or" before the word "trustee" in the fifth line thereof.

Voting by proxy.

(4) Subsection thirteen of the said section is amended by inserting the words "custodian or" before the word "trustee" in the second line thereof, and by substituting the word "custodian" for the word "trustee" in the third line thereof.

Proof of debts.

27. Subsection two of section forty-five is amended by inserting the words "custodian or" before the word "trustee" in the third line thereof.

28. Subsection three of section forty-six as enacted by chapter seventeen of the statutes of 1921, is repealed and the following is substituted therefor:—

Secured creditor to value securities.

"(3) If a secured creditor does not either realize or surrender his security he may if he wishes to rank for dividend and he shall within thirty days after demand made upon him by the trustee, or within such further time as may be allowed by the inspectors or the court, file with the trustee a statutory declaration stating therein full particulars of his security, or securities, the date when each security was given and the value at which he assesses each thereof. A creditor shall be entitled to receive a dividend in respect only of the balance due to him after deducting the assessed value of his security."

(2) Subsection five of section forty-six is repealed and the following is substituted therefor:—

May order security to be sold.

"(5) If the trustee is dissatisfied with the value at which a security is assessed, or if a secured creditor who has neither realized nor surrendered his security, fails to assess said security within the period above mentioned, the trustee may require that the property comprised in the security be offered for sale at such time and on such terms and conditions, as may be agreed on between the creditor and the trustee, or as, in default of such agreement the court may direct. If the sale be by public auction the creditor or the trustee on behalf of the estate may bid or purchase. In the province of Quebec if the security consists of a hypothec or privilege upon immovable property, the sale, when directed by the court, shall be made in accordance with the provisions of subsection four of section twenty of this Act, and said sale shall have the effect mentioned in said subsection."

(3) Subsection seven of section forty-six is repealed and the following is substituted therefor:—

Amended valuation by creditor.

"(7) If a creditor after having valued his security, subequently realizes it, or if it is realized under the provisions of subsection five the net amount realized shall be substituted for the amount of any valuation previously made by the creditor and shall be treated in all respects as an amended valuation made by the creditor. The costs and expenses of any sale made under subsection five shall be in the discretion of the court."

Secured creditor may amend.

(4) Subsection eight of section forty-six is amended by striking out the words "within two months after filing his claim" in lines two and three of the said subsection.

Wife's claim.

29. Subsection two of section forty-eight is amended by striking out the words,—

"claim any dividend as a creditor in respect of any money or other estate hereafter lent or entrusted by her to her husband, for the purpose of his trade or business, or"

Priority of claim.

30. Subsection one of section fifty-one is amended by inserting after the word "firstly" in the fifth line thereof, the words "costs and expenses of the custodian and"

31. Section fifty-two of the said Act, as amended by chapter seventeen of the statutes of 1921, is repealed, and the following is substituted therefor:

Application of provincial law.

"**52.** When a receiving order or an assignment is made against or by any lessee under this Act, the same consequences shall ensue as to the rights and priorities of his landlord as would have ensued under the laws of the province in which the debtor has his locality for the purposes

of this Act if the lessee at the time of such receiving order or assignment had been a person entitled to make and had made an abandonment or a voluntary assignnent of his property for the benefit of his creditors pursuant to the laws of the province; and nothing in this Act shall be deemed to suspend, limit or affect the legislative authority of any province to enact any law providing for or regulating the rights and priorities of landlords consequent upon any such abandonment or voluntary assignment; nor shall anything in this Act be deemed to interfere or conflict with the operation of any such provincial law heretofore or hereafter enacted insofar as it provides for or regulates the rights and priorities of landlords in such an event."

Examination of bankrupt by Official Receiver.

32. Subsection one of section fifty-four, as amended by chapter eight of the statutes of 1922, is repealed, and the following is substituted therefor:—

"**54.** (1) Where a receiving order or an authorized assignment is made, the bankrupt or assignor shall present himself before the Official Receiver who shall examine him as to the causes of his insolvency and the disposition of his assets, and shall put to him the questions provided by the General Rules or questions to the like effect. The Official Receiver shall make notes of such examination and shall communicate them to the creditors at their first meeting. If the bankrupt or assignor fails to present himself for such examination within three days from the making of the receiving order or the filing of the assignment, the court may by warrant cause him to be apprehended and brought up for examination, and may order him to be committed to the common gaol of the judicial district in which he resides for a term not exceeding twelve months. Furthermore, the bankrupt or assignor shall make out and submit to the Official Receiver a statement of and in relation to his affairs in the prescribed form, verified by affidavit and showing the particulars of the debtor's assets, debts and liabilities, the names, residences and occupations of his creditors, the securities held by them respectively, the dates when the securities were respectively given, and such further or other information as may be prescribed by the Court. Such statement shall be submitted within seven days from the date of the receiving order or assignment, but the court may for special reasons extend the time. It shall be the duty of the Custodian to verify the debtor's statement of affairs and to make an inventory of his assets."

Examination of debtors, etc.

33. (1) Subsection one of section fifty-six is amended by inserting the words "any person reasonably thought to have knowledge of the affairs of the debtor" after the word "debtor" in the seventh line, and by striking out all the

words in the said subsection after the word "property" in the tenth line.

(2) The said section fifty-six is further amended by adding thereto the following subsection:

Questions must be answered.

"(9) Any person liable to be examined under the provisions of this section or of section fifty-four, shall be bound to answer all questions relating to the business or property of the debtor, and as to the causes of his insolvency and the disposition of his assets, and shall not be excused from answering any question on the ground that the answer may tend to criminate the person so examined or to establish his liability in any civil action, and all or any of the questions and answers upon any examination under this section may be given in evidence against the person so examined on any charge of an offence against this Act and in any civil action or proceeding brought by, or on behalf of, the trustee or of any creditor or creditors entitled to take such action or proceedings."

Liability to civil action or charge of offence.

Powers of court regarding conditional discharge.

34. Subsection five of section fifty-eight of the said Act is amended by striking out the words "unless for special reasons the court otherwise determines" in the fifth line thereof.

35. The following section is added after section sixty-five:—

General.

Official Receivers.

"**65A.** There shall be one Official Receiver in each Bankruptcy District or Division who shall have and perform only such duties and responsibilities as are prescribed by this Act and Rules, and who shall be appointed by the Governor in Council".

Tariff of costs and fees.

36. Section sixty-seven of the said Act, as amended by chapter seventeen of the statutes of 1921, is further amended by inserting the words "except with the approval of the court," after the word "proceeds" in the ninth line thereof.

37. Section ninety-four is amended by adding thereto:—

Criminal liability after composition.

"Any composition, extension or scheme of arrangement, although accepted or approved, may be annulled at the request of the trustee or of any creditor whenever the debtor is afterwards convicted of any offence mentioned in section eighty-nine of this Act."

Commencement of Act.

38. This Act shall come into force by proclamation of His Excellency the Governor General.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 144.

An Act to amend The Radiotelegraph Act.

First reading, April 27, 1923.

The MINISTER OF MARINE AND FISHERIES.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
58556 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 144.

An Act to amend The Radiotelegraph Act.

1913, c. 43.

HIS 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 ten of *The Radiotelegraph Act*, chapter forty-three of the statutes of 1913, is repealed, and the following is substituted therefor:—

Governor in Council may authorize payment of portion of license fees to provincial government, private company or other parties, for services rendered.

"*(a)* i. prescribe the tariff of fees to be paid for licenses and for examination for certificates of proficiency held and issued under the provisions of this Act;

ii. authorize the payment of a portion of the license fees collected in respect of certain prescribed licenses to a provincial government, private company, or other prescribed party, and, notwithstanding anything to the contrary in any Act, to any Department or employee thereof, for services given in connection with the operation of broadcasting stations and for services performed for the Minister in connection with the licensing and inspection of stations."

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 144.

An Act to amend The Radiotelegraph Act.

AS PASSED BY THE HOUSE OF COMMONS,
3rd MAY, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
59457 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 144.

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ii. authorize the payment of a portion of the license fees collected in respect of certain prescribed licenses to a provincial government, private company, or other prescribed party, and, notwithstanding anything to the contrary in any Act, to any Department or employee thereof, for services given in connection with the operation of broadcasting stations and for services performed for the Minister in connection with the licensing and inspection of stations."

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 151.

An Act to extend the period of The Canada Highways Act.

First reading, April 30, 1923.

The MINISTER OF RAILWAYS AND CANALS.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
59054 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 151.

An Act to extend the period of The Canada Highways Act.

1919, c. 54.

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

Time extended for payment of grant allotted.

1. The time within which the various provinces of Canada may earn and be paid the sums allotted to the said provinces under the provisions of *The Canada Highways Act*, chapter fifty-four of the statutes of Canada, 1919, is hereby extended for a further period of two years.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 151.

An Act to extend the period of The Canada Highways Act.

AS PASSED BY THE HOUSE OF COMMONS, 4th MAY, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
59076 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 151.

An Act to extend the period of The Canada Highways Act.

1919, c. 54.

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Time extended for payment of grant allotted.

1. The time within which the various provinces of Canada may earn and be paid the sums allotted to the said provinces under the provisions of *The Canada Highways Act*, chapter fifty-four of the statutes of Canada, 1919, is hereby extended for a further period of two years.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 152.

An Act respecting the Canadian National Railways.

First reading, May 2, 1923.

The MINISTER OF RAILWAYS AND CANALS.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
49265 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 152.

An Act respecting the Canadian National Railways.

1919, c. 13.

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

Canadian National Ry. Co. authorized to carry on express company business.

1. The Canadian National Railway Company may carry on all business which is customarily carried on by express companies, including, without restricting the generality of the foregoing, the handling of express money orders or other methods of transmitting or handling money, securities, or other articles of value. All express traffic handled by the Company shall move or be dealt with by the Company on the same terms and conditions as to the liability of the Company or otherwise as are from time to time approved by the Board of Railway Commissioners for Canada with respect to similar traffic when handled by express companies, subject to such variations therein as may be necessary in view of the handling of the traffic by a railway company instead of an express company.

Agreements with other companies or municipalities.

2. Section twenty-one of *The Canadian National Railways Act, 1919*, is hereby amended by inserting the words "or municipality "immediately after the word "company" in the ninth line thereof.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 152.

An Act respecting the Canadian National Railways.

AS PASSED BY THE HOUSE OF COMMONS,
4th MAY, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
59292 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 152.

An Act respecting the Canadian National Railways.

1919, c. 13.

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

Canadian National Ry. Co. authorized to carry on express company business.

1. The Canadian National Railway Company may carry on all business which is customarily carried on by express companies, including, without restricting the generality of the foregoing, the handling of express money orders or other methods of transmitting or handling money, securities, or other articles of value. All express traffic handled by the Company shall move or be dealt with by the Company on the same terms and conditions as to the liability of the Company or otherwise as are from time to time approved by the Board of Railway Commissioners for Canada with respect to similar traffic when handled by express companies, subject to such variations therein as may be necessary in view of the handling of the traffic by a railway company instead of an express company.

Agreements with other companies or municipalities.

2. Section twenty-one of *The Canadian National Railways Act, 1919*, is hereby amended by inserting the words "or municipality "immediately after the word "company" in the ninth line thereof.

153.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 153.

An Act respecting a certain Trade Convention between His Majesty and the King of Italy

First reading, May 2, 1923.

The MINISTER OF FINANCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
54089 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 153.

An Act respecting a certain Trade Convention between His Majesty and the King of Italy.

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

Short title.

1. This Act may be cited as *The Italian Convention Act, 1923.*

Convention approved.

2. The convention of the fourth day of January, one thousand nine hundred and twenty-three, entered into at London by plenipotentiaries appointed by His Majesty and by His Majesty the King of Italy, copy of which is set forth in the schedule of this Act, is hereby approved.

Extension of advantages to Italy and Italian possessions.

3. After the said convention is brought into force, and so long as it remains in force, articles the produce or manufacture of Italy, or the colonies or possessions of Italy, which are imported into Canada shall be admitted into Canada on the most favourable terms granted to any foreign power.

Orders in Council authorized.

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

Suspension of inconsistent laws.

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

SCHEDULE

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond

the Seas, Emperor of India, and His Majesty the King of Italy, being desirous of improving and extending the commercial relations between Italy and Canada, have resolved to conclude a Convention with that object and have named as their respective Plenipotentiaries, that is to say:

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India:

The most Honourable the Marquess Curzon of Kedleston, K.G., His Majesty's Principal Secretary of State for Foreign Affairs;

The Honourable William Stevens Fielding, a Member of His Majesty's Honourable Privy Council for Canada, a Member of the Parliament of Canada, Minister of Finance and Receiver-General of Canada;

The Honourable Ernest Lapointe, a Member of His Majesty's Honourable Privy Council for Canada, a Member of the Parliament of Canada, Minister of Marine and Fisheries of Canada;

And His Majesty the King of Italy:

Signor Gabriele Preziosi, Chevalier of the Order of St. Maurice and St. Lazarus and of the Crown of Italy, Chargé d'Affaires of His Majesty the King of Italy at London;

Who, after communicating to each other their respective full powers, found in good and due form, have agreed upon the following Articles:—

ARTICLE 1.

Articles the produce or manufacture of Canada imported into Italy and articles the produce or manufacture of Italy imported into Canada shall not be subjected to other or higher duties or charges than those paid on the like articles the produce or manufacture of any other foreign country. Nor shall any prohibition or restriction be maintained or imposed on the importation of any article the produce or manufacture of Canada into Italy, or of any articles the produce or manufacture of Italy into Canada which shall not equally extend to the importation of like articles being the produce or manufacture of any other foreign country. This last provision is not applicable to the sanitary and other prohibitions occasioned by the necessity of protecting the safety of persons or of cattle, or of plants useful to agriculture.

ARTICLE 2.

Articles the produce or manufacture of Canada exported to Italy and articles the produce or manufacture of Italy exported to Canada shall not be subjected to other or higher

duties or charges than those paid on the like articles exported to any other foreign country. Nor shall any prohibition or restriction be imposed on the exportation of any article from Canada to Italy or from Italy to Canada which shall not equally extend to the exportation of the like articles to any other foreign country.

ARTICLE 3.

Articles the produce or manufacture of Canada passing in transit through Italy and articles the produce or manufacture of Italy passing in transit through Canada shall be reciprocally free from all transit duties whether they pass through direct or whether during transit they are unloaded, warehoused or reloaded.

ARTICLE 4.

It is understood that in all matters governing the import, export and transit of merchandise Italy grants to Canada and Canada grants to Italy the treatment of the most favoured nation.

ARTICLE 5.

The name "Italy" wherever used in this Convention shall be held to include the Colonies and Possessions of Italy.

The present Convention, after being approved by the Parliament of Canada and by the competent authority on the part of Italy shall be ratified and the ratifications shall be exchanged at London as soon as possible. It shall come into force immediately upon ratification and shall be binding upon the Contracting Parties during four years from the date of its coming into force. In case neither of the Contracting Parties shall have given notice to the other twelve months before the expiration of the said period of four years of its intention to terminate the present Convention it shall remain in force until the expiration of one year from the date on which either of the Contracting Parties shall have given to the other notice of its intention to terminate it.

In witness whereof the respective Plenipotentiaries have signed this Convention in the English and the Italian languages and have affixed thereto their seals.

Done at London, this 4th day of January in the year 1923.

[L.S.] CURZON OF KEDLESTON.
[L.S.] W. S. FIELDING.
[L.S.] ERNEST LAPOINTE.
[L.S.] GABRIELE PREZIOSI.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 153.

An Act respecting a certain Trade Convention between His Majesty and the King of Italy

AS PASSED BY THE HOUSE OF COMMONS, 14th MAY, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
54235 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 153.

An Act respecting a certain Trade Convention between His Majesty and the King of Italy.

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

Short title.

1. This Act may be cited as *The Italian Convention Act, 1923.*

Convention approved.

2. The convention of the fourth day of January, one thousand nine hundred and twenty-three, entered into at London by plenipotentiaries appointed by His Majesty and by His Majesty the King of Italy, copy of which is set forth in the schedule of this Act, is hereby approved.

Extension of advantages to Italy and Italian possessions.

3. After the said convention is brought into force, and so long as it remains in force, articles the produce or manufacture of Italy, or the colonies or possessions of Italy, which are imported into Canada shall be admitted into Canada on the most favourable terms granted to any foreign power.

Orders in Council authorized.

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

Suspension of inconsistent laws.

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

SCHEDULE

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond

the Seas, Emperor of India, and His Majesty the King of Italy, being desirous of improving and extending the commercial relations between Italy and Canada, have resolved to conclude a Convention with that object and have named as their respective Plenipotentiaries, that is to say:

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India:

The most Honourable the Marquess Curzon of Kedleston, K.G., His Majesty's Principal Secretary of State for Foreign Affairs;

The Honourable William Stevens Fielding, a Member of His Majesty's Honourable Privy Council for Canada, a Member of the Parliament of Canada, Minister of Finance and Receiver-General of Canada;

The Honourable Ernest Lapointe, a Member of His Majesty's Honourable Privy Council for Canada, a Member of the Parliament of Canada, Minister of Marine and Fisheries of Canada;

And His Majesty the King of Italy:

Signor Gabriele Preziosi, Chevalier of the Order of St. Maurice and St. Lazarus and of the Crown of Italy, Chargé d'Affaires of His Majesty the King of Italy at London;

Who, after communicating to each other their respective full powers, found in good and due form, have agreed upon the following Articles:—

ARTICLE 1.

Articles the produce or manufacture of Canada imported into Italy and articles the produce or manufacture of Italy imported into Canada shall not be subjected to other or higher duties or charges than those paid on the like articles the produce or manufacture of any other foreign country. Nor shall any prohibition or restriction be maintained or imposed on the importation of any article the produce or manufacture of Canada into Italy, or of any articles the produce or manufacture of Italy into Canada which shall not equally extend to the importation of like articles being the produce or manufacture of any other foreign country. This last provision is not applicable to the sanitary and other prohibitions occasioned by the necessity of protecting the safety of persons or of cattle, or of plants useful to agriculture.

ARTICLE 2.

Articles the produce or manufacture of Canada exported to Italy and articles the produce or manufacture of Italy exported to Canada shall not be subjected to other or higher

duties or charges than those paid on the like articles exported to any other foreign country. Nor shall any prohibition or restriction be imposed on the exportation of any article from Canada to Italy or from Italy to Canada which shall not equally extend to the exportation of the like articles to any other foreign country.

ARTICLE 3.

Articles the produce or manufacture of Canada passing in transit through Italy and articles the produce or manufacture of Italy passing in transit through Canada shall be reciprocally free from all transit duties whether they pass through direct or whether during transit they are unloaded, warehoused or reloaded.

ARTICLE 4.

It is understood that in all matters governing the import, export and transit of merchandise Italy grants to Canada and Canada grants to Italy the treatment of the most favoured nation.

ARTICLE 5.

The name "Italy" wherever used in this Convention shall be held to include the Colonies and Possessions of Italy.

The present Convention, after being approved by the Parliament of Canada and by the competent authority on the part of Italy shall be ratified and the ratifications shall be exchanged at London as soon as possible. It shall come into force immediately upon ratification and shall be binding upon the Contracting Parties during four years from the date of its coming into force. In case neither of the Contracting Parties shall have given notice to the other twelve months before the expiration of the said period of four years of its intention to terminate the present Convention it shall remain in force until the expiration of one year from the date on which either of the Contracting Parties shall have given to the other notice of its intention to terminate it.

In witness whereof the respective Plenipotentiaries have signed this Convention in the English and the Italian languages and have affixed thereto their seals.

Done at London, this 4th day of January in the year 1923.

[L.S.] CURZON OF KEDLESTON.
[L.S.] W. S. FIELDING.
[L.S.] ERNEST LAPOINTE.
[L.S.] GABRIELE PREZIOSI.

166.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 166.

An Act to amend the Canada Shipping Act.

First reading, May 11, 1923.

The MINISTER OF MARINE AND FISHERIES.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
59266 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 166.

An Act to amend the Canada Shipping Act.

R.S. c. 113; 1908, c. 65, 1916, c. 13, 1919, c. 41, 1919 (2nd Sess.), c. 7, 1920, c. 23, 1922, c. 9.

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

Master or mate, if application approved, may be examined, and, if passed, may receive pilotage certificate.

1. Section four hundred and eighty-seven of the *Canada Shipping Act*, Revised Statutes of Canada, 1906, chapter one hundred and thirteen, is repealed and the following is substituted therefor:—

"**487.** A master or mate of any ship registered in Canada may, upon giving due notice and consenting to pay the usual expenses, apply to any pilotage authority other than the pilotage authority of either of the pilotage districts of Quebec, Montreal, Halifax or St. John to be examined as to his capacity to pilot the ship of which he is master or mate within any part of the district over which such pilotage authority has jurisdiction; and such master or mate may, if his application be approved by the pilotage authority, thereupon be examined, and if found competent, a pilotage certificate may be granted to him, containing his name, a specification of the ship or ships in respect of which he has been examined, and a description of the limits within such jurisdiction within which he is to pilot the same."

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 166.

An Act to amend the Canada Shipping Act.

AS PASSED BY THE HOUSE OF COMMONS,
28th MAY, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
59293 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 166.

An Act to amend the Canada Shipping Act.

R.S. c. 113; 1908, c. 65, 1916, c. 13, 1919, c. 41, 1919 (2nd Sess.), c. 7, 1920, c. 23, 1922, c. 9.

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

Master or mate, if application approved, may be examined, and, if passed, may receive pilotage certificate.

1. Section four hundred and eighty-seven of the *Canada Shipping Act*, Revised Statutes of Canada, 1906, chapter one hundred and thirteen, is repealed and the following is substituted therefor:—

"**487.** A master or mate of any ship registered in Canada may, upon giving due notice and consenting to pay the usual expenses, apply to any pilotage authority other than the pilotage authority of either of the pilotage districts of Quebec, Montreal, Halifax or St. John to be examined as to his capacity to pilot the ship of which he is master or mate within any part of the district over which such pilotage authority has jurisdiction; and such master or mate may, if his application be approved by the pilotage authority, thereupon be examined, and if found competent, a pilotage certificate may be granted to him, containing his name, a specification of the ship or ships in respect of which he has been examined, and a description of the limits within such jurisdiction within which he is to pilot the same."

175.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 175.

An Act to repeal The Lake of the Woods Regulation Act, 1921.

First reading, May 18, 1923.

The MINISTER OF JUSTICE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
60493 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 175.

An Act to repeal The Lake of the Woods Regulation Act, 1921.

1921, c. 38; 1921, c. 10.

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

Act repealed, and property rights and authority over works revoked.

1. *The Lake of the Woods Regulation Act, 1921*, chapter thirty-eight of the statutes of 1921, is hereby repealed, and the works mentioned or described in the said Act shall no longer be or be deemed to be works for the general advantage of Canada.

Commencement of Act.

2. This Act shall come into operation on such day as may be prescribed by the Governor General by proclamation.

175.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 175.

An Act to repeal The Lake of the Woods Regulation Act, 1921.

AS PASSED BY THE HOUSE OF COMMONS, 21st JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
60610 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 175.

An Act to repeal The Lake of the Woods Regulation Act, 1921.

1921, c. 38; 1921, c. 10.

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

Act repealed, and property rights and authority over works revoked.

1. *The Lake of the Woods Regulation Act, 1921*, chapter thirty-eight of the statutes of 1921, is hereby repealed, and the works mentioned or described in the said Act shall no longer be or be deemed to be works for the general advantage of Canada.

Commencement of Act.

2. This Act shall come into operation on such day as may be prescribed by the Governor General by proclamation.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 180.

An Act to amend the Civil Service Superannuation and Retirement Act.

First reading, May 21, 1923.

The MINISTER OF FINANCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
60495 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 180.

An Act to amend the Civil Service Superannuation and Retirement Act.

R.S., c. 17, 1920, c. 8.

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

Provision for adding ten years to service, repealed.

1. Section twelve of the *Civil Service Superannuation and Retirement Act*, chapter seventeen of the Revised Statutes of Canada, 1906, is repealed.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 180.

An Act to amend the Civil Service Superannuation and Retirement Act.

AS PASSED BY THE HOUSE OF COMMONS, 28th MAY, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
60612 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 180.

An Act to amend the Civil Service Superannuation and Retirement Act.

R.S., c. 17, 1920, c. 8.

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

Provision for adding ten years to service, repealed.

1. Section twelve of the *Civil Service Superannuation and Retirement Act*, chapter seventeen of the Revised Statutes of Canada, 1906, is repealed.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 184.

An Act to amend The Insurance Act, 1917.

First reading, May 23, 1923.

The MINISTER OF FINANCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
59835 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 184.

An Act to amend The Insurance Act, 1917.

1917, c. 29; 1919, c. 57; 1922, c. 28.

HIS 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 twenty-nine of *The Insurance Act, 1917*, is amended by adding thereto the following subsection:—

Returns of British or foreign unlicensed insurance.

"(5) If under the provisions of any other Act of the Parliament of Canada the said person is required to make a return to the Minister containing substantially the same information as that required by subsection two of this section, the Minister may, on the recommendation of the Superintendent, waive compliance with the requirements of the said subsection."

French version amended.

2. Paragraph *(b)* of subsection two of section one hundred and thirty-four of the said Act, French version, is amended by striking out the words "a l'appui d'une" in the fourth and fifth lines thereof, and substituting therefor the words "contre une".

3. The said Act is further amended by inserting immediately after section one hundred and thirty-four thereof the following section:—

Conditions of license for automobile insurance.

"**134A.** (1) It shall be a condition of the license of every company licensed under this Act to carry on the business of automobile insurance or licensed to carry on any other class or classes of insurance which include the insurance of automobiles whether such condition be expressed in the license or not, and for the breach of which the license may be cancelled or withdrawn by the Minister, that no policy of automobile insurance other than an interim receipt or temporary binder covering a risk for a period not exceeding fourteen days shall be delivered in Canada by any such company unless the company has

Applications for policies.

received an application for the policy in writing signed by the insured or by his agent authorized in writing signed by the insured, such application to contain the information and endorsements hereinafter specified; that no such policy

Conditions of policies.

shall be delivered in Canada by any such company until a copy of the form of such policy has been mailed by prepaid registered letter to the Superintendent; and that every such policy shall contain in substance the following terms, provisions or conditions:—

Name and address of company; of the insured; premiums, and other particulars.

(a) the name and address of the company, the name and address of the insured, the name of the person or persons to whom the insurance money is payable if other than the insured, the premium for the insurance, the perils or risks insured against, the indemnity for which the company may become liable, the event on the happening of which such liability is to accrue, and the term of the insurance;

Construction and effect of statements in application.

(b) that all statements made by the insured upon the application for the policy shall, in the absence of fraud, be deemed representations and not warranties, and that no such statement shall be used in defence of a claim under the policy unless it is contained in the written application for the policy and unless a copy of the application or such part thereof as is material to the contract is endorsed upon or attached to the policy when issued;

False description, misrepresentation, or omission in application.

(c) that if any person applying for insurance falsely describes the property to the prejudice of the company or knowingly misrepresents or conceals or omits to communicate any circumstance which is required by the terms of the written application to be made known to the company, the contract shall be void as to the property or risk undertaken in respect to which the misrepresentation or omission is made;

Material change in risk will void policy unless notice given.

(d) that any change material to the risk and within the control and knowledge of the insured, shall void the policy as to the part affected thereby, unless the change is promptly notified in writing to the company or its local agent; and the company when so notified may return the unearned portion, if any, of the premium paid and cancel the policy, or may notify the insured in writing that, if he desires the policy to continue in force, he must, within fifteen days of the receipt of the notice pay to the company an additional premium, and in default of such payment the policy shall no longer be in force and the company shall return the unearned portion, if any, of the premium paid;

Company may cancel policy or require additional premium.

Policy must conform with application, or it may be rejected.

(e) that after a written application for insurance is received by the company, it shall be deemed that any policy sent to the insured is intended to be in accordance with the terms of the application, unless the company points out by registered letter addressed to the insured the particulars wherein it differs from the application, in which case the insured may, within one week from the receipt of the notification, reject the policy;

No liability if drivers under age limit, under 16 years, or intoxicated.

(f) that the company shall not be liable under the policy while the automobile, with the knowledge, consent or connivance of the insured, is being driven by a person under the age limit fixed by law, or, in any event, under the age of sixteen years, or by an intoxicated person;

No liability unless stated in policy, for—

(g) that unless otherwise specifically stated in the policy, or endorsed thereon, the company shall not be liable:—

Loss or damage by earthquake, etc.

(i) for loss or damage caused by earthquake, invasion, insurrection, riot, civil commotion, military or usurped power;

If insured's interest is not sole ownership.

(ii) if the interest of the insured in the automobile is other than unconditional and sole ownership;

If auto encumbered.

(iii) if the automobile is or becomes encumbered by any lien or mortgage;

If material change in insurable interest.

(iv) if there is any material change in the nature of the insurable interest of the insured in the automobile, by sale, assignment or otherwise, except through change of title by succession, or by death, or by an authorized assignment under *The Bankruptcy Act;*

If there is other insurance.

(v) If at the time a loss, damage or accident occurs there is any other insurance, of the same interest, whether valid or not, covering said loss or damage, or any portion thereof, which would have been in force if the insurance had not been effected.

Liability for rateable proportion only.

(h) that if permission has been given for other insurance under subparagraph (v) of paragraph *(g)* of this subsection the company will be liable only for its rateable proportion of such loss or damage;

Inspection.

(i) that the company shall be permitted at all reasonable times to inspect the automobile and its equipment;

Accidents to other persons or property.

(j) if the policy insures against accident to persons or damage to property of others than the insured:—

Notice to company with full particulars.

(i) that upon the occurrence of an accident involving bodily injuries or death, or damage to property of others, the insured shall promptly give written notice thereof to the company, with the fullest information obtainable at the time; that the insured shall give like notice, with full particulars of any claim made on account of such accident, and that every writ, letter, document or advice received by the insured from or on behalf of any claimant shall be immediately forwarded to the company;

Assured not to assume liability or settle claim or interfere, but must assist company in all proceedings.

(ii) that the insured shall not voluntarily assume any liability or settle any claim except at his own cost; that the insured shall not interfere in any negotiations for settlement or in any legal proceeding, but, whenever requested by the company, shall aid in securing information and evidence and the attendance of any witnesses, and shall co-operate with the company, except in a pecuniary way, in all matters which the

company deems necessary in the defence of any action or proceeding or in the prosecution of any appeal.

No action against company unless these conditions are complied with.

(iii) that no action to recover the amount of a claim under the policy shall lie against the company unless the foregoing requirements are complied with, and such action is brought after the amount of the loss has been ascertained either by a judgment against the insured after trial of the issue or by agreement between the parties with the written consent of the company, and no such action shall lie in either event unless brought within one year thereafter.

Loss or damage to insured automobile.

(k) if the policy insures against loss or damage to an insured automobile:—

(i) that upon the occurrence of any loss of or damage to the insured automobile, the insured shall, if such loss or damage is covered by the policy:—

Notice to company with fullest information.

(a) forthwith give notice thereof, in writing, to the company, with fullest information obtainable at the time, and shall, at the expense of the company, and as far as reasonably possible, protect the automobile from further loss or damage, and any such further loss or damage accruing directly or indirectly from a failure to protect shall not be recoverable thereunder:—that no repairs shall be undertaken or any physical evidence of the loss or damage removed without the written consent of the company, except such repairs as are immediately necessary for the protection of the automobile from further loss or damage; or until the company has had a reasonable time to make the examination provided for in sub-paragraph (ii) of this paragraph;

Duty of insured to protect auto from further loss or damage.

Repairs.

Statutory declaration with particulars.

(b) deliver to the company within ninety days of the date of the loss or damage a statutory declaration stating the place, time and cause of the loss or damage, so far as the insured knows or believes, the interest of the assured and of all others in the automobile, the sound value thereof, the amount of loss or damage thereto, all encumbrances thereon, and all other insurance, whether valid or not, covering the automobile and that the loss or damage did not occur through any wilful act or neglect, procurement, means or connivance of the insured.

Right of access for examination.

(ii) that after any loss or damage to an insured automobile, the company shall have right of access to and examination of such automobile by accredited agents of the company sufficient to enable such agents to ascertain the amount of the damage sustained;

Insured to be examined under oath, and is to produce books and vouchers.

(iii) that the insured shall submit to examination under oath, and shall produce for examination, at such reasonable place as is designated by the company or its representative all books of account, bills, invoices

and other vouchers, in its possession or control which relate to the matters in question, and shall permit extracts and copies thereof to be made;

Company not liable beyond actual cash value, allowing for depreciation.

Not to exceed replacement value.

(iv) that the company shall not be liable beyond the actual cash value of the automobile at the time any loss or damage occurs, and the loss or damage shall be ascertained or estimated according to such actual cash value with proper deduction for depreciation, however caused, and shall in no event exceed what it would cost to repair or replace the automobile or any part thereof with material of like kind and quality; provided, that in the event of any part of the automobile being obsolete and out of stock the liability of the company in respect thereof shall be limited to the value of such part at the time of loss or damage not exceeding the maker's last list price; the ascertainment or estimate of such loss or damage shall be made by the insured and the company, or if they disagree, then by appraisers, as hereunder provided;

Appraisers to adjust disagreements.

Company may repair or replace property, on notice.

No abandonment without consent.

(v) that except where an appraisal has been had, the company, instead of making payment, may within a reasonable time repair, rebuild or replace the property damaged or lost with other of like kind and quality, giving written notice of its intention so to do within seven days after receipt of the proofs of loss; but that there can be no abandonment of the automobile to the company without its consent. In the event of the company exercising such option, the salvage, if any, shall revert to it;

Disagreements submitted to appraisers and umpire.

(vi) that in the event of disagreement as to the nature and extent of the repairs and replacements required, or as to their adequacy, if effected, or as to the amount payable in respect of any loss or damage, such questions shall be determined by appraisers before recovery can be had under the policy, whether the right to recover on the policy is disputed or not and independently of all other questions; that the insured and the company shall each select one appraiser, and the two so chosen shall then select a disinterested umpire; and that thereafter the two appraisers together shall estimate or appraise the loss or damage, stating separately sound value and damage, or determine the adequacy of such repairs or replacements, and failing to agree, shall submit their differences to the umpire;

Judge to appoint appraisers or umpire if not named by parties.

(vii) that in case either party fails to name an appraiser within seven clear days after being served with written notice so to do, or in case the appraisers fail to agree upon an umpire within fifteen days after their appointment, or in case an appraiser or umpire refuses to act or is incapable of acting, or dies, a judge of a superior, county or district court having juris-

diction in the county or district in which the appraisal is to be made may appoint such appraiser or umpire on the application of the insured or of the company;

Awards.

(viii) that an award in writing of the two appraisers, or of one appraiser and the umpire, shall determine the nature and extent or adequacy of the repairs and replacements, or the amount of such loss or damage;

Costs.

(ix) that each party shall pay the appraiser selected by him, and shall bear equally the other expenses of the appraisal and of the umpire;

No rights deemed to be waived.

(x) that neither the company nor the insured shall be deemed to have waived any provision or condition of this policy by any act relating to the appraisal, or to the delivery and completion of proofs of loss, or to the investigation or adjustment of the claim;

Time when loss payable and for taking action.

(xi) that the sum for which the company is liable under the policy for loss or damage shall be payable within sixty days after the proof of loss herein required has been received by the company, but if appraisal is demanded, then within fifteen days after the award has been made by the appraisers; and that no suit or action whatever may be brought for the recovery of any claim unless the insured has complied with the foregoing requirements, nor unless such action is commenced within one year after the happening of the loss.

Notice of claim and proofs by agents.

(l) that notice of claim may be given and proofs of claim may be made by the agent of the insured, in case of the absence of the insured or in case of inability of the insured to give the notice or make the proof, such absence or inability being satisfactorily accounted for, or in the like case or if the insured refuses to do so by a person to whom any part of the insurance money is payable;

Fraud or false statement vitiates claim.

(m) that any fraud or wilfully false statement made under oath or in a declaration in relation to any of the above particulars shall vitiate the claim of the person making the declaration in any matter affected by such fraud or false statement;

Subrogation and transfer of rights.

(n) that the company on paying the loss shall be subrogated to the extent of such payment to all right of recovery against any third party, and on such payment, or on assuming liability therefor may require from the insured a transfer of his rights against such third party, and the insured shall execute all documents properly required by the company to secure to it such rights;

Cancellation by insured and refund.

(o) that the policy may be cancelled at any time at the request of the insured, and the company shall, upon surrender of the policy, refund the excess of paid premium

above the customary short rate premium for the time the policy has been in force;

Cancellation by company on notice and repayment of excess premiums.

(p) that the policy may be cancelled at any time by the company giving to the insured fifteen days' notice in writing of cancellatlon by registered mail, or five days' notice of cancellation personally delivered, and refunding the excess of paid premium beyond the *pro rata* premium for the expired time; that repayment of excess premiums may be made by money, post office order, postal note or cheque; and that such repayment shall accompany the notice, and in such case, the fifteen days' notice above mentioned shall commence to run from the day following the receipt of the registered letter at the post office to which it is addressed;

No waiver by company unless in writing.

(q) that no condition or provision of the policy, either in whole or in part, shall be deemed to have been waived or altered by the company unless the waiver is clearly expressed in writing signed by the manager of the company or its chief agent for Canada or for the province in which the policy is issued;

Service of notice.

(r) that any written notice to the company may be delivered at or sent by registered post to the chief agency or head office of the company in Canada or in the province in which the policy is issued; and that written notice may be given to the insured by letter personally delivered to him or by registered letter addressed to him at his last post office address, notified to the company, or where no address is notified and the address is not known, addressed to him at the post office of the agency, if any, from which the application was received.

Particulars required to be set forth in applications.

(2) A copy of the application for the policy shall be attached to and form part of the policy when issued and such application shall set forth the insured's occupation or business, the description of the automobile insured, its purchase price to the insured, whether fully paid for or otherwise, whether purchased new or second-hand, particulars of any mortgage, lien or other encumbrance, the use to which it is and will principally be put, the place where it is and will be principally maintained and garaged, the locality where it is and will be principally used, the fact of any accident in which an automobile owned or operated by the insured has been involved, the particulars of any claims made against and by the insured in respect of the ownership or operation of any automobile, whether any company has cancelled any automobile policy of the insured, or refused to issue automobile insurance to the insured and such further information as the company may require.

Policy may be renewed.

(3) Notwithstanding anything in this section contained, the policy may be renewed by the delivery of a renewal receipt or a new premium note.

Statement to be printed on every application.

(4) Upon every such application there shall be printed or stamped in conspicuous type, not less in size than ten point, the following words:—

"If the applicant knowingly misrepresents or conceals any fact or circumstance required by this application to be made known, the contract of insurance shall be void as to the property or risk undertaken in respect of which the misrepresentation or omission is made."

Risks or hazards excluded.

(5) Any such policy may provide for the exclusion from the risks insured against, of losses arising from any hazard or class of hazard expressly stated in the policy.

Commencement of section.

(6) This section shall come into force on the first day of January, 1924."

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 184.

An Act to amend The Insurance Act, 1917.

AS PASSED BY THE HOUSE OF COMMONS,
25th JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
59841 1923

2nd Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 184.

An Act to amend The Insurance Act, 1917.

1917, c. 29; 1919, c. 57; 1922, c. 28.

HIS 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 twenty-nine of *The Insurance Act, 1917*, is amended by adding thereto the following subsection:—

Returns of British or foreign unlicensed insurance.

"(5) If under the provisions of any other Act of the Parliament of Canada the said person is required to make a return to the Minister containing substantially the same information as that required by subsection two of this section, the Minister may, on the recommendation of the Superintendent, waive compliance with the requirements of the said subsection."

French version amended.

2. Paragraph (*b*) of subsection two of section one hundred and thirty-four of the said Act, French version, is amended by striking out the words "a l'appui d'une" in the fourth and fifth lines thereof, and substituting therefor the words "contre une."

3. The said Act is further amended by inserting immediately after section one hundred and thirty-four thereof the following section:—

Conditions of license for automobile insurance.

"**134**A. (1) It shall be a condition of the license of every company licensed under this Act to carry on the business of automobile insurance or licensed to carry on any other class or classes of insurance which include the insurance of automobiles whether such condition be expressed in the license or not, and for the breach of which the license may be cancelled or withdrawn by the Minister, that no policy of automobile insurance other than an interim receipt or temporary binder covering a risk for a period not exceeding fourteen days shall be delivered in Canada by any such company unless the company has

Applications for policies.

received an application for the policy in writing signed by the insured or by his agent authorized in writing signed by the insured, such application to contain the information and endorsements hereinafter specified; that no such policy

Conditions of policies.

shall be delivered in Canada by any such company until a copy of the form of such policy has been mailed by prepaid registered letter to the Superintendent; and that every such policy shall contain in substance the following terms, provisions or conditions:—

Name and address of company; of the insured; premiums, and other particulars.

(a) the name and address of the company, the name and address of the insured, the name of the person or persons to whom the insurance money is payable if other than the insured, the premium for the insurance, the perils or risks insured against, the indemnity for which the company may become liable, the event on the happening of which such liability is to accrue, and the term of the insurance;

Construction and effect of statements in application.

(b) that all statements made by the insured upon the application for the policy shall, in the absence of fraud, be deemed representations and not warranties, and that no such statement shall be used in defence of a claim under the policy unless it is contained in the written application for the policy and unless a copy of the application or such part thereof as is material to the contract is endorsed upon or attached to the policy when issued;

False description, misrepresentation, or omission in application.

(c) that if any person applying for insurance falsely describes the property to the prejudice of the company or knowingly misrepresents or conceals or omits to communicate any circumstance which is required by the terms of the written application to be made known to the company, the contract shall be void as to the property or risk undertaken in respect to which the misrepresentation or omission is made;

Material change in risk will void policy unless notice given.

(d) that any change material to the risk and within the control and knowledge of the insured, shall void the policy as to the part affected thereby, unless the change is promptly notified in writing to the company or its local agent; and the company when so notified may return the unearned portion, if any, of the premium paid and cancel the policy, or may notify the insured in writing that, if he desires the policy to continue in force, he must, within fifteen days of the receipt of the notice pay to the company an additional premium, and in default of such payment the policy shall no longer be in force and the company shall return the unearned portion, if any, of the premium paid;

Company may cancel policy or require additional premium.

Policy must conform with application, or it may be rejected.

(e) that after a written application for insurance is received by the company, it shall be deemed that any policy sent to the insured is intended to be in accordance with the terms of the application, unless the company points out by registered letter addressed to the insured the particulars wherein it differs from the application, in which case the insured may, within one week from the receipt of the notification, reject the policy;

No liability if drivers under age limit, under 16 years, or intoxicated.

(f) that the company shall not be liable under the policy while the automobile, with the knowledge, consent or connivance of the insured, is being driven by a person under the age limit fixed by law, or, in any event, under the age of sixteen years, or by an intoxicated person;

No liability unless stated in policy, for—

(g) that unless otherwise specifically stated in the policy, or endorsed thereon, the company shall not be liable:—

Loss or damage by earthquake, etc.

(i) for loss or damage caused by earthquake, invasion, insurrection, riot, civil commotion, military or usurped power;

If insured's interest is not sole ownership.

(ii) if the interest of the insured in the automobile is other than unconditional and sole ownership;

If auto encumbered.

(iii) if the automobile is or becomes encumbered by any lien or mortgage;

If material change in insurable interest.

(iv) if there is any material change in the nature of the insurable interest of the insured in the automobile, by sale, assignment or otherwise, except through change of title by succession, or by death, or by an authorized assignment under *The Bankruptcy Act;*

If there is other insurance.

(v) If at the time a loss, damage or accident occurs there is any other insurance, of the same interest, whether valid or not, covering said loss or damage, or any portion thereof, which would have been in force if the insurance had not been effected.

Liability for rateable proportion only.

(h) that if permission has been given for other insurance under subparagraph (v) of paragraph *(g)* of this subsection the company will be liable only for its rateable proportion of such loss or damage;

Inspection.

(i) that the company shall be permitted at all reasonable times to inspect the automobile and its equipment;

Accidents to other persons or property.

(j) if the policy insures against accident to persons or damage to property of others than the insured:—

Notice to company with full particulars.

(i) that upon the occurrence of an accident involving bodily injuries or death, or damage to property of others, the insured shall promptly give written notice thereof to the company, with the fullest information obtainable at the time; that the insured shall give like notice, with full particulars of any claim made on account of such accident, and that every writ, letter, document or advice received by the insured from or on behalf of any claimant shall be immediately forwarded to the company;

Assured not to assume liability or settle claim or interfere, but must assist company in all proceedings.

(ii) that the insured shall not voluntarily assume any liability or settle any claim except at his own cost; that the insured shall not interfere in any negotiations for settlement or in any legal proceeding, but, whenever requested by the company, shall aid in securing information and evidence and the attendance of any witnesses, and shall co-operate with the company, except in a pecuniary way, in all matters which the

company deems necessary in the defence of any action or proceeding or in the prosecution of any appeal.

No action against company unless these conditions are complied with.

(iii) that no action to recover the amount of a claim under the policy shall lie against the company unless the foregoing requirements are complied with, and such action is brought after the amount of the loss has been ascertained either by a judgment against the insured after trial of the issue or by agreement between the parties with the written consent of the company, and no such action shall lie in either event unless brought within one year thereafter.

Loss or damage to insured automobile.

(k) if the policy insures against loss or damage to an insured automobile:—

(i) that upon the occurrence of any loss of or damage to the insured automobile, the insured shall, if such loss or damage is covered by the policy:—

Notice to company with fullest information.

(a) forthwith give notice thereof, in writing, to the company, with fullest information obtainable at the time, and shall, at the expense of the company, and as far as reasonably possible, protect the automobile from further loss or damage, and any such further loss or damage accruing directly or indirectly from a failure to protect shall not be recoverable thereunder:—that no repairs shall be undertaken or any physical evidence of the loss or damage removed without the written consent of the company, except such repairs as are immediately necessary for the protection of the automobile from further loss or damage; or until the company has had a reasonable time to make the examination provided for in sub-paragraph (ii) of this paragraph;

Duty of insured to protect auto from further loss or damage.

Repairs.

Statutory declaration with particulars.

(b) deliver to the company within ninety days of the date of the loss or damage a statutory declaration stating the place, time and cause of the loss or damage, so far as the insured knows or believes, the interest of the assured and of all others in the automobile, the sound value thereof, the amount of loss or damage thereto, all encumbrances thereon, and all other insurance, whether valid or not, covering the automobile and that the loss or damage did not occur through any wilful act or neglect, procurement, means or connivance of the insured.

Right of access for examination.

(ii) that after any loss or damage to an insured automobile, the company shall have right of access to and examination of such automobile by accredited agents of the company sufficient to enable such agents to ascertain the amount of the damage sustained;

Insured to be examined under oath, and is to produce books and vouchers.

(iii) that the insured shall submit to examination under oath, and shall produce for examination, at such reasonable place as is designated by the company or its representative all books of account, bills, invoices

and other vouchers, in its possession or control which relate to the matters in question, and shall permit extracts and copies thereof to be made;

Company not liable beyond actual cash value, allowing for depreciation.

(iv) that the company shall not be liable beyond the actual cash value of the automobile at the time any loss or damage occurs, and the loss or damage shall be ascertained or estimated according to such actual cash value with proper deduction for depreciation, however caused, and shall in no event exceed what it would cost to repair or replace the automobile or any part thereof with material of like kind and quality; provided, that in the event of any part of the automobile being obsolete and out of stock the liability of the company in respect thereof shall be limited to the value of such part at the time of loss or damage not exceeding the maker's last list price; the ascertainment or estimate of such loss or damage shall be made by the insured and the company, or if they disagree, then by appraisers, as hereunder provided;

Not to exceed replacement value.

Appraisers to adjust disagreements.

Company may repair or replace property, on notice.

(v) that except where an appraisal has been had, the company, instead of making payment, may within a reasonable time repair, rebuild or replace the property damaged or lost with other of like kind and quality, giving written notice of its intention so to do within seven days after receipt of the proofs of loss; but that there can be no abandonment of the automobile to the company without its consent. In the event of the company exercising such option, the salvage, if any, shall revert to it;

No abandonment without consent.

Disagreements submitted to appraisers and umpire.

(vi) that in the event of disagreement as to the nature and extent of the repairs and replacements required, or as to their adequacy, if effected, or as to the amount payable in respect of any loss or damage, such questions shall be determined by appraisers before recovery can be had under the policy, whether the right to recover on the policy is disputed or not and independently of all other questions; that the insured and the company shall each select one appraiser, and the two so chosen shall then select a disinterested umpire; and that thereafter the two appraisers together shall estimate or appraise the loss or damage, stating separately sound value and damage, or determine the adequacy of such repairs or replacements, and failing to agree, shall submit their differences to the umpire;

Judge to appoint appraisers or umpire if not named by parties.

(vii) that in case either party fails to name an appraiser within seven clear days after being served with written notice so to do, or in case the appraisers fail to agree upon an umpire within fifteen days after their appointment, or in case an appraiser or umpire refuses to act or is incapable of acting, or dies, a judge of a superior, county or district court having juris-

diction in the county or district in which the appraisal is to be made may appoint such appraiser or umpire on the application of the insured or of the company;

Awards.

(viii) that an award in writing of the two appraisers, or of one appraiser and the umpire, shall determine the nature and extent or adequacy of the repairs and replacements, or the amount of such loss or damage;

Costs.

(ix) that each party shall pay the appraiser selected by him, and shall bear equally the other expenses of the appraisal and of the umpire;

No rights deemed to be waived.

(x) that neither the company nor the insured shall be deemed to have waived any provision or condition of this policy by any act relating to the appraisal, or to the delivery and completion of proofs of loss, or to the investigation or adjustment of the claim;

Time when loss payable and for taking action.

(xi) that the sum for which the company is liable under the policy for loss or damage shall be payable within sixty days after the proof of loss herein required has been received by the company, but if appraisal is demanded, then within fifteen days after the award has been made by the appraisers; and that no suit or action whatever may be brought for the recovery of any claim unless the insured has complied with the foregoing requirements, nor unless such action is commenced within one year after the happening of the loss.

Notice of claim and proofs by agents.

(l) that notice of claim may be given and proofs of claim may be made by the agent of the insured, in case of the absence of the insured or in case of inability of the insured to give the notice or make the proof, such absence or inability being satisfactorily accounted for, or in the like case or if the insured refuses to do so by a person to whom any part of the insurance money is payable;

Fraud or false statement vitiates claim.

(m) that any fraud or wilfully false statement made under oath or in a declaration in relation to any of the above particulars shall vitiate the claim of the person making the declaration in any matter affected by such fraud or false statement;

Subrogation and transfer of rights.

(n) that the company on paying the loss shall be subrogated to the extent of such payment to all right of recovery against any third party, and on such payment, or on assuming liability therefor may require from the insured a transfer of his rights against such third party, and the insured shall execute all documents properly required by the company to secure to it such rights;

Cancellation by insured and refund.

(o) that the policy may be cancelled at any time at the request of the insured, and the company shall, upon surrender of the policy, refund the excess of paid premium

above the customary short rate premium for the time the policy has been in force;

Cancellation by company on notice and repayment of excess premiums.

(p) that the policy may be cancelled at any time by the company giving to the insured fifteen days' notice in writing of cancellation by registered mail, or five days' notice of cancellation personally delivered, and refunding the excess of paid premium beyond the *pro rata* premium for the expired time; that repayment of excess premiums may be made by money, post office order, postal note or cheque; and that such repayment shall accompany the notice, and in such case, the fifteen days' notice above mentioned shall commence to run from the day following the receipt of the registered letter at the post office to which it is addressed;

No waiver by company unless in writing.

(q) that no condition or provision of the policy, either in whole or in part, shall be deemed to have been waived or altered by the company unless the waiver is clearly expressed in writing signed by the manager of the company or its chief agent for Canada or for the province in which the policy is issued;

Service of notice.

(r) that any written notice to the company may be delivered at or sent by registered post to the chief agency or head office of the company in Canada or in the province in which the policy is issued; and that written notice may be given to the insured by letter personally delivered to him or by registered letter addressed to him at his last post office address, notified to the company, or where no address is notified and the address is not known, addressed to him at the post office of the agency, if any, from which the application was received.

Particulars required to be set forth in applications.

(2) A copy of the application for the policy shall be attached to and form part of the policy when issued and such application shall set forth the insured's occupation or business, the description of the automobile insured, its purchase price to the insured, whether fully paid for or otherwise, whether purchased new or second-hand, particulars of any mortgage, lien or other encumbrance, the use to which it is and will principally be put, the place where it is and will be principally maintained and garaged, the locality where it is and will be principally used, the fact of any accident in which an automobile owned or operated by the insured has been involved, the particulars of any claims made against and by the insured in respect of the ownership or operation of any automobile, whether any company has cancelled any automobile policy of the insured, or refused to issue automobile insurance to the insured and such further information as the company may require.

Policy may be renewed.

(3) Notwithstanding anything in this section contained, the policy may be renewed by the delivery of a renewal receipt or a new premium note.

Statement to be printed on every application.

(4) Upon every such application there shall be printed or stamped in conspicuous type, not less in size than ten point, the following words:—

"If the applicant knowingly misrepresents or conceals any fact or circumstance required by this application to be made known, the contract of insurance shall be void as to the property or risk undertaken in respect of which the misrepresentation or omission is made."

Risks or hazards excluded.

(5) Any such policy may provide for the exclusion from the risks insured against, of losses arising from any hazard or class of hazard expressly stated in the policy.

Relief against forfeiture or avoidance.

(6) In any case where there has been imperfect compliance with a statutory condition as to the proof of the loss to be given to the insured, or as to any matter or thing to be done or omitted by the insured after the maturity of the contract, and a consequent forfeiture or avoidance of the insurance, in whole or in part, and the court deems it inequitable that the insurance should be forfeited or avoided on that ground, the court may relieve against the forfeiture or avoidance on any such terms as it may deem just.

No valued policy to be issued.

(7) No such company shall issue in Canada a valued policy of automobile insurance.

Commencement of section.

(8) This section shall come into force on the first day of January, 1924."

185.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 185.

An Act respecting National Parks and Reservations.

First reading, May 28, 1923.

The MINISTER OF THE INTERIOR.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
55805 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 185.

An Act respecting National Parks and Reservations.

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

Short Title.

Short title.

1. This Act may be cited as *The National Parks Act.*

Interpretation.

Definitions.

2. In this Act unless the context otherwise requires—

"Act."

(*a*) The expression "this Act" includes any regulations made under the authority of this Act;

"Park."

(*b*) "Park" means any reserve or area of land that may be set apart as a Canadian National Park by or under this Act;

"Lands."

(*c*) "Lands" means any lands the title to which is vested in His Majesty and any interest therein, and includes the natural resources of the land and the water thereon;

"Minister."

(*d*) "Minister" means the Minister of the Interior;

"Railway company."

(*e*) "Railway company" includes any person constructing or operating any railway;

"Regulations."

(*f*) "Regulations" means the regulations made under the provisions of this Act.

Part I. Canadian National Parks.

Establishment of Parks.

Existing parks continued.

3. (1) The reserves or areas heretofore set apart and designated as Dominion Parks and now existing as such parks are hereby dedicated to the people of Canada and shall hereafter be designated as Canadian National Parks as provided by this Act.

Banff National Park.

(2) The Rocky Mountains Park in the Province of Alberta shall hereafter be known as the Banff National Park.

Establishment of Canadian National Parks.

(3) The Governor in Council may, by proclamation, designate such areas as he sees fit, the title to which is vested in the Crown in the right of Canada, to be, and to be known as, Canadian National Parks, which areas shall be dedicated to the people of Canada and shall continue as such parks unless and until Parliament shall otherwise determine.

General Purposes.

Parks to be pleasure grounds.

4. (1) Parks may be established for the following purposes:—

(*a*) as national recreation areas and pleasure grounds and as natural museums.

(*b*) as animal sanctuaries for the preservation of wild animals as near as possible in their natural state;

(*c*) as historic sites and monuments to commemorate historic events and to preserve historic landmarks, prehistoric structures and other objects of historic, prehistoric or scientific interest.

All parks shall be maintained and made use of for the advantage, enjoyment, education and benefit of the people of Canada.

Park Lands.

Lands and waters inalienable.

5. (1) Lands within the parks or the use of the waters thereon shall not be disposed of or acquired except as provided by this Act.

Lands not open to entry except for railways.

(2) No lands within a park shall be open for entry or conveyed in fee, provided, however, that the Governor in Council may grant land within a park when such land is required for the right of way or station grounds of any railway, but land so granted shall be subject to this Act and the regulations made thereunder in so far as they do not interfere with the operation and maintenance of such railway.

Existing leases.

(3) All existing leases, licenses or permits affecting park lands, shall be subject to this Act with respect to all matters in regard to which no special exemptions are contained in such leases, licenses or permits.

Acquisition of lands for parks.

(4) The Governor in Council may authorize the Minister to purchase, expropriate or otherwise acquire any lands or interests therein, including the lands of Indians or of any other persons, for the purposes of a park.

Expropriation Act to apply.

(5) The *Expropriation Act* shall apply to any expropriation proceedings taken under this section.

Waiver of exemption.

(6) The Governor in Council may authorize the Minister to secure from the holder of any title or interest in any land within the boundaries of a park a waiver in writing of the exemption of such land from any of the provisions of this

Act, and where necessary, to make compensation therefor, and such land shall thereupon be subject to such provision or provisions.

PARK ADMINISTRATION.

Control and management.

6. (1) There shall be a Commissioner of Canadian National Parks who, subject to the direction of the Minister, shall control, manage, administer and supervise the parks and all matters arising under this Act.

Powers of Justice.

(2) The Commissioner, all superintendents and any other officer designated by the Minister shall, for the purpose of this Act, have all the powers of a justice of the peace.

Powers of constable.

(3) Every warden appointed under the authority of this Act and any other park officer designated by the Minister shall have all the powers of a police constable.

Governor in Council may appoint stipendiary magistrates.

(4) The Governor in Council may appoint by Commission under the Great Seal, one or more fit and proper persons to be stipendiary magistrates within the Canadian National Parks.

Powers of stipendiary magistrates.

Every such stipendiary magistrate shall have and exercise within the limits of the Canadian National Parks all the powers and authority, rights and privileges by law appertaining to stipendiary magistrates including the powers and authority of a police magistrate or two justices of the peace.

Investigation of irregularities.

(5) When the Minister is of the opinion or has reason to believe that there has been any irregularity in the administration of any park, or any misconduct whatsoever on the part of any officer or employee appointed or acting in pursuance of this Act, he may authorize any officer or other person to hold an investigation in regard to such irregularity or misconduct, and such officer or person shall, for the purposes of such investigation, have the powers of a commissioner appointed under part two of the *Inquiries Act*.

REGULATIONS.

Orders and regulations.

7. (1) The Governor in Council may make regulations for,—

Management of the parks.

(a) the preservation, protection, improvement, enjoyment and management of the parks;

Animal life.

(b) the protection and control of wild mammals and birds; the destruction of noxious, predatory or superabundant mammals or birds and the taking of specimens of wild mammals and birds for scientific purposes;

Fish life.

(c) the protection of all fish, including the prevention of obstruction or pollution of streams and the remedying of any obstruction or pollution of streams and the management and regulation of all fishing;

Fire protection general.

(d) the prevention and extinguishment of fires upon or threatening park lands, and requiring persons residing or being in the vicinity to report any such fire or to assist in its extinguishment;

Fire protection railway companies.

(e) the fire protection measures to be observed and complied with by any company not under the jurisdiction of the Board of Railway Commissioners for Canada constructing or operating a railway upon or across any park lands and the payment by said company for

(i) the whole or any part of the expense of any fire protection carried on by the Minister in pursuance of this Act along or near such railway while under construction;

(ii) all expense incurred by the Crown in fighting any fire which originated by reason of the construction, operation or maintenance of such railway or by reason of the action of the company's employees;

Natural resources.

(f) the granting of leases or licenses of lands for the accommodation and entertainment of persons resorting to the parks; and for no other purpose except as follows,—

(i) for the grazing of cattle and horses on park land, providing that there shall be no grazing of domestic sheep within a park;

(ii) for the removal of sand, stone and gravel for construction purposes within a park;

(iii) for the cutting and removal of dead and diseased timber and such green timber as may be necessary for thinning or forest protection;

(iv) for such portion of the surface of mineral claims in the parks in British Columbia as in the opinion of the Minister may be necessary for the effective and economical operation of said mines.

Utilities.

(*g*) the establishment, operation, maintenance and management by the Department of the Interior of public works, improvements and utility services and the use of same within the parks, such works and services to include domestic water supply, sewage, telephone, streets, street-lighting, sidewalks, fire protection, garbage removal and any other works, improvements or services of a public character; the levying of contributions upon any properties benefited thereby and upon the owners or other persons holding interests therein; the sale or forfeiture of the said properties or interests when such contributions are not paid;

Roads and ways.

(*h*) the establishment, maintenance, management and use of roads, streets, sidewalks, trails, wharves, docks, bridges, and other ways within the parks, and the circumstances under which such ways shall be open or may be closed to public traffic or use; provided that

the establishment or use of any such road or way shall in no case operate to withdraw the same from the park within which it is situated;

Building and properties.

(*i*) regulating the character of buildings and other structures that may be erected, and the use to be made thereof; the character of signs, placards or announcements and the manner and place in which they shall be put up and maintained; and prescribing building and fire areas; and generally the maintenance and improvement of all properties within a park;

Business, amusements and other activities.

(*j*) regulating trade, traffic, business, amusements, sports, occupations and other activities or undertakings carried on within a park, the places where any such activities or undertakings are carried on, and the levying of license fees in respect thereof;

Conduct.

(*k*) controlling the conduct of persons residing in or making use of any park, including the summary removal from a park and the preventing of the return thereto of persons who fail to comply with any regulation or who are otherwise undesirable;

Sanitary measures.

(*l*) the preservation of health and the prevention of disease within a park;

Nuisances.

(*m*) the prevention of nuisances within a park;

Confiscation.

(*n*) the disposal of things seized or confiscated under this Act;

Re tourists.

(*o*) providing for the dissemination of information and literature respecting the scenic and other attractions of the Dominion and for the taking of such other steps as may be designated to attract tourists to Canada.

Publication.

(2) All regulations made hereunder shall be published in the *Canada Gazette*, and shall thereupon have the same force and effect as if herein enacted and shall be laid before Parliament within fifteen days after the opening of the session next following the making thereof.

Laid before Parliament.

Penalties and Procedure.

Penalties.

8. (1) (*a*) Any person who violates any of the provisions of this Act for which no other penalty is provided, or of any regulation, shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five hundred dollars or to imprisonment for any term not exceeding six months.

Second offence.

(*b*) Upon conviction for a subsequent offence against any provision of this Act the offender shall be liable on summary conviction to a penalty not exceeding five hundred dollars and, in the discretion of the convicting magistrate or justice of the peace, to imprisonment with or without hard labour for any term not exceeding six months.

Arrest, search, and seizure.

(2) Any constable or any person having the powers of a constable under the provisions of this Act may,—

(*a*) on view, arrest any person found committing an offence against this Act or found committing within a park any unlawful act;

(*b*) without warrant or other legal process at any time enter and search any building, premises, structure, camp, vessel, boat, vehicle, conveyance, or other place, and open and examine any trunk, box, barrel, parcel or other package or receptacle, whether within or without the boundaries of any park, where he has reason to believe there is any fish, mammal or bird or any parts thereof, or any firearms held in contravention of the provisions of this Act or any regulations thereunder;

(*c*) on view, seize, whether within or without the boundaries of any park, any timber, trees, hay, mineral, animals, arms, ammunition, explosives, traps, nets, rods, vessels, boats, vehicles, horses, dogs, equipment, outfits, appliances or other articles which he has reason to believe are or have been possessed or used contrary to the provisions of this Act or which have been used in connection with the commission of any offence under this Act or with respect to which any such offence has been committed.

Justice may declare forfeiture.

(3) Where the justice of the peace, before whom an offence is tried, finds that any chattels seized have been used or held for an unlawful purpose or have been in the possession of a person committing an unlawful act, he may order that the said chattels,

(*a*) be forfeited to His Majesty; or

(*b*) be held for such time as he may deem proper pending payment of any penalty.

Liability of offender.

(4) An arrest, removal, seizure or confiscation shall not relieve the offender from any other penalty to which he may be liable under this Act or otherwise.

Repeal clause.

9. Section eighteen of *The Dominion Forest Reserves and Parks Act* is hereby repealed.

PART II.

Game Resources.

Interpretation.

Definitions.

10. In this Part—

"Lands of the Dominion."

(*a*) "Lands of the Dominion" means any lands the title to which is vested in His Majesty, provided this shall not include the Northwest Territories of Canada;

"Game."

(*b*) "Game" means and includes all wild mammals and birds;

Establishment of sanctuaries and shooting grounds.

11. The Governor in Council may by order set apart and dedicate any lands to be, and to be administered as, a game sanctuary, or as a public shooting ground under this Act, and such lands shall continue to be game sanctuaries or public shooting grounds as the case may be until or unless it shall be otherwise determined by Parliament.

Orders and regulations.

12. (1) The Governor in Council may make orders and regulations governing,—

(*a*) the control and management of such reserves;

(*b*) the breeding, care, protection and disposal of game on lands of the Dominion.

(*c*) any other matters relating to game resources on lands of the Dominion.

Co-operation with Provincial authorities.

(2) The Governor in Council may authorize the Minister to co-operate with the authorities of any province with respect to any matters arising out of the administration of this Part, and to enter into agreements for the purpose of such co-operation.

PART III.

Recreation Areas.

Recreation and summer resort areas.

13. (1) The Governor in Council may, by order, set aside any waters and any lands the title to which is vested in the Crown in the right of the Dominion of Canada to be administered as recreational and summer resort areas and they shall be made available for the use of the public for building sites and recreational grounds for the benefit and enjoyment of the people of Canada.

Application of Part I.

(2) The provisions of Part I of this Act shall apply to these areas so far as the Governor in Council may from time to time direct.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 186.

An Act to amend the Dairy Industry Act, 1914.

First reading, May 28, 1923.

The MINISTER OF AGRICULTURE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
59673 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 186.

An Act to amend the Dairy Industry Act, 1914.

1914, c. 7.

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

Interpretation.

1. Section three of the *Dairy Industry Act, 1914*, is amended by adding thereto the following paragraphs:—

"*(m)* 'inspector' means any person duly authorized by the Minister for the purpose of enforcing the provisions of this Act and the regulations made thereunder;

"*(n)* 'milk fat' or 'butter fat' is the fat of milk and has a Reichert Meissal number not less than twenty-four and a specific gravity not less than 0.905 at forty degrees centigrade and a Polenski number not to exceed 3.5;

"*(o)* 'provincial analyst' means any analyst appointed by the government of any province and having authority to make analysis for any public purpose."

Butter substitute and remanufacture of butter.

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

"**5.** No person shall—

"*(a)* manufacture, import into Canada, or offer, sell or have in his possession for sale, any oleomargarine, margarine, butterine, or other substitute for butter, manufactured wholly or in part from any fat other than that of milk or cream;

"*(b)* mix with or incorporate with butter, by any process of heating, soaking, rechurning, reworking, or otherwise, any cream, milk, skim milk, butter milk or water to cause such butter when so treated to contain over sixteen per centum of water, or less than eighty per centum of milk fat;

"*(c)* melt, clarify, refine, rechurn, or otherwise treat butter to produce "process" or "renovated" butter.

Butter character and weight.

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

"**6.** (1) No person shall import into Canada, or offer, sell or have in his possession for sale—

"*(a)* any butter containing over sixteen per centum of water, or less than eighty per centum of milk fat;

"*(b)* any process or renovated butter.

"(2) No person shall manufacture any butter containing over sixteen per centum of water, or less than eighty per centum of milk fat.

"(3) No person shall sell, offer or have in his possession for sale—

"*(a)* any butter moulded or cut into prints, blocks, squares or pats, unless such prints, blocks, squares or pats are of the full net weight of one-quarter pound, one-half pound, one pound or two pounds. Nothing in this paragraph shall be held to apply to butter in rolls or lumps, of indiscriminate weight, as sold by farmers; or

"*(b)* any butter packed in tins or other packages alleged to contain any definite weight of butter unless such package contains the full net weight of butter as alleged exclusive of the weight of the package and of any paper, brine or other filling."

Regulations.

4. Section sixteen of the said Act is amended by striking out in paragraph *(g)* thereof the word "thirty", in the second line thereof, and substituting the word "fifty" therefor; and by adding to subsection one of the said section the following paragraph:—

"*(h)* the keeping of records by manufacturers of and dealers in butter and cheese, and the examination of such records by inspectors".

5. Section twenty of the said Act is amended by repealing subsections one and two thereof, and substituting the following subsections therefor:—

Establishment of guilt for violation of Act.

"**20.** (1) For the purpose of establishing the guilt of any person charged with the violation of any of the provisions of this Act,—

(a) butter shall be deemed to be manufactured when it is packed or placed in any package as defined in this Act;

(b) butter, which contains over sixteen per centum of water or less than eighty per centum milk fat, and which has been rechurned, reworked or otherwise treated as described in paragraph *(b)* of section five shall be deemed to have been so treated to cause such butter to contain over sixteen per centum of water or less than eighty per centum of milk fat;

(c) the having in possession by any manufacturer of or dealer in dairy products of any article the manufacture or sale of which is prohibited by this Act shall be deemed

to be *prima facie* evidence of intent to sell or use the same in violation of the law.

Procedure to be followed; samples, analysis and certificates.

"(2) For the purpose of establishing proof as to the composition of any suspected product or material an inspector may submit a sample or samples of the same to a Dominion or provincial analyst, who shall issue a certificate stating the result of his examination of such sample or samples, and the certificate so given shall be received as evidence in any proceedings taken against any person in pursuance of this Act or regulations made thereunder, subject to the right of such person to require the attendance of the analyst for the purpose of cross examination."

187.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 187.

An Act to amend the Inland Revenue Act.

First reading, May 29, 1923.

The MINISTER OF FINANCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
60218 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 187.

R.S. c. 51; 1908, c. 34; 1910, c. 30; 1914 (2 Sess.), c. 6; 1915, c. 17; 1918, c. 28; 1920, c. 52; 1921, c. 34; 1922, c. 27.

An Act to amend the Inland Revenue Act.

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

1. (1) Paragraphs *(g)* and *(h)* of section two hundred and seventy-nine of the *Inland Revenue Act*, chapter fifty-one of the Revised Statutes of Canada, 1906, as enacted by section one of chapter twenty-seven of the statutes of 1922, are repealed, and the following paragraphs are substituted therefor:—

Excise duty on cigarettes decreased from $7.50 to $6.

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

From $12.50 to $11.

(h) On cigarettes made from raw leaf tobacco or any substitute therefor, weighing more than three pounds per thousand, eleven dollars per thousand."

In operation from 12th May, 1923.

(2) This section shall be deemed to have come into force on the twelfth day of May, one thousand nine hundred and twenty-three.

Excise duties from sugar made from sugar beets.

2. (1) Section three hundred and seventy-eight of the said *Inland Revenue Act*, as enacted by chapter twenty-seven of the statutes of 1922, is repealed.

In operation from 1st January, 1923.

(2) This section shall be deemed to have come into force on the first day of January, one thousand nine hundred and twenty-three.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 187.

An Act to amend the Inland Revenue Act.

AS PASSED BY THE HOUSE OF COMMONS,
26th JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
60293 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 187.

R.S. c. 51; 1908, c. 34; 1910, c. 30; 1914 (2 Sess.), c. 6; 1915, c. 17; 1918, c. 28; 1920, c. 52; 1921, c. 34; 1922, c. 27.

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Excise duties from sugar made from sugar beets.

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In operation from 1st January, 1923.

(2) This section shall be deemed to have come into force on the first day of January, one thousand nine hundred and twenty-three.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 188.

An Act to repeal the Acts respecting Bounties on manufactures from Manila Fibre in Canada.

First reading, May 29, 1923.

The MINISTER OF FINANCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
60215 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 188.

An Act to repeal the Acts respecting Bounties on manufactures from Manila Fibre in Canada.

1903, c. 5; 1907, c. 5.

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

Bounties on binder twine and cordage repealed.

1. Chapter five of the statutes of 1903, entitled *An Act respecting Bounties on manufactures from Manila Fibre in Canada*, and chapter five of the statutes of 1907, entitled *An Act to amend the Act respecting the manufacture of Binder Twine in Canada*, and the regulations made thereunder, are repealed.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 188.

An Act to repeal the Acts respecting Bounties on manufactures from Manila Fibre in Canada.

AS PASSED BY THE HOUSE OF COMMONS, 26th JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
60295 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 188.

An Act to repeal the Acts respecting Bounties on manufactures from Manila Fibre in Canada.

1903, c. 5; 1907, c. 5.

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

Bounties on binder twine and cordage repealed.

1. Chapter five of the statutes of 1903, entitled *An Act respecting Bounties on manufactures from Manila Fibre in Canada*, and chapter five of the statutes of 1907, entitled *An Act to amend the Act respecting the manufacture of Binder Twine in Canada*, and the regulations made thereunder, are repealed.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 189.

An Act respecting the payment of Bounties on Copper Bars or Rods.

First reading, May 29, 1923.

The MINISTER OF FINANCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
60217 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 189.

An Act respecting the payment of Bounties on Copper Bars or Rods.

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

Short title.

1. This Act may be cited as *The Copper Bounties Act, 1923.*

Bounties on Canadian produced copper bars or rods sold in Canada for consumption.

2. The Governor in Council may authorize the payment out of the Consolidated Revenue Fund of the following bounties on copper bars or rods manufactured in Canada and sold for consumption therein, from copper produced in Canada from ore mined in Canada, during the periods and at the rates following, that is to say:—

From the twelfth day of May, 1923, to the thirtieth day of June, 1924, both inclusive..one and one-half cents per pound;

From the first day of July, 1924, to the thirtieth day of June, 1925, both inclusive..one and one-fourth cents per pound;

From the first day of July, 1925, to the thirtieth day of June, 1926, both inclusive.....one cent per pound;

From the first day of July, 1926, to the thirtieth day of June, 1927, both inclusive..three fourths of one cent per pound;

From the first day of July, 1927, to the thirtieth day of June, 1928, both inclusive..one-half of one cent per pound.

Limitation.

3. The sum to be paid as such bounty shall not exceed two hundred thousand dollars in any one of the said periods.

No bounty on exports.

4. The said bounty shall not be paid on copper bars or rods exported from Canada, nor on copper rods made from copper bars on which a bounty has already been paid.

Regulations.

5. The Governor in Council may make regulations to carry out the intention of this Act.

Administration.

6. The Minister of Trade and Commerce shall be charged with the administration of the provisions of this Act.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 189.

An Act respecting the payment of Bounties on Copper Bars or Rods.

AS PASSED BY THE HOUSE OF COMMONS, 26th JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
60292 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 189.

An Act respecting the payment of Bounties on Copper Bars or Rods.

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

Short title.

1. This Act may be cited as *The Copper Bounties Act, 1923.*

Bounties on Canadian produced copper bars or rods sold in Canada for consumption.

2. The Governor in Council may authorize the payment out of the Consolidated Revenue Fund of the following bounties on copper bars or rods manufactured in Canada and sold for consumption therein, from copper produced in Canada from ore mined in Canada, during the periods and at the rates following, that is to say:—

From the twelfth day of May, 1923, to the thirtieth day of June, 1924, both inclusive..one and one-half cents per pound;

From the first day of July, 1924, to the thirtieth day of June, 1925, both inclusive..one and one-fourth cents per pound;

From the first day of July, 1925, to the thirtieth day of June, 1926, both inclusive.....one cent per pound;

From the first day of July, 1926, to the thirtieth day of June, 1927, both inclusive..three fourths of one cent per pound;

From the first day of July, 1927, to the thirtieth day of June, 1928, both inclusive..one-half of one cent per pound.

Limitation.

3. The sum to be paid as such bounty shall not exceed two hundred thousand dollars in any one of the said periods.

No bounty on exports.

4. The said bounty shall not be paid on copper bars or rods exported from Canada, nor on copper rods made from copper bars on which a bounty has already been paid.

Regulations.

5. The Governor in Council may make regulations to carry out the intention of this Act.

Administration.

6. The Minister of Trade and Commerce shall be charged with the administration of the provisions of this Act.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 190.

An Act to amend the Companies Act.

First reading, May 30, 1923.

The SECRETARY OF STATE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
59372 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 190.

An Act to amend the Companies Act.

R.S. c. 79; 1908, c. 16; 1914, c. 23; 1917, c. 25; 1918, cc. 13, 14.

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

Short title.

1. This Act may be cited as *The Companies Act Amending Act, 1923.*

2. Section five of the *Companies Act*, hereinafter referred to as the principal Act, is amended by adding thereto the following:—

When company may be created a private company.

"(3) A company may be created a private company by providing in its letters patent or supplementary letters patent *(a)* restrictions upon the right to transfer its shares, *(b)* limitation of the number of its members (exclusive of persons who are in the employment of the company and of persons who having been formerly in the employment of the company were, while in such employment, and have continued after the termination of such employment, to be members of the company) to fifty, and *(c)* the prohibition of any invitation to the public to subscribe for any shares or debentures of the company.

When several considered as single shareholder.

"(4) Where two or more persons hold one or more shares in a company jointly, they shall, for the purposes of this section, be treated as a single shareholder."

3. Subsection *(f)* of section seven of the principal Act is repealed, and the following is substituted therefor:—

Applicants.

"*(f)* The names in full and the address and calling of each of the applicants, with special mention of the names of not less than three of their number, who are to be the first or provisional directors of the company."

4. Section 7A of the principal Act, as enacted by chapter twenty-five of the statutes of 1917, is amended by repealing paragraph *(d)* of subsection one, and subsections five and

EXPLANATORY NOTES

This Bill, with the exception of sections 5, 7, 8, 9, 13, 17, 20 and 29, makes verbal changes only in the Act. These are found necessary in its administration. The sections referred to will be specially explained.

Section 2—

Section 43, subsection 3, defined a private company, but there was no express provision in the Act for the creation of such a company. This section is merely to cure this anomly. The corresponding amendment of section 43c is shown in section 15.

Section 3—

Section 72, as amended by the amending Act of 1917, provides no maximum number of directors. This amendment is to make paragraph (*f*) of section 7 providing for the number of directors cornform to section 72.

Section 4—

Some doubt arose in the administration of section 7A, subsection 5, whether a company with share capital could take advantage of this section. The object of this amendment is to make it quite clear that only companies without share capital may be brought within the provisions of this section.

six, of said section, and substituting therefor the following:—

Applicants.

"*(d)* The name in full and the address and calling of each of the applicants with special mention of the names of not less than three of their members who are to be the first or provisional directors or trustees of the corporation.

Existing corporations.

(5) Any existing corporation without share capital created by or under any Act of the Parliament of Canada for any of the objects mentioned in subsection one of this section may apply under this section for the issue of letters patent creating it a corporation under those provisions of Part I of this Act which apply to corporations created under this section, and upon the issue of such letters patent the said provisions shall apply to the corporation created thereby.

Application of R.S., c. 79.

(6) The following provisions of Part I of this Act shall not apply to corporations created under this section, namely, sections 7, 7B, 8, 9, 26, 33, 38 to 43, both inclusive, 43D, 45 to 54, both inclusive, 54A to 54F, both inclusive, 55 to 68, both inclusive, 68A, 70 to 78, both inclusive, 80 to 84, both inclusive, 86 to 88, both inclusive, paragraphs *(d)* and *(e)* of section 89, section 90, 94A to 94C, both inclusive, 101 to 104, both inclusive, paragraphs *(j)* and *(k)* of subsection 3 of section 105, and sections 114 and 115."

5. Section 7B of the principal Act, as enacted by chapter twenty-five of the statutes of 1917, is repealed and the following is substituted therefor:—

Issue of shares without nominal or par value.

"7B. (1) The letters patent or any supplementary letters patent of any company may provide for the issue of the shares of the capital stock of such company without any nominal or par value, except in the case of preferred stock having a preference as to principal; and if such preferred stock or any part thereof has a preference as to principal, the letters patent shall state the amount of such preferred stock having such preference, the particular character of such preference, and the amount of each share thereof, which shall be five dollars or some multiple of five dollars, but not more than one hundred dollars.

Statement as to preferred stock.

Equality of shares.

(2) Each share of the capital stock without nominal or par value shall be equal to every other share of such capital stock, subject to the preferences, restrictions or other conditions attached to any other class of shares, if any, authorized to be issued. Every certificate of shares without nominal or par value shall have plainly written or printed upon its face the number of such shares which it represents and the number of such shares which the company is authorized to issue, and no such certificate shall express any nominal or par value of such shares. The certificates of preferred shares having a preference

The amendment of paragraph (*d*) is for the same purpose as that of section 3 of the Bill.

The amendment of subsection 6 is to correct a clerical error.

Section 5—

Section 7B was taken, with verbal alterations, from the legislation of the State of New York for the year 1912. This was the first legislation in the United States with respect to companies having shares without par value. The New York legislation has been amended to meet difficulties which have arisen in the administration of the Act, and this amendment is for a similar purpose. The original legislation provides that the company may not do business until the amount set out in the charter as the amount with which it may do business has been fully subscribed and paid for. This amount was fixed at the amount of the preferred shares and five dollars on each common share. When an existing company was taken over or reorganized, this created no difficulty, but in new enterprises it was found that in many cases the total subscription of preferred shares was not required. The amount with which the company may commence business will still be controlled by section 26.

as to principal shall state briefly the amount which the holder of any of such preferred shares shall be entitled to receive on account of principal from the surplus assets of the company in preference to the holders of other shares, and shall state briefly any other rights or preferences given to the holders of such shares.

Shares to be allotted at price fixed by Board or Letters Patent.

(3) The issue and allotment of shares authorized by this section, other than shares of preferred stock having a preference as to principal, may be made from time to time for such consideration as may be prescribed in the letters patent, or as may be fixed by the board of directors pursuant to authority conferred in the letters patent or if the letters patent do not so provide, then by the consent of the holders of two-thirds of each class of shares then outstanding given at a meeting called for that purpose in such manner as is prescribed by the by-law. Any and all shares issued as permitted by this section shall be deemed fully paid and non-assessable and the holder of such shares shall not be liable to the company or to its creditors in respect thereof.

Amount of capital required.

(4) *(a)* The amount of capital with which the company shall carry on business shall be not less than the aggregate amount received as consideration for the issue and allotment of the shares without nominal or par value from time to time outstanding, and in addition thereto an amount equal to the total par value of all other issued and outstanding shares of the capital stock of the company.

Ten per cent of authorized capital defined.

(b) For the purposes of section twenty-six of this Part, ten percentum of the authorized capital of a company under this section shall mean ten percentum of the amount of capital with which the company shall carry on business computed in the manner herein prescribed."

6. Section twenty-two of the principal Act is repealed and the following is substituted therefor:—

Company may obtain change of name.

"**22.** When a company is desirous of adopting another name it may, subject to confirmation by supplementary letters patent, change its corporate name by a resolution passed by the vote of at least two-thirds in value of the shares represented at a special general meeting of shareholders called for the purpose. The Secretary of State upon application of the company and upon being satisfied that the change desired is not for any improper purpose, may direct the issue of supplementary letters patent, reciting the former letters patent and changing the name of the company to some other name, which shall be set forth in the supplementary letters patent."

7. The principal Act is amended by inserting the following section immediately after section twenty-seven:—

When company may surrender charter.

"**27A.** (1) The charter of a company incorporated under this Part may be surrendered if the company proves to the satisfaction of the Secretary of State of Canada:—

Section 6—

Several sections of the Act provide for resolutions of shareholders approving of by-laws passed by the directors for the purpose of obtaining supplementary letters patent and other similar transactions. The wording of these sections is not uniform. Moreover, it is not certain in many of the sections whether two-thirds' vote means two-thirds of all the issued capital of the company or two-thirds of those present at the meeting of shareholders. Sections 6, 11, 12, 16, 18, 19, ss. 2, 21 and 22 are inserted in this Bill for the purpose of amending the sections of the Act referred to in each of these sections, making them uniform so that the vote will be that of two-thirds of those present at the meeting either in person or by proxy and entitled to vote thereat. There appears to be no good reason why any of these transactions should be approved of by a vote of two-thirds of all the shareholders. On many occasions such a provision would render a transaction under these sections impossible, as it might be impossible to have two-thirds of all the shareholders present or represented. On all occasions every shareholder is entitled to notice of the meeting, and if he objects to the transaction, it is his duty to be present.

Section 7—

There is no provision in the Dominion Companies Act for the surrender of a charter. It is the practice of the Department to accept the return of charters in order to avoid repeated correspondence respecting annual returns. The charter is then filed and marked "returned" on the record books of the Department. There appears to be no legal effect of this transaction. There are many cases where companies have never been organized, have merely evaporated or otherwise ceased business, and the ordinary proceedings of a winding up for the purpose of terminating the existence of the company would be expensive. It is for the purpose of ending the life of such companies that this section is inserted.

(a) That it has no debts or obligations; or

(b) That it has parted with its property, divided its assets rateably amongst its shareholders or members and has no debts or liabilities, or

(c) That the debts and obligations of the company have been duly provided for or protected or that the creditors of the company or other persons holding them consent; and

(d) That the company has given notice of the application for leave to surrender by publishing the same once in the *Canada Gazette* and once in a newspaper published at or as near as may be to the place where the company has its head office.

Acceptance of surrender and dissolving of company.

(2) The Secretary of State, upon a due compliance with the provisions of this section, may accept a surrender of the charter and direct its cancellation and fix a date upon and from which the company shall be dissolved, and the company shall thereby and thereupon become dissolved accordingly."

8. The principal Act is amended by inserting the following section immediately after section twenty-nine:—

Commission for procuring subscriptions.

"**29A.** (1) It shall be lawful for a company to pay a commission to any person in consideration of his subscribing or agreeing to subscribe, whether absolutely or conditionally, for any shares in the company, or procuring or agreeing to procure subscriptions, whether absolute or conditional, for any shares in the company, if the payment of the commission is authorized by the letters patent or supplementary letters patent, and the commission paid or agreed to be paid does not exceed the amount or rate so authorized, and if the amount or rate per cent of the commission paid or agreed to be paid is,—

(a) In the case of shares offered to the public for subscription, disclosed in the prospectus; or

(b) In the case of shares not offered to the public for subscription, disclosed in the statement in lieu of prospectus, and, where a circular or notice, not being a prospectus, inviting subscription for the shares is issued, also disclosed in that circular or notice.

Limitation regarding payment of commissions.

(2) Save as aforesaid, no company shall apply any of its shares or capital money either directly or indirectly in payment of any commission, discount, or allowance, to any person in consideration of his subscribing or agreeing to subscribe, whether absolutely or conditionally, for any shares of the company, or procuring or agreeing to procure subscriptions, whether absolute or conditional, for any shares in the company, whether the shares or money be so applied by being added to the purchase money of any property acquired by the company or to the contract price of any work to be executed for the company, or the money

Section 8—

This section is taken wholly from a corresponding section of the English Act and allows a company to pay a commission on the sale of its shares. It is a universal practice to pay such a commission. There is considerable doubt respecting the legality of it, and this section is suggested merely for the purpose of permitting and regulating such payments.

be paid out of the nominal purchase money or contract price, or otherwise.

Payment of brokerage.

(3) Nothing in this section shall affect the power of any company to pay such brokerage as it has heretofore been lawful for a company to pay, and a vendor to, promoter of, or other person who receives payment in money or shares from a company, shall have and shall be deemed always to have had power to apply any part of the money or shares so received in payment of any commission, the payment of which, if made directly by the company, would have been legal under this section."

Repeal.

9. Subsection two of section thirty of the principal Act is repealed.

10. Section thirty-four of the principal Act, as enacted by chapter twenty-three of the statutes of 1914, is repealed and the following substituted therefor:—

Company may authorize directors to apply to extend or reduce powers.

"**34.** The company may, from time to time by a resolution passed by the votes of at least two-thirds in value of the shares represented at a special general meeting of shareholders called for the purpose, authorize the directors to apply for supplementary letters patent, extending the powers of the company to such further or other purposes or objects for which a company may be incorporated under this Part, or reducing, limiting, amending or varying such powers, or any provisions of the letters patent or supplementary letters patent issued to the company, as are defined in such resolution."

11. The principal Act is amended by inserting the following section immediately after section thirty-four:—

How private company may become public company.

"**34A.** A private company may, subject to anything contained in letters patent and supplementary letters patent, by a resolution passed by the vote of at least two-thirds in value of the shares represented at a special general meeting of the company called for that purpose and by filing with the Secretary of State of Canada such a statement in lieu of prospectus as the company, if a public company, would have had to file before allotting any of its shares or debentures and by obtaining supplementary letters patent confirming the resolution, turn itself into a public company."

12. Subsections one and two of section thirty-seven of the principal Act are repealed, and the following are substituted therefor:—

Supplementary letters patent granted.

"**37.** (1) Upon the due passing of such resolution being so established, the Secretary of State may grant supplementary letters patent extending the powers of the company to all or any of the objects, or reducing, limiting, amending

Section 9—

This subsection appears to be unnecessary and for that reason it is eliminated.

Section 10—

See note to section 6.

Section 11—

See note to section 2.

Section 12—

This section is required because of the amendment provided by section 12.

or varying such powers or any provisions of the letters patent or supplementary letters patent issued to the company as are defined in the resolution; and notice thereof shall be forthwith given by the Secretary of State in the *Canada Gazette*, in the form D in the schedule to this Act.

Notice of issue.

(2) From the date of the supplementary letters patent, the undertaking of the company shall extend to and include the further or other purposes or objects set out in the supplementary letters patent as fully as if such further or other purposes or objects were mentioned in the original letters patent."

Effect of letters.

13. Paragraph *(a)* of subsection one of section 43B of the principal Act as enacted by chapter twenty-five of the statutes of 1917, is repealed and the following are substituted therefor:—

"*(a)* A summary of the main objects of the company as set forth in the letters patent and of the capital stock provisions of such letters patent and of any special clauses therein, with the names, descriptions, and addresses of the signatories to the petition for incorporation, and the number of shares subscribed for by them respectively; and the number of founders' or management or deferred shares, if any, and the nature and extent of the interest of the holders in the property and profits of the company; and,"

Requirements as to particulars in prospectus.

14. Section 43c of the principal Act, as enacted by chapter twenty-five of the statutes of 1917, is repealed and the following is substituted therefor:—

"**43c.** (1) A company shall not allot any of its shares or debentures unless before the first allotment of either shares or debentures there has been filed with the Secretary of State of Canada either a prospectus or a statement in lieu of prospectus, in the form and containing the particulars set out in Form F in the schedule to this Act, signed by every person who is named therein as a director or a proposed director of the company or by his agent authorized in writing.

Filing of prospectus or statement.

(2) This section shall not apply to a private company or to a company which has allotted any shares or debentures before the first day of January, 1918.

15. Section forty-four of the principal Act is repealed and the following is substituted therefor:—

"**44.** The company shall not under any circumstances use any of its funds in the purchase of stock in any other corporation, unless nor until the directors have been expressly authorized by a by-law passed by them for the purpose and sanctioned by a vote of not less than two-thirds in value of the shares represented at a special general

Conditions on which company may purchase stock of other companies.

Section 13—

The Act, as it stands, requires the total contents of the letters patent to be included in the prospectus. This is never observed and is quite unnecessary. The amendment shows the full requirements of the prospectus in this respect.

Section 14—

This amendment merely provides for a verbal change covering doubts which arose in regard to the section as it stood.

Section 15—

See note to section 6.

meeting of the shareholders of the company duly called for considering the subject of the by-law: Provided, that if the letters patent authorize such purchase it shall not be necessary to pass such by-law."

16. Section forty-seven of the principal Act is repealed and the following is substituted therefor:—

Preference stock.

"**47.** (1) The directors of the company, when no provision is made by letters patent or supplementary letters patent for the creation of either preferred stock or deferred stock, may make by-laws *(a)* for creating and issuing any part of the capital stock as preferred stock or deferred stock, giving the same such preference and priority as respects dividends and in any other respect over ordinary stock or other classes of preferred stock or deferred stock, and also prescribing such restrictions as respects voting rights and in any other respect as is by such by-law declared, and *(b)* for the conversion of preference shares into common shares or any class of shares into any other class.

Provisions as to control of affairs.

(2) Such by-laws may provide that the holders of shares of such preferred or deferred stock shall have the right to select certain stated proportion of the Board of Directors or may give them such other control or may so limit their control over the affairs of the company as is considered expedient or may provide for the purchase or redemption of such shares by the company as therein set out: Provided, however, that any term or provision of such by-laws, whereby the rights of holders of such shares are limited or restricted, shall be fully set out in the certificate of such shares, and in the event of any such limitations and restrictions not being so set out, they shall not be deemed to qualify the rights of the holders thereof.

Consent of holders.

(3) Unless preference shares or deferred shares are issued subject to redemption or conversion, the same shall not be subject to redemption or conversion without the consent of the holders thereof.

Confirmation by supplementary letters patent.

(4) No such by-law which has the effect of increasing or decreasing the capital of the company, or otherwise varying any term or provision of letters patent or supplementary letters of the company, shall be valid or acted upon until confirmed by supplementary letters patent."

17. Section forty-eight of the principal Act is repealed and the following is substituted therefor:—

By-law to be sanctioned.

"**48.** No such by-law shall have any force or effect whatever until after it has been sanctioned by a vote of at least two-thirds in value of the shares represented at a special general meeting of the shareholders of the company duly called for considering the same, or until the same shall be unanimously sanctioned in writing by the shareholders of the company."

Section 16—

The flotation of public companies now demands a provision for redeemable preference shares. A few years ago this purpose was accomplished by issuing debentures which were, of course, redeemable. Many companies were ruined by this nethod of financing, and a demand for redeemable preference shares arose. This was done under the provision of the Act authorizing a reduction of capital. Doubts have arisen respecting this method, and the proposed section is merely for the purpose of making this transaction quite clear.

Section 17—

See note to section 6.

18. Section fifty-two of the principal Act is repealed and the following is substituted therefor:—

Increase of capital.

"**52.** (1) The directors of the company may, at any time after ninety per centum of the authorized capital stock of the company has been subscribed and fifty per centum of such subscribed stock has been paid in, make a by-law for increasing the capital stock of the company to any amount which they consider requisite for the due carrying out of the objects of the company.

By-law to be approved and confirmed.

(2) No by-law for increasing or reducing the capital stock of the company, or for subdividing the shares, shall have any force or effect whatsoever, until it is approved by the vote of at least two-thirds in value of the shares represented at a special general meeting of the shareholders of the company duly called for considering the same, and afterwards confirmed by supplementary letters patent."

19. Subsection one of section sixty-nine of the principal Act, as enacted by chapter twenty-three of the statutes of 1914, is repealed and the following is substituted therefor:-

Borrowing powers.

"If authorized by by-law, sanctioned by a vote of at least two-thirds in value of the shares represented at a special general meeting of the shareholders duly called for considering the by-law, the directors may from time to time, *(a)* borrow money upon the credit of the company; *(b)* limit or increase the amount to be borrowed; *(c)* issue bonds, debentures, debenture stock or other securities of the company, and pledge or sell the same for such sums and at such prices as may be deemed expedient; *(d)* hopothecate, mortgage or pledge the real or personal property of the company, or both, to secure any such bonds, debentures, debenture stock or other securities, and any money borrowed for the purposes of the company."

Issue of bonds or other securities.

Hypothecation, mortgages or pledges.

20. Section seventy of the principal Act is amended by adding thereto the following subsection:

Dividends payable out of funds when assets of a wasting character.

"(2) Nothing in this section shall prevent a mining company or a company whose assets are of a wasting character from declaring or paying dividends out of its funds derived from the operations of the company, notwithstanding that the value of the net assets of the company may be thereby reduced to less than the par value of the issued capital stock of the company, or in the case of companies having shares without par value, to less than the aggregate amount of the par value of the preferred stock having a preference as to principal and in addition thereto the amount received by the company as consideration for the issuance of its shares without nominal or par value if such payment does not reduce the value of its remaining assets so that they

Section 18—

See note to section 6.

Section 19—

See note to section 6.

Section 20—

This section is suggested for the purpose of settling doubts which have arisen in decisions of the courts in the case of mining and other similar companies which have wasting assets, and provides that dividends may be paid in the working of a mine without setting aside a fund to maintain the capital unimpaired.

will be insufficient to meet all the liabilities of the company then existing, exclusive of its nominal paid up capital."

21. Section seventy-five of the principal Act is repealed and the following is substituted therefor:—

Qualifications of directors elected.

"**75.** (1) No person shall be elected as a director or appointed as a director to fill any vacancy unless he is a shareholder, owning stock absolutely in his own right, and to the amount required by the by-laws of the company, and not in arrear in respect of any call thereon.

Requirements on part of person to be named director.

(2) A person named as a director or proposed director in any prospectus or in any statement in lieu of prospectus, issued by or on behalf of the company, shall not be capable of being appointed director of the company, unless, at the time of the publication of the prospectus or statement in lieu of prospectus, he has by himself or by his agent authorized in writing,—

(i) Signed and filed with the Secretary of State of Canada a consent in writing to act as such director; and

(ii) Either signed the petition for incorporation and memorandum of agreement and stock book for a number of shares not less than his qualification or signed and filed with the Secretary of State of Canada a contract in writing to take from the company and pay for his qualification shares."

22. Section seventy-six of the principal Act, as enacted by chapter thirteen of the statutes of 1918, is repealed and the following is substituted therefor:—

By-laws for increase or decrease of number.

"**76.** The company may, by by-law, increase or decrease to not less than three the number of its directors, or may change the company's chief place of business in Canada: Provided that no by-law for either of the said purposes shall be valid or acted upon unless it is approved by a vote of at least two-thirds in value of the shares represented at a special general meeting of the shareholders of the company duly called for considering the by-law; nor until a copy of such by-law, certified under the seal of the company, has been deposited in the Department of the Secretary of State of Canada and published in the *Canada Gazette*."

23. Section eighty-two of the principal Act is amended by adding thereto the following subsection:—

Exemption as to directors of mining company, etc.

"(2) Nothing in this section shall be deemed to create any liability upon the directors of a mining company or a company whose assets are of a wasting character by reason of payment of dividends out of funds derived from the operations of such company, if such payment does not reduce the value of the remaining assets of the company so that they will be insufficient to meet the liabilities of

Section 21—

This section is merely for the purpose of settling doubts respecting the interpretation of the section as it stood.

Section 22—

See note to section 6.

Section 23—

This is rendered necessary by the amendment in section 20.

the company then existing, exclusive of its nominal paid up capital."

24. Subsection one of section one hundred and five of the principal Act, as enacted by chapter twenty-five of the statutes of 1917, is repealed and the following is substituted therefor:—

Annual meeting.

"**105.** (1) An annual meeting of the company shall be held at such time and place in each year as the special Act, letters patent or by-laws of the company provide, and in default of such provisions in that behalf an annual meeting shall be held at the head office of the company, on the fourth Wednesday in January in every year."

25. Paragraph (i) of subsection one of section one hundred and six of the principal Act, as enacted by chapter twenty-five of the statutes of 1917, is repealed and the following is substituted therefor:—

Amounts in annual return.

"(i) The total amount paid on shares otherwise than in cash, since the last annual return, showing severally the amounts paid by services, commissions or assets acquired."

26. Paragraph *(n)* of subsection one of section one hundred and six of the principal Act, as enacted by chapter twenty-five of the statutes of 1917, is repealed and the following is substituted therefor:—

Subscriptions in return.

"*(n)* The total amount of subscriptions paid on such shares."

27. Subsection two of section one hundred and six of the principal Act, as enacted by chapter twenty-five of the statutes of 1917, is repealed and the following is substituted therefor:—

Summary to be filed, signed and verified.

"(2) The said summary must be completed and filed in duplicate in the Department of the Secretary of State of Canada on or before the first day of June aforesaid. Each of the said duplicates shall be signed by the president and the manager, or, if these are the same person, by the president and by the secretary of the company, and shall be duly verified by their affidavits. Provided that if one or both of such officers be unable to sign the said summary on account of absence or any other cause, the summary shall be signed instead by such other director or directors as shall be authorized thereto by the company and the affidavit of verification of the signature of each such substitute director shall include an explanation of the reason for failure of the absent or incapable officer to sign and of the authority of such substitute so to act. The said affidavits shall also verify that the copies of the said summary are duplicates."

Sections 24, 25, 26 and 27—
These sections provide merely verbal changes.

28. The principal Act is amended by inserting the following section immediately after section one hundred and twelve:—

Meeting of creditors ordered by Secretary of State.

"**112A.** (1) Where a compromise or arrangement is proposed between a company subject to proceedings under the *Winding Up Act*, chapter one hundred and forty-four of the Revised Statutes of Canada, 1906, or *The Bankruptcy Act*, chapter thirty-six of the statutes of 1919, and its creditors or any class of them, or between the company and its shareholders or any class of them, the Secretary of State may, on application in a summary way of the company or of any creditor or shareholder of the company or in the case of a company being wound up, of the liquidator, order a meeting of the creditors or class of creditors, or of the shareholders of the company or class of shareholders, as the case may be, to be summoned in such manner as the Secretary of State directs.

When compromise binding on all creditors.

(2) If a majority in number representing three-fourths in value of the creditors or class of creditors, or shareholders or class of shareholders, as the case may be, present either in person or by proxy at the meeting, agree to any compromise or arrangement, the compromise or arrangement shall, if sanctioned by the Secretary of State, be confirmed by supplementary letters patent which shall be binding on all the creditors or the class of creditors, or on the shareholders or class of shareholders, as the case may be, and also on the company or, in the case of a company in the course of being wound up, on the liquidator and contributories of the company."

Section 28—

There is no provision in the Act, as it stands, for the reorganization of a company except by the increase or reduction of capital. It is sometimes necessary to arrange a redistrubution of rights of all the shareholders for the purpose of obtaining further capital and otherwise advancing the interests of the company. The creation of a new company is sometimes required for this purpose, but there is no provision under which the existing shareholders may be bound to take securities of a slightly different nature in a new company. Often this may be advantageous. It sometimes results from arrangements in winding-up or bankruptcy proceedings.

The proposed section is a reproduction, with verbal changes, of section 120 of the English Act. This section of the English Act was originally adopted in 1870 and has been part of the English company legislation since that time. Its usefulness has been demonstrated on many occasions in reorganizations in England.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 190.

An Act to amend the Companies Act.

AS PASSED BY THE HOUSE OF COMMONS,
21st JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
54260 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 190.

An Act to amend the Companies Act.

R.S. c. 79; 1908, c. 16; 1914, c. 23; 1917, c. 25; 1918, cc. 13, 14.

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

Short title.

1. This Act may be cited as *The Companies Act Amending Act, 1923.*

2. Section five of the *Companies Act*, hereinafter referred to as the principal Act, is amended by adding thereto the following:—

When company may be created a private company.

"(3) A company may be created a private company by providing in its letters patent or supplementary letters patent *(a)* restrictions upon the right to transfer its shares, *(b)* limitation of the number of its members (exclusive of persons who are in the employment of the company and of persons who having been formerly in the employment of the company were, while in such employment, and have continued after the termination of such employment, to be members of the company) to fifty, and *(c)* the prohibition of any invitation to the public to subscribe for any shares or debentures of the company.

When several considered as single shareholder.

"(4) Where two or more persons hold one or more shares in a company jointly, they shall, for the purposes of this section, be treated as a single shareholder."

3. Subsection *(f)* of section seven of the principal Act is repealed, and the following is substituted therefor:—

Applicants.

"*(f)* The names in full and the address and calling of each of the applicants, with special mention of the names of not less than three of their number, who are to be the first or provisional directors of the company."

4. Section 7A of the principal Act, as enacted by chapter twenty-five of the statutes of 1917, is amended by repealing paragraph *(d)* of subsection one, and subsections five and

EXPLANATORY NOTES

This Bill, with the exception of sections 5, 7, 8, 9, 13, 17, 21, 29 and 30, makes verbal changes only in the Act. These are found necessary in its administration. The sections referred to will be specially explained.

Section 2—

Section 43, subsection 3, defined a private company, but there was no express provision in the Act for the creation of such a company. This section is merely to cure this anomly. The corresponding amendment of section 43c is shown in section 15.

Section 3—

Section 72, as amended by the amending Act of 1917, provides no maximum number of directors. This amendment is to make paragraph (*f*) of section 7 providing for the number of directors cornform to section 72.

Section 4—

Some doubt arose in the administration of section 7A, subsection 5, whether a company with share capital could take advantage of this section. The object of this amendment is to make it quite clear that only companies without share capital may be brought within the provisions of this section.

six, of said section, and substituting therefor the following:—

Applicants.

"*(d)* The name in full and the address and calling of each of the applicants with special mention of the names of not less than three of their members who are to be the first or provisional directors or trustees of the corporation.

Existing corporations.

(5) Any existing corporation without share capital created by or under any Act of the Parliament of Canada for any of the objects mentioned in subsection one of this section may apply under this section for the issue of letters patent creating it a corporation under those provisions of Part I of this Act which apply to corporations created under this section, and upon the issue of such letters patent the said provisions shall apply to the corporation created thereby.

Application of R.S., c. 79.

(6) The following provisions of Part I of this Act shall not apply to corporations created under this section, namely, sections 7, 7B, 8, 9, 26, 33, 38 to 43, both inclusive, 43D, 45 to 54, both inclusive, 54A to 54F, both inclusive, 55 to 68, both inclusive, 68A, 70 to 78, both inclusive, 80 to 84, both inclusive, 86 to 88, both inclusive, paragraphs *(d)* and *(e)* of section 89, section 90, 94A to 94C, both inclusive, 101 to 104, both inclusive, paragraphs *(j)* and *(k)* of subsection 3 of section 105, and sections 114 and 115."

5. Section 7B of the principal Act, as enacted by chapter twenty-five of the statutes of 1917, is repealed and the following is substituted therefor:—

Issue of shares without nominal or par value.

"7B. (1) The letters patent or any supplementary letters patent of any company may provide for the issue of the shares of the capital stock of such company without any nominal or par value, except in the case of preferred stock having a preference as to principal; and if such preferred stock or any part thereof has a preference as to principal, the letters patent shall state the amount of such preferred stock having such preference, the particular character of such preference, and the amount of each share thereof, which shall be five dollars or some multiple of five dollars, but not more than one hundred dollars.

Statement as to preferred stock.

Equality of shares.

(2) Each share of the capital stock without nominal or par value shall be equal to every other share of such capital stock, subject to the preferences, restrictions or other conditions attached to any other class of shares, if any, authorized to be issued. Every certificate of shares without nominal or par value shall have plainly written or printed upon its face the number of such shares which it represents and the number of such shares which the company is authorized to issue, and no such certificate shall express any nominal or par value of such shares. The certificates of preferred shares having a preference

The amendment of paragraph (*d*) is for the same purpose as that of section 3 of the Bill.

The amendment of subsection 6 is to correct a clerical error.

Section 5—

Section 7B was taken, with verbal alterations, from the legislation of the State of New York for the year 1912. This was the first legislation in the United States with respect to companies having shares without par value. The New York legislation has been amended to meet difficulties which have arisen in the administration of the Act, and this amendment is for a similar purpose. The original legislation provides that the company may not do business until the amount set out in the charter as the amount with which it may do business has been fully subscribed and paid for. This amount was fixed at the amount of the preferred shares and five dollars on each common share. When an existing company was taken over or reorganized, this created no difficulty, but in new enterprises it was found that in many cases the total subscription of preferred shares was not required. The amount with which the company may commence business will still be controlled by section 26.

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as to principal shall state briefly the amount which the holder of any of such preferred shares shall be entitled to receive on account of principal from the surplus assets of the company in preference to the holders of other shares, and shall state briefly any other rights or preferences given to the holders of such shares.

Shares to be allotted at price fixed by Board or Letters Patent.

(3) The issue and allotment of shares authorized by this section, other than shares of preferred stock having a preference as to principal, may be made from time to time for such consideration as may be prescribed in the letters patent, or as may be fixed by the board of directors pursuant to authority conferred in the letters patent or if the letters patent do not so provide, then by the consent of the holders of two-thirds of each class of shares then outstanding given at a meeting called for that purpose in such manner as is prescribed by the by-law. Any and all shares issued as permitted by this section shall be deemed fully paid and non-assessable and the holder of such shares shall not be liable to the company or to its creditors in respect thereof.

Amount of capital required.

(4) *(a)* The amount of capital with which the company shall carry on business shall be not less than the aggregate amount of the consideration for the issue and allotment of the shares without nominal or par value from time to time outstanding, and in addition thereto an amount equal to the total par value of all other issued and outstanding shares of the capital stock of the company.

Ten per cent of authorized capital defined.

(b) For the purposes of section twenty-six of this Part, ten percentum of the authorized capital of a company under this section shall mean ten percentum of the amount of capital with which the company shall carry on business computed in the manner herein prescribed."

6. Section twenty-two of the principal Act is repealed and the following is substituted therefor:—

Company may obtain change of name.

"**22.** When a company is desirous of adopting another name it may, subject to confirmation by supplementary letters patent, change its corporate name by a resolution passed by at least two-thirds of the shares represented at a special general meeting of shareholders called for the purpose. The Secretary of State upon application of the company and upon being satisfied that the change desired is not for any improper purpose, may direct the issue of supplementary letters patent, reciting the former letters patent and changing the name of the company to some other name, which shall be set forth in the supplementary letters patent."

7. The principal Act is amended by inserting the following section immediately after section twenty-seven:—

When company may surrender charter.

"**27**A. (1) The charter of a company incorporated under this Part may be surrendered if the company proves to the satisfaction of the Secretary of State of Canada:—

Section 6—

Several sections of the Act provide for resolutions of shareholders approving of by-laws passed by the directors for the purpose of obtaining supplementary letters patent and other similar transactions. The wording of these sections is not uniform. Moreover, it is not certain in many of the sections whether two-thirds' vote means two-thirds of all the issued capital of the company or two-thirds of those present at the meeting of shareholders. Sections 6, 11, 12, 16, 18, 20, ss. 2, 22 and 23 are inserted in this Bill for the purpose of amending the sections of the Act referred to in each of these sections, making them uniform so that the vote will be that of two-thirds of those present at the meeting either in person or by proxy and entitled to vote thereat. There appears to be no good reason why any of these transactions should be approved of by a vote of two-thirds of all the shareholders. On many occasions such a provision would render a transaction under these sections impossible, as it might be impossible to have two-thirds of all the shareholders present or represented. On all occasions every shareholder is entitled to notice of the meeting, and if he objects to the transaction, it is his duty to be present.

Section 7—

There is no provision in the Dominion Companies Act for the surrender of a charter. It is the practice of the Department to accept the return of charters in order to avoid repeated correspondence respecting annual returns. The charter is then filed and marked "returned" on the record books of the Department. There appears to be no legal effect of this transaction. There are many cases where companies have never been organized, have merely evaporated or otherwise ceased business, and the ordinary proceedings of a winding up for the purpose of terminating the existence of the company would be expensive. It is for the purpose of ending the life of such companies that this section is inserted.

(a) That it has no debts or obligations; or

(b) That it has parted with its property, divided its assets rateably amongst its shareholders or members and has no debts or liabilities, or

(c) That the debts and obligations of the company have been duly provided for or protected or that the creditors of the company or other persons holding them consent; and

(d) That the company has given notice of the application for leave to surrender by publishing the same once in the *Canada Gazette* and once in a newspaper published at or as near as may be to the place where the company has its head office.

Acceptance of surrender and dissolving of company.

(2) The Secretary of State, upon a due compliance with the provisions of this section, may accept a surrender of the charter and direct its cancellation and fix a date upon and from which the company shall be dissolved, and the company shall thereby and thereupon become dissolved accordingly."

8. The principal Act is amended by inserting the following section immediately after section twenty-nine:—

Commission for procuring subscriptions.

"**29A.** (1) It shall be lawful for a company to pay a commission to any person in consideration of his subscribing or agreeing to subscribe, whether absolutely or conditionally, for any shares in the company, or procuring or agreeing to procure subscriptions, whether absolute or conditional, for any shares in the company, if the payment of the commission is authorized by the letters patent or supplementary letters patent, and the commission paid or agreed to be paid does not exceed the amount or rate so authorized, and if the amount or rate per cent of the commission paid or agreed to be paid is,—

(a) In the case of shares offered to the public for subscription, disclosed in the prospectus; or

(b) In the case of shares not offered to the public for subscription, disclosed in the statement in lieu of prospectus, and, where a circular or notice, not being a prospectus, inviting subscription for the shares is issued, also disclosed in that circular or notice.

Limitation regarding payment of commissions.

(2) Save as aforesaid, no company shall apply any of its shares or capital money either directly or indirectly in payment of any commission, discount, or allowance, to any person in consideration of his subscribing or agreeing to subscribe, whether absolutely or conditionally, for any shares of the company, or procuring or agreeing to procure subscriptions, whether absolute or conditional, for any shares in the company, whether the shares or money be so applied by being added to the purchase money of any property acquired by the company or to the contract price of any work to be executed for the company, or the money

Section 8—

This section is taken wholly from a corresponding section of the English Act and allows a company to pay a commission on the sale of its shares. It is a universal practice to pay such a commission. There is considerable doubt respecting the legality of it, and this section is suggested merely for the purpose of permitting and regulating such payments.

be paid out of the nominal purchase money or contract price, or otherwise.

Payment of brokerage.

(3) Nothing in this section shall affect the power of any company to pay such brokerage as it has heretofore been lawful for a company to pay, and a vendor to, promoter of, or other person who receives payment in money or shares from a company, shall have and shall be deemed always to have had power to apply any part of the money or shares so received in payment of any commission, the payment of which, if made directly by the company, would have been legal under this section."

Repeal.

9. Subsection two of section thirty of the principal Act is repealed.

10. Section thirty-four of the principal Act, as enacted by chapter twenty-three of the statutes of 1914, is repealed and the following substituted therefor:—

Company may authorize directors to apply to extend or reduce powers.

"**34.** The company may, from time to time by a resolution passed by the votes of at least two-thirds of the shares represented at a special general meeting of shareholders called for the purpose, authorize the directors to apply for supplementary letters patent, extending the powers of the company to such further or other purposes or objects for which a company may be incorporated under this Part, or reducing, limiting, amending or varying such powers, or any provisions of the letters patent or supplementary letters patent issued to the company, as are defined in such resolution."

11. The principal Act is amended by inserting the following section immediately after section thirty-four:—

How private company may become public company.

"**34**A. A private company may, subject to anything contained in letters patent and supplementary letters patent, by a resolution passed by the vote of at least two-thirds of the shares represented at a special general meeting of the company called for that purpose and by filing with the Secretary of State of Canada such a statement in lieu of prospectus as the company, if a public company, would have had to file before allotting any of its shares or debentures and by obtaining supplementary letters patent confirming the resolution, turn itself into a public company."

12. Subsections one and two of section thirty-seven of the principal Act are repealed, and the following are substituted therefor:—

Supplementary letters patent granted.

"**37.** (1) Upon the due passing of such resolution being so established, the Secretary of State may grant supplementary letters patent extending the powers of the company to all or any of the objects, or reducing, limiting, amending

Section 9—

This subsection appears to be unnecessary and for that reason it is eliminated.

Section 10—

See note to section 6.

Section 11—

See note to section 2.

Section 12—

This section is required because of the amendment provided by section 12.

or varying such powers or any provisions of the letters patent or supplementary letters patent issued to the company as are defined in the resolution; and notice thereof shall be forthwith given by the Secretary of State in the *Canada Gazette*, in the form D in the schedule to this Act.

Notice of issue.

(2) From the date of the supplementary letters patent, the undertaking of the company shall extend to and include the further or other purposes or objects set out in the supplementary letters patent as fully as if such further or other purposes or objects were mentioned in the original letters patent."

Effect of letters.

13. Paragraph *(a)* of subsection one of section 43B of the principal Act as enacted by chapter twenty-five of the statutes of 1917, is repealed and the following are substituted therefor:—

"*(a)* A summary of the main objects of the company as set forth in the letters patent and of the capital stock provisions of such letters patent and of any special clauses therein, with the names, descriptions, and addresses of the signatories to the petition for incorporation, and the number of shares subscribed for by them respectively; and the number of founders' or management or deferred shares, if any, and the nature and extent of the interest of the holders in the property and profits of the company; and,"

Requirements as to particulars in prospectus.

14. Section 43C of the principal Act, as enacted by chapter twenty-five of the statutes of 1917, is repealed and the following is substituted therefor:—

"**43C.** (1) A company shall not allot any of its shares or debentures unless before the first allotment of either shares or debentures there has been filed with the Secretary of State of Canada either a prospectus or a statement in lieu of prospectus, in the form and containing the particulars set out in Form F in the schedule to this Act, signed by every person who is named therein as a director or a proposed director of the company or by his agent authorized in writing.

Filing of prospectus or statement.

(2) This section shall not apply to a private company or to a company which has allotted any shares or debentures before the first day of January, 1918.

15. Section forty-four of the principal Act is repealed and the following is substituted therefor:—

"**44.** The company shall not under any circumstances use any of its funds in the purchase of stock in any other corporation, unless nor until the directors have been expressly authorized by a by-law passed by them for the purpose and sanctioned by a vote of not less than two-thirds of the shares represented at a special general meeting

Conditions on which company may purchase stock of other companies.

Section 13—

The Act, as it stands, requires the total contents of the letters patent to be included in the prospectus. This is never observed and is quite unnecessary. The amendment shows the full requirements of the prospectus in this respect.

Section 14—

This amendment merely provides for a verbal change covering doubts which arose in regard to the section as it stood.

Section 15—

See note to section 6.

of the shareholders of the company duly called for considering the subject of the by-law: Provided, that if the letters patent authorize such purchase it shall not be necessary to pass such by-law."

16. Section forty-seven of the principal Act is repealed and the following is substituted therefor:—

Preference stock.

"**47.** (1) The directors of the company, when no provision is made by letters patent or supplementary letters patent for the creation of either preferred stock or deferred stock, may make by-laws *(a)* for creating and issuing any part of the capital stock as preferred stock or deferred stock, giving the same such preference and priority as respects dividends and in any other respect over ordinary stock or other classes of preferred stock or deferred stock, and also prescribing such restrictions as respects voting rights and in any other respect as is by such by-law declared, and *(b)* for the conversion of preference shares into common shares or any class of shares into any other class.

Provisions as to control of affairs.

(2) Such by-laws may provide that the holders of shares of such preferred or deferred stock shall have the right to select certain stated proportion of the Board of Directors or may give them such other control or may so limit their control over the affairs of the company as is considered expedient or may provide for the purchase or redemption of such shares by the company as therein set out: Provided, however, that any term or provision of such by-laws, whereby the rights of holders of such shares are limited or restricted, shall be fully set out in the certificate of such shares, and in the event of any such limitations and restrictions not being so set out, they shall not be deemed to qualify the rights of the holders thereof.

Consent of holders.

(3) Unless preference shares or deferred shares are issued subject to redemption or conversion, the same shall not be subject to redemption or conversion without the consent of the holders thereof.

Confirmation by supplementary letters patent.

(4) No such by-law which has the effect of increasing or decreasing the capital of the company, or otherwise varying any term or provision of letters patent or supplementary letters of the company, shall be valid or acted upon until confirmed by supplementary letters patent."

17. Section forty-eight of the principal Act is repealed and the following is substituted therefor:—

By-law to be sanctioned.

"**48.** No such by-law shall have any force or effect whatever until after it has been sanctioned by a vote of at least two-thirds of the shares represented at a special general meeting of the shareholders of the company duly called for considering the same."

Section 16—

The flotation of public companies now demands a provision for redeemable preference shares. A few years ago this purpose was accomplished by issuing debentures which were, of course, redeemable. Many companies were ruined by this nethod of financing, and a demand for redeemable preference shares arose. This was done under the provision of the Act authorizing a reduction of capital. Doubts have arisen respecting this method, and the proposed section is merely for the purpose of making this transaction quite clear.

Section 17—

See note to section 6.

18. Section fifty-two of the principal Act is repealed and the following is substituted therefor:—

Increase of capital.

"**52.** (1) The directors of the company may, at any time after fifty per centum of the authorized capital stock of the company has been subscribed and fifty per centum of such subscribed stock has been paid in, make a by-law for increasing the capital stock of the company to any amount which they consider requisite for the due carrying out of the objects of the company.

By-law to be approved and confirmed.

(2) No by-law for increasing or reducing the capital stock of the company, or for subdividing the shares, shall have any force or effect whatsoever, until it is approved by the vote of at least two-thirds of the shares represented at a special general meeting of the shareholders of the company duly called for considering the same, and afterwards confirmed by supplementary letters patent."

19. Subsection two of section fifty-four of the principal Act is repealed and the following is substituted therefor:—

By-law to be approved and confirmed.

"(2) No by-law for reducing the capital stock of the company shall have any force or effect whatsoever until it is approved by at least two-thirds of the shares represented at a special general meeting of the company duly called for considering the same, and afterwards confirmed by supplementary letters patent."

20. Subsection one of section sixty-nine of the principal Act, as enacted by chapter twenty-three of the statutes of 1914, is repealed and the following is substituted therefor:

Borrowing powers.

"**69.** (1) If authorized by by-law, sanctioned by a vote of at least two-thirds of the shares represented at a special general meeting of the shareholders duly called for considering the by-law, the directors may from time to time, *(a)* borrow money upon the credit of the company; *(b)* limit or increase the amount to be borrowed; *(c)* issue bonds, debentures, debenture stock or other securities of the company, and pledge or sell the same for such sums and at such prices as may be deemed expedient; *(d)* hopothecate, mortgage or pledge the real or personal property of the company, or both, to secure any such bonds, debentures, debenture stock or other securities, and any money borrowed for the purposes of the company."

Issue of bonds or other securities.

Hypothecation, mortgages or pledges.

21. Section seventy of the principal Act is amended by adding thereto the following subsection:

Dividends payable out of funds when assets of a wasting character.

"(2) Nothing in this section shall prevent a mining company or a company whose assets are of a wasting character from declaring or paying dividends out of its funds derived from the operations of the company, notwithstanding that the value of the net assets of the company may be thereby

Section 18—

See note to section 6.

Section 20—

See note to section 6.

Section 21—

This section is suggested for the purpose of settling doubts which have arisen in decisions of the courts in the case of mining and other similar companies which have wasting assets, and provides that dividends may be paid in the working of a mine without setting aside a fund to maintain the capital unimpaired.

reduced to less than the par value of the issued capital stock of the company, or in the case of companies having shares without par value, to less than the aggregate amount of the par value of the preferred stock having a preference as to principal and in addition thereto the amount received by the company as consideration for the issuance of its shares without nominal or par value if such payment does not reduce the value of its remaining assets so that they will be insufficient to meet all the liabilities of the company then existing, exclusive of its nominal paid up capital."

22. Section seventy-five of the principal Act is repealed and the following is substituted therefor:—

Qualifications of directors elected.

"**75.** (1) No person shall be elected as a director or appointed as a director to fill any vacancy unless he is a shareholder, owning stock absolutely in his own right, and to the amount required by the by-laws of the company, and not in arrear in respect of any call thereon.

Requirements on part of person to be named director.

(2) A person named as a director or proposed director in any prospectus or in any statement in lieu of prospectus, issued by or on behalf of the company, shall not be capable of being appointed director of the company, unless, at the time of the publication of the prospectus or statement in lieu of prospectus, he has by himself or by his agent authorized in writing,—

(i) Signed and filed with the Secretary of State of Canada a consent in writing to act as such director; and

(ii) Either signed the petition for incorporation and memorandum of agreement and stock book for a number of shares not less than his qualification or signed and filed with the Secretary of State of Canada a contract in writing to take from the company and pay for his qualification shares."

23. Section seventy-six of the principal Act, as enacted by chapter thirteen of the statutes of 1918, is repealed and the following is substituted therefor:—

By-laws for increase or decrease of number.

"**76.** The company may, by by-law, increase or decrease to not less than three the number of its directors, or may change the company's chief place of business in Canada: Provided that no by-law for either of the said purposes shall be valid or acted upon unless it is approved by a vote of at least two-thirds of the shares represented at a special general meeting of the shareholders of the company duly called for considering the by-law; nor until a copy of such by-law, certified under the seal of the company, has been deposited in the Department of the Secretary of State of Canada and published in the *Canada Gazette*."

Section 22—

This section is merely for the purpose of settling doubts respecting the interpretation of the section as it stood.

Section 23—

See note to section 6.

24. Section eighty-two of the principal Act is amended by adding thereto the following subsection:—

Exemption as to directors of mining company, etc.

"(2) Nothing in this section shall be deemed to create any liability upon the directors of a mining company or a company whose assets are of a wasting character by reason of payment of dividends out of funds derived from the operations of such company, if such payment does not reduce the value of the remaining assets of the company so that they will be insufficient to meet the liabilities of the company then existing, exclusive of its nominal paid up capital."

25. Subsection one of section one hundred and five of the principal Act, as enacted by chapter twenty-five of the statutes of 1917, is repealed and the following is substituted therefor:—

Annual meeting.

"**105.** (1) An annual meeting of the company shall be held at such time and place in each year as the special Act, letters patent or by-laws of the company provide, and in default of such provisions in that behalf an annual meeting shall be held at the head office of the company, on the fourth Wednesday in January in every year."

26. Paragraph (i) of subsection one of section one hundred and six of the principal Act, as enacted by chapter twenty-five of the statutes of 1917, is repealed and the following is substituted therefor:—

Amounts in annual return.

"(i) The total amount paid on shares otherwise than in cash, since the last annual return, showing severally the amounts paid by services, commissions or assets acquired."

27. Paragraph *(n)* of subsection one of section one hundred and six of the principal Act, as enacted by chapter twenty-five of the statutes of 1917, is repealed and the following is substituted therefor:—

Subscriptions in return.

"*(n)* The total amount paid on such subscribed shares."

28. Subsection two of section one hundred and six of the principal Act, as enacted by chapter twenty-five of the statutes of 1917, is repealed and the following is substituted therefor:—

Summary to be filed, signed and verified.

"(2) The said summary must be completed and filed in duplicate in the Department of the Secretary of State of Canada on or before the first day of June aforesaid. Each of the said duplicates shall be signed by the president and the manager, or, if these are the same person, by the president and by the secretary of the company, and shall be duly verified by their affidavits. Provided that if one or both of such officers be unable to sign the said summary on account of absence or any other cause, the summary

Section 24—

This is rendered necessary by the amendment in section 21.

Sections 25, 26, 27 and 28—

These sections provide merely verbal changes.

shall be signed instead by such other director or directors as shall be authorized thereto by the company and the affidavit of verification of the signature of each such substitute director shall include an explanation of the reason for failure of the absent or incapable officer to sign and of the authority of such substitute so to act. The said affidavits shall also verify that the copies of the said summary are duplicates."

29. The principal Act is amended by inserting the following section immediately after section one hundred and twelve:—

Meeting of shareholders ordered by Judge to consider compromise.

"**112A.** (1) Where a compromise or arrangement is proposed between a company and its shareholders or any class of them affecting the rights of shareholders or any class of them, under the company's letters patent or supplementary letters patent or by-laws, a judge of a supreme or superior court of the province in which the head office of the company is situated may on application in a summary way of the company or of any shareholder order a meeting of the shareholders of the company or of any class of shareholders, as the case may be, to be summoned in such manner as the said judge directs.

When compromise binding on shareholders.

"(2) If the shareholders, or class of shareholders, as the case may be, present in person or by proxy at the meeting, by three-fourths of the shares represented agree to the compromise or arrangement either as proposed or as altered or modified at such meeting, such compromise or arrangement may be sanctioned by a judge as aforesaid, and if so sanctioned such compromise or arrangement and any reduction or increase of share capital and any provisions for the allotment or disposition thereof by sale or otherwise as therein set forth, shall be confirmed by supplementary letters patent, which shall be binding on the company, and the shareholders or class of shareholders, as the case may be."

Meeting of shareholders ordered by Court if company is subject to proceedings under *Winding-up Act*.

30. (1) Where a compromise or arrangement is proposed between a company which is subject to any pending proceedings under the *Winding-up Act*, chapter one hundred and forty-four of the Revised Statutes of Canada, 1906, and its creditors or any class of them or its shareholders or any class of them, affecting or cancelling conditionally or otherwise, the rights of shareholders or any class of them under the company's letters patent or supplementary letters patent, or by-laws, the court having jurisdiction in such pending proceedings as aforesaid may on application in a summary way of the company or any shareholder or liquidator, order a meeting of the shareholders or class of shareholders to be summoned in such manner as the court directs.

Sections 29 and 30—

There is no provision in the Act, as it stands, for the reorganization of a company except by the increase or reduction of capital. It is sometimes necessary to arrange a redistrubution of rights of all the shareholders for the purpose of obtaining further capital and otherwise advancing the interests of the company. The creation of a new company is sometimes required for this purpose, but there is no provision under which the existing shareholders may be bound to take securities of a slightly different nature in a new company. Often this may be advantageous. It sometimes results from arrangements in winding-up or bankruptcy proceedings.

The proposed sections are a reproduction, with verbal changes, of section 120 of the English Act. This section of the English Act was originally adopted in 1870 and has been part of the English company legislation since that time. Its usefulness has been demonstrated on many occasions in reorganizations in England.

Compromise agreed to, and sanctioned by Court, to be confirmed by letters patent.

(2) If the shareholders or class of shareholders, as the case may be, present in person or by proxy at the meeting, by three-fourths of the shares represented agree to a compromise or arrangement, either as proposed or as altered or modified at such meeting, and if the requisite majority of the creditors or class of creditors under any relative provisions of the *Winding-up Act* also agree to such compromise or arrangement, the court having jurisdiction in such pending proceedings as aforesaid may sanction such compromise or arrangement, and if so sanctioned by the court, a certified copy of such compromise or arrangement as so sanctioned and of the order or judgment of the court sanctioning the same shall be deposited in the office of the Secretary of State, and such compromise or arrangement and any reduction or cancellation of share capital and any increase or creation of new share capital and any provisions for the allotment of disposition thereof by sale or otherwise as therein set forth, shall be confirmed by supplementary letters patent, which shall be binding upon all the creditors or class of creditors and shareholders or class of shareholders, and on any liquidator or contributories concerned.

Compromise where company subject to proceedings under *Bankruptcy Act*.

(3) Where a compromise or arrangement proposed between a company which is subject to any pending proceedings under *The Bankruptcy Act*, chapter thirty-six of the statutes of 1919, and its creditors or any class of them or its shareholders or any class of them, affecting or cancelling conditionally or otherwise the rights of shareholders or any class of them under the company's letters patent or supplementary letters patent or by-laws, has been approved by the court having jurisdiction in such pending proceedings under *The Bankruptcy Act*, a certified copy of such compromise or arrangement as so approved and of the order or judgment of the court approving the same shall be deposited in the office of the Secretary of State, and such compromise or arrangement and any reduction or cancellation of share capital and any increase or creation of new share capital and any provisions for the allotment or disposition thereof by sale or otherwise as therein set forth shall be confirmed by supplementary letters patent, which shall be binding upon all the creditors or class of creditors and shareholders or class of shareholders and on any custodian or trustee concerned.

To be approved by Court and confirmed by letters patent.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 191.

An Act to amend The Public Service Retirement Act.

First reading, June 1, 1923.

The MINISTER OF FINANCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
61048 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 191.

An Act to amend The Public Service Retirement Act.

1920, c. 67; 1921, c. 49; 1922, c. 39.

HIS 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 Public Service Retirement Act*, chapter sixty-seven of the statutes of 1920, as amended by chapter forty-nine of the statutes of 1921, and by chapter thirty-nine of the statutes of 1922, is repealed, and the following is substituted therefor:—

Operation of Act extended for one year.

"**8.** No person shall be retired under the provisions of this Act after the first day of July, one thousand nine hundred and twenty-four".

191.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 191.

An Act to amend The Public Service Retirement Act.

AS PASSED BY THE HOUSE OF COMMONS,
15th JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
61051 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 191.

An Act to amend The Public Service Retirement Act.

1920, c. 67; 1921, c. 49; 1922, c. 39.

HIS 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 Public Service Retirement Act*, chapter sixty-seven of the statutes of 1920, as amended by chapter forty-nine of the statutes of 1921, and by chapter thirty-nine of the statutes of 1922, is repealed, and the following is substituted therefor:—

Operation of Act extended for one year.

"**8.** No person shall be retired under the provisions of this Act after the first day of July, one thousand nine hundred and twenty-four".

192.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 192.

An Act to authorize an extension of time for the completion of the Saint John and Quebec railway between Centreville, in the County of Carleton, and Andover, in the County of Victoria, N.B.

First reading, June 1, 1923.

The MINISTER OF RAILWAYS AND CANALS.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
60602 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 192.

An Act to authorize an extension of time for the completion of the Saint John and Quebec railway between Centreville, in the County of Carleton, and Andover, in the County of Victoria, N.B.

1919, c. 31; 1921, c. 12.

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

Time for completion of line extended.

1. Section one of chapter thirty-one of the statutes of 1919, as amended by chapter twelve of the statutes of 1921, is further amended by striking out the figures "1923" in the seventh line thereof and substituting therefor the figures "1925".

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 201.

An Act to amend the Judges Act.

AS PASSED BY THE HOUSE OF COMMONS, 7th JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
60066 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 201.

An Act to amend the Judges Act.

R.S. c. 138; 1914, c. 38; 1919, c. 59; 1920, c. 56; 1921, c. 36.

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

1. Subsection one of section six of the *Judges Act*, Revised Statutes of Canada, 1906, chapter one hundred and thirty-eight, as enacted by section four of chapter fifty-six of the statutes of 1920, is repealed, and the following is substituted therefor:—

"PROVINCIAL SUPERIOR COURTS.

"Ontario.

Salaries of judges of Supreme Court of Ontario.

"6. (1) The salaries of the judges of the Supreme Court of Ontario shall be as follows:

	per annum
"(a) The Chief Justice of Ontario.....	$10,000.00
"(b) The Chief Justice of the Second Divisional Court.....	10,000.00
"(c) Eight Justices of Appeal, each.....	9,000.00
"(d) Nine judges of the High Court Division, each.....	9,000.00

Provided that the judge who at present holds the office of Chief Justice of the Exchequer, and the judge who at present holds the office of Chief Justice of the Common Pleas, shall, each respectively, and irrespective of the Division, Appellate or High Court, to which he may be assigned, continue to receive the salary of $10,000.00 which he is now receiving instead of the salary which he would otherwise receive; but that upon a vacancy occurring in the office of Chief Justice of the Exchequer, or in the office of Chief Justice of the Common Pleas, the salary of such Chief Justice shall cease; and provided moreover that, when the two last mentioned offices shall have been

abolished, the Chief Justice who may be appointed to preside over the High Court Division shall receive a salary of $10,000 per annum, and the number of salaries hereby authorized for the judges of the High Court Division shall thereupon be reduced to eight.

"Provided further that any judge who enjoys immunity from taxes or deductions by reason of the provisions of section eleven of chapter fifty-six of the statutes of 1920, entitled *An Act to amend the Judges Act*, shall continue to enjoy that immunity, but shall not, either in respect of the judicial office which he now holds, or in respect of any judicial office to which he may hereafter be appointed, the salary of which is provided for by this section, receive any salary in addition to that which he is receiving at the time of the passing of this Act, unless he elect, as he may effectively do, at or within three months after his appointment to any such latter office, wholly to waive or forego such immunity from taxes or deductions."

2. Section seventeen of the said Act, as enacted by section four of chapter thirty-eight of the statutes of 1914, is repealed, and the following is substituted therefor:—

"CIRCUIT COURT, MONTREAL.

Salaries of judges of Circuit Court Montreal.

"**17.** The salaries of the judges of the Circuit Court of the District of Montreal shall be as follows:—

The Senior judge of the said court, $8,000 per annum; and three other judges of the said court, each $7,000 per annum".

3. Section thirty-five of the said Act, as enacted by section four of chapter thirty-six of the statutes of 1921, is amended by adding thereto the following:—

Judges may act as arbitrators or assessors under *Railway Act* or public Act.

"Neither shall it extend nor be deemed to have extended to judges acting as arbitrators or assessors of compensation or damages under *The Railway Act, 1919*, or any public Act, whether of general or local application, of the Dominion or of any Province, whereby a judge is required or authorized, without authority from the Executive, to assess or ascertain compensation or damages."

Additional $1,000 to judges of Circuit Court.

4. Section ten of chapter fifty-six of the statutes of 1920, entitled *An Act to amend the Judges Act*, is amended by striking out the word " Circuit " in the first line thereof.

Local judges in Admiralty.

5. Section two of chapter fifty-nine of the statutes of 1919, entitled *An Act to amend the Judges Act*, is repealed.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 202.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1924.

AS PASSED BY THE HOUSE OF COMMONS, 11th JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
55565 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 202.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1924.

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS it appears by messages from His Excellency the Right Honourable Julian Hedworth George, Baron Byng of Vimy, etc., etc., Governor General of Canada, and the estimates accompanying the said messages, that the sums hereinafter mentioned are required to defray certain expenses of the public service of Canada, not otherwise provided for, for the financial year ending the thirty-first day of March, one thousand nine hundred and twenty-four, and for other purposes connected with the public service: May it therefore please Your Majesty that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:—

Short title.

1. This Act may be cited as *The Appropriation Act, No. 2, 1923.*

$44,725,058.25 granted for 1923-24.

2. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole forty-four million, seven hundred and twenty-five thousand, fifty-eight dollars and twenty-five cents towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and twenty-three, to the thirty-first day March, one thousand nine hundred and twenty-four, not otherwise provided for, and being one-sixth of the amount of each of the several items to be voted, set forth in the Estimates for the fiscal year ending the thirty-first day of March, one thousand nine hundred and twenty-four, as laid before the House of Commons at the present session of Parliament, excepting therefrom the second item of

Resolution No. 141, "Ottawa, New Departmental Building, $500,000".

$1,833,333.33 granted for 1923-24.

3. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole one million, eight hundred and thirty-three thousand, three hundred and thirty-three dollars and thirty-three cents towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and twenty-three, to the thirty-first day of March, one thousand nine hundred and twenty-four, not otherwise provided for, and being one-third of the amount of the item for a provisional bonus allowance for the inside and outside services of the Civil Service set forth in the Supplementary Estimates for the fiscal year ending the thirty-first day of March, one thousand nine hundred and twenty-four, as laid before the House of Commons at the present session of Parliament.

Account to be rendered n detail.

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

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 203.

An Act in respect of The Returned Soldiers' Insurance Act.

First reading, June 11, 1923.

The MINISTER OF SOLDIERS' CIVIL RE-ESTABLISHMENT.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
61393 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 203.

1920, c. 54; 1921, c. 52; 1922, c. 42.

An Act in respect of The Returned Soldiers' Insurance Act.

Preamble.

WHEREAS in and by *The Returned Soldiers' Insurance Act*, chapter fifty-four of the statutes of 1920, it is enacted that life insurance contracts may be entered into by the Government of Canada, on the terms and conditions therein set forth, with any returned soldier or widow as therein defined;

And whereas by the issue of certain regulations the scope of the said Act has been limited and certain persons have been refused the benefits of the said Act by reason of the said regulations;

And whereas it is expedient that the applications of those persons who were refused the benefits of insurance owing to such regulations be reviewed and be dealt with as though the said regulations had not been issued or put into effect, whether the applicant is now living or dead: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Where applicant died prior to delivery of policy, the insurance is payable if application approved and premium paid.

1. In any case where an application for insurance under the provisions of *The Returned Soldiers' Insurance Act* has been received and the applicant has died prior to the delivery to him of the policy of insurance, the approval of the application by the proper officer and the receipt of the initial premium shall be deemed to have been sufficient, unless it can be shown that the application was fraudulent, to put the insurance into force, and any insurance moneys which would have been payable had the policy been delivered to the applicant shall now be made payable, subject to a deduction of the amount of premium due from the date of application to the date of death.

Right to insurance of applicants rejected prior to 1st July, 1922.

2. Any applications which were rejected prior to the first day of July, one thousand nine hundred and twenty-two, under any of the conditions set forth in section two of *An Act to amend The Returned Soldiers' Insurance Act*, chapter forty-two of the statutes of 1922, or the schedule to the said Act, shall be reviewed, except in cases where the applicant is suffering or has become impaired as a result of self-inflicted wounds or immoral conduct, or where the application was fraudulent, and on such review any applicants who are now living shall be given the right to insure, whether they would be now barred by the amendments to the Act contained in chapter forty-two of the statutes of 1922 or not; and in the case of any such applicant who has died, the amount of insurance for which he applied shall now be made payable, less the amount which would have been due as premium from the date of application to the date of death, notwithstanding that no effective insurance contract was completed; provided that such applicant lived for a sufficient period of time to admit of the approval of his application by the proper officer of the Department in the ordinary course of procedure.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 203.

An Act in respect of The Returned Soldiers' Insurance Act.

AS PASSED BY THE HOUSE OF COMMONS, 14th JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
61396 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 203.

1920, c. 54; 1921, c. 52; 1922, c. 42.

An Act in respect of The Returned Soldiers' Insurance Act.

Preamble.

WHEREAS in and by *The Returned Soldiers' Insurance Act*, chapter fifty-four of the statutes of 1920, it is enacted that life insurance contracts may be entered into by the Government of Canada, on the terms and conditions therein set forth, with any returned soldier or widow as therein defined;

And whereas by the issue of certain regulations the scope of the said Act has been limited and certain persons have been refused the benefits of the said Act by reason of the said regulations;

And whereas it is expedient that the applications of those persons who were refused the benefits of insurance owing to such regulations be reviewed and be dealt with as though the said regulations had not been issued or put into effect, whether the applicant is now living or dead: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Where applicant died prior to delivery of policy, the insurance is payable if application approved and premium paid.

1. In any case where an application for insurance under the provisions of *The Returned Soldiers' Insurance Act* has been received and the applicant has died prior to the delivery to him of the policy of insurance, the approval of the application by the proper officer and the receipt of the initial premium shall be deemed to have been sufficient, unless it can be shown that the application was fraudulent, to put the insurance into force, and any insurance moneys which would have been payable had the policy been delivered to the applicant shall now be made payable, subject to a deduction of the amount of premium due from the date of application to the date of death.

Right to insurance of applicants rejected prior to 1st July, 1922.

2. Any applications which were rejected prior to the first day of July, one thousand nine hundred and twenty-two, under any of the conditions set forth in section two of *An Act to amend The Returned Soldiers' Insurance Act*, chapter forty-two of the statutes of 1922, or the schedule to the said Act, shall be reviewed, except in cases where the applicant is suffering or has become impaired as a result of self-inflicted wounds or immoral conduct, or where the application was fraudulent, and on such review any applicants who are now living shall be given the right to insure, whether they would be now barred by the amendments to the Act contained in chapter forty-two of the statutes of 1922 or not; and in the case of any such applicant who has died, the amount of insurance for which he applied shall now be made payable, less the amount which would have been due as premium from the date of application to the date of death, notwithstanding that no effective insurance contract was completed; provided that such applicant lived for a sufficient period of time to admit of the approval of his application by the proper officer of the Department in the ordinary course of procedure.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 204.

An Act to amend The Department of Soldiers' Civil Re-establishment Act.

First reading, June 11, 1923.

The MINISTER OF SOLDIERS' CIVIL RE-ESTABLISHMENT.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
61482 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 204.

1918, c. 42; 1919 (2nd Sess.), c. 29; 1922, c. 45.

An Act to amend The Department of Soldiers' Civil Re-establishment Act.

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

Regulations respecting Medical and Appeal Boards.

1. Paragraph (*g*1) of subsection two of section five of *The Department of Soldiers' Civil Re-establishment Act*, as enacted by chapter forty-five of the statutes of 1922, is amended by striking out the words "the constitution of Medical Boards, including Appeal Boards, with such powers as may be deemed expedient" in the first, second and third lines thereof.

2. Subsection two of section five of the said Act, as enacted by chapter twenty-nine of the statutes of 1919 (second session), is amended by inserting the following paragraph immediately after paragraph (*g*1) thereof as enacted by chapter forty-five of the statutes of 1922:—

Appeals, and Review and Appeal Tribunals.

"(*g*2) To provide for appeals from decisions as to the right of ex-members of the Forces to treatment with pay and allowances, and to designate for that purpose the Review and Appeal Tribunals constituted under the Pension Act, and to vest in such Tribunals all powers which may be deemed necessary or expedient for the effectual hearing and disposal of such appeals, and to prescribe or adapt procedure therefor;"

3. The said Act is amended by inserting the following sections immediately after section seven thereof:—

Official Soldiers' Adviser.

"**8.** The Governor in Council may, on the recommendation of the Minister, appoint at such salary or remuneration as may be decided in each case, in each unit or district of the Department, an ex-member of the Forces, to be known as the Official Soldiers' Adviser, whose duties shall be generally to advise and assist ex-members of the Forces in matters

pertaining to re-establishment, treatment and pension, and to perform such other duties as may be prescribed by the Minister.

Power to take evidence on oath.

"**9.** The Minister shall have power to appoint a person or persons to hear and receive evidence with respect to any matter pertaining to the Department or the procedure of the Department, and such person or persons shall have authority to administer oaths and to hear and receive evidence under oath and to take affidavits in any part of Canada."

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 204.

An Act to amend The Department of Soldiers' Civil Re-establishment Act.

AS PASSED BY THE HOUSE OF COMMONS, 14th JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
61686 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 204.

1918, c. -- 1919, (2nd Sess.), c. 2 1922, c. 45.

An Act to amend The Department of Soldiers' Civil Re-establishment Act.

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

Regulations respecting Medical and Appeal Boards.

1. Paragraph (*g*1) of subsection two of section five of *The Department of Soldiers' Civil Re-establishment Act*, as enacted by chapter forty-five of the statutes of 1922, is amended by striking out the words "the constitution of Medical Boards, including Appeal Boards, with such powers as may be deemed expedient" in the first, second and third lines thereof.

2. Subsection two of section five of the said Act, as enacted by chapter twenty-nine of the statutes of 1919 (second session), is amended by inserting the following paragraph immediately after paragraph (*g*1) thereof as enacted by chapter forty-five of the statutes of 1922:—

Appeals, and Review and Appea' Tribunals.

"(*g*2) To provide for appeals from decisions as to the right of ex-members of the Forces to treatment with pay and allowances, and to designate for that purpose the Review and Appeal Tribunals constituted under the Pension Act, and to vest in such Tribunals all powers which may be deemed necessary or expedient for the effectual hearing and disposal of such appeals, and to prescribe or adapt procedure therefor;"

3. The said Act is amended by inserting the following sections immediately after section seven thereof:—

Official Soldiers' Adviser.

"**8.** The Governor in Council may, on the recommendation of the Minister, appoint at such salary or remuneration as may be decided in each case, in each unit or district of the Department, an ex-member of the Forces, to be known as the Official Soldiers' Adviser, whose duties shall be generally to advise and assist ex-members of the Forces in matters

pertaining to re-establishment, treatment and pension, and to perform such other duties as may be prescribed by the Minister.

Power to take evidence on oath.

"**9.** The Minister shall have power to appoint a person or persons to hear and receive evidence with respect to any matter pertaining to the Department or the procedure of the Department, and such person or persons shall have authority to administer oaths and to hear and receive evidence under oath and to take affidavits in any part of Canada."

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 205.

An Act to amend the Pension Act.

First reading, June 11, 1923.

The MINISTER OF SOLDIERS CIVIL RE-ESTABLISHMENT.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
60954 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 205.

An Act to amend the Pension Act.

1919, c. 43; 1920, c. 62; 1921, c. 45; 1922, c. 38.

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

Definitions.

1. Section two of *The Pension Act*, chapter forty-three of the statutes of 1919, is amended by inserting the following paragraph immediately after paragraph *(k)* thereof:—

"Obvious".

"*(kk)* 'obvious' means that which would be apparent, clear, plain, evident or manifest to the eye, ear or mind of an unskilled observer on examination."

2. Paragraph *(o)* of section two of the said Act is repealed, and the following paragraph is substituted therefor:—

"War".

"*(o)* 'war' means the Great War waged by the German Emperor and His Allies against His Majesty and His Majesty's Allies; and the period denoted by the term

"The war".

'the war' is the period between the fourth day of August, nineteen hundred and fourteen, and the thirty-first day of August, nineteen hundred and twenty-one, both dates inclusive."

3. Section eleven of the said Act, as enacted by chapter sixty-two of the statutes of 1920, and amended by chapter forty-five of the statutes of 1921, and by chapter thirty-eight of the statutes of 1922, is repealed, and the following section is substituted therefor:—

Disabilities in respect of which pensions claimed.

"(**11**). (1) In respect of military service rendered during the war,—

"*(a)* Pensions shall be awarded to or in respect of members of the forces who have suffered disability resulting from injury or disease or an aggravation thereof, in accordance with the rates set out in Schedule A of this Act, and in respect of members of the forces who have died, in accordance with the rates set out

in Schedule B of this Act, when the disability resulting from injury or disease or the aggravation thereof in respect of which the application for pension is made or the injury or disease or the aggravation thereof resulting in the death in respect of which the application for pension is made, was attributable to or was incurred during such military service;

Pre-enlistment disabilities.

"*(b)* No deduction shall be made from the degree of actual disability of any member of the forces who has served in a theatre of actual war on account of any disability or disabling condition which existed in him at the time at which he became a member of the forces; provided that no pension shall be paid for a disability or disabling condition which at such time was wilfully concealed, was obvious, was not of a nature to cause rejection from service, or was a congenital defect;

"*(c)* An applicant shall not be deprived of pension in respect of disability resulting from injury or disease or the aggravation thereof incurred during military service or in respect of the death of a member of the forces resulting from such injury or disease or the aggravation thereof solely on the ground that no substantial disability or disabling condition is considered to have existed at the time of discharge of such member of the forces;

"*(d)* When a member of the forces is, upon retirement or discharge from military service, passed directly to the Department of Soldiers' Civil Re-establishment for treatment, a pension shall be paid to or in respect of him for disability or death incurred by him during such treatment;

"*(e)* When a member of the forces has during leave of absence from military service undertaken an occupation which is unconnected with military service no pension shall be paid for disability or death incurred by him during such leave unless his disability or death was attributable to his military service;

Disappearance of aggravation.

"*(f)* Subject to the proviso in paragraph *(b)* of this subsection, when a pension has been awarded to a member of the forces who has served in a theatre of actual war, it shall be continued, increased, decreased or discontinued, as if the entire disability had been incurred on service.

Post war disabilities.

"(2) In respect of military service rendered after the war, pensions shall be awarded to or in respect of members of the forces who have suffered disability, in accordance with the rates set out in Schedule A of this Act, and in respect of members of the forces who have died, in accordance with the rates set out in Schedule B of this Act, when the injury or disease or aggravation thereof resulting in disability

or death in respect of which the application for pension is made was attributable to military service as such.

Periodical certificate.

"(3) The Commission may require a pensioner to submit periodically in such form as may in the opinion of the Commission be necessary or advisable, a statutory or other declaration that he is the person to whom the pension is payable, and that his dependents in respect of whom he is in receipt of additional pension are living and are being supported and maintained by him, and in the event of his refusing or neglecting to submit such certificate, the Commission may suspend future payments of pension until the same is received."

4. Section twenty-five of the said Act, as amended by chapter sixty-two of the statutes of 1920, is repealed, and the following section is substituted therefor:—

Pension in accord with extent of disability.

"**25.** (1) Subject to the provisions of section eleven, pensions for disabilities shall be awarded or continued in accordance with the extent of the disability resulting from injury or disease or aggravation thereof as the case may be, of the applicant or pensioner.

How extent of disability estimated.

"(2) The estimate of the extent of a disability shall be based on the Instructions and a Table of Disabilities to be made by the Commission for the guidance of physicians and surgeons making medical examinations for pension purposes.

When no deduction of pension.

"(3) No deduction shall be made from the pension of any member of the forces owing to his having undertaken work or perfected himself in some form of industry."

Date of coming into force.

5. (1) Sections one to four of this Act shall be deemed to have come into force and operation on the first day of September, one thousand nine hundred and nineteen, subject however to the provisions hereinafter contained.

Review.

(2) All cases in which pension has been refused, reduced, discontinued or underrated by reason of the fact that sections one to four of this Act were not included in *The Pension Act*, shall be subject to review by the Board of Pension Commissioners.

Pensions to be granted under present legislation.

(3) On such review pension shall be granted, increased or continued in accordance with the schedules of rates in force from time to time, as from the date or dates it would have been granted, increased or continued had sections one to four of this Act been in force when such refusal, reduction, underrating or discontinuance was made effective.

Effect upon payment of insurance benefits.

(4) In any case where pension has been refused, if payment or part payment of insurance benefits under the provisions of *The Returned Soldiers' Insurance Act* has been made to a widow or other beneficiary of a deceased member of the forces, and if, after review of such case, it is found that pension would have been awarded had sections one to

four of this Act been in force at the date of the death of the said member of the forces, the provisions of *The Returned Soldiers' Insurance Act* shall become operative as from the date of death of the said member of the forces, and any insurance money paid to such widow or other beneficiary shall be deducted from the arrears of pension which on review of the case may become due to them; or, if the insurance money paid is in excess of the said arrears, one-half of the pension only shall be paid until the amount in excess has been absorbed. If, however, the beneficiary was the widow of the member of the forces and she has remarried or died since the commencement of payments of insurance money, and an award of pension would be less beneficial to her than the payment of insurance money, no pension shall be awarded.

6. Section seven of the said Act is repealed, and the following section is substituted therefor:—

Jurisdiction of Board of Pension Commissioners.

"(**7**). (1) Subject to the provisions of this Act and of any regulations made under the provisions of this Act, the Commission shall have full power and authority to deal with all matters pertaining to pensions, consider all applications for pension, and to award, refuse, cancel, pay and administer pensions. There shall be an appeal from any decision of the Commission to the District Review Boards or to the Federal Appeal Board as hereinafter provided, pursuant to the rules and regulations established by the Governor in Council under the authority of this Act.

(2) The Commission shall also have power to pay pensions, allowances and gratuities or other grants awarded in virtue of the *Militia Pension Act*, Revised Statutes of Canada, 1906, chapter forty-two, or any amendment to that Act, or awarded to or in respect of members of those forces who served in connection with the Fenian Raids or the Northwest Rebellion."

7. Section thirty of the said Act, as amended by chapter sixty-two of the statutes of 1920, is repealed, and the following section is substituted therefor:—

Differences between pay and allowances and pension to be applied for hospital maintenance.

"**30.** When a pensioner commences treatment under the jurisdiction of the Department of Soldiers' Civil Re-establishment, and his pension, including the pension, if any, for his dependents, is greater than the pay and allowances issued by that Department, there shall be deducted from such pension towards the cost of maintenance in hospital an amount equal to the difference between such pension and such pay and allowances."

Appeals and re-hearing.

8. Section eighteen of the said Act is repealed.

District Review Boards.

9. (1) The Governor in Council may, on the recommendation of the Minister of Justice, appoint a District Review Board for each of the nine districts of the Department of Soldiers' Civil Re-establishment, which shall consist of three members, one of whom shall be appointed chairman of the Board.

Tenure of office.

(2) Each member shall hold office for one year, and shall be removable at any time by the Governor in Council.

Qualifications.

(3) One member of the said Board shall be of the medical profession, one of the legal profession, and one a layman, and two of such members shall be ex-members of the Forces.

Remuneration.

(4) The remuneration of the members of the Board shall be as fixed by the Governor in Council, and such remuneration shall be paid monthly out of any unappropriated moneys of the Consolidated Revenue Fund of Canada.

Federal Appeal Board.

10. (1) The Governor in Council may, on the recommendation of the Minister of Justice, appoint a Board to be known as "The Federal Appeal Board", which shall consist of three members with qualifications similar to those of the members of the District Review Boards, and one of such members shall be appointed Chairman of the Board.

Tenure of office.

(2) Each member shall hold office during good behaviour for a period of five years from the date of his appointment, but shall be removable at any time for cause by the Governor in Council. He shall cease to hold office upon reaching the age of seventy years. On the expiration of his term of office he shall, if not disqualified by age, be eligible for reappointment.

Reappointment.

No other occupation.

(3) Each member shall devote the whole of his time to the performance of his duties under this Act, and shall not accept or hold any office or employment inconsistent therewith.

Salaries.

(4) The Chairman shall be paid a salary of seven thousand dollars per annum, and each of the other members shall be paid a salary of six thousand dollars per annum. Such salaries shall be paid monthly out of any unappropriated moneys forming part of the Consolidated Revenue Fund of Canada.

Appeals to District Review Board.

11. (1) An appeal shall lie from any decision as to pension, whether heretofore or hereafter pronounced, to the District Review Board, which shall, after hearing the case, make such recommendation as is warranted.

Recommendations.

This recommendation shall be forwarded, as directed by the rules and regulations, to the Board of Pension Commissioners.

Transmitted to Federal Appeal Board in certain cases.

(2) In case a recommendation more favourable to the applicant than the decision appealed against is not carried into effect within a time specified by regulations made

under the powers hereinafter conferred, or in case of a recommendation not more favourable to the applicant than the decision appealed against, the recommendation and fyle containing all papers in regard to the case shall be forthwith transmitted by the Board of Pension Commissioners to the Federal Appeal Board, and the Board of Pension Commissioners may at the same time submit for the information of the Federal Appeal Board a statement of their reasons for not carrying into effect the recommendations of the District Review Board.

Decision of Federal Appeal Board.

(3) The Federal Appeal Board may approve or disapprove the recommendation of the District Review Board, and the Board of Pension Commissioners shall be bound by and shall act upon the decision of the Federal Appeal Board.

In certain cases applicant is to be heard personally.

(4) In cases where the recommendation of the District Review Board is more favourable to the applicant than the decision appealed against, the Federal Appeal Board may not disapprove the recommendation without giving the applicant an opportunity to appear personally, or be represented before it, at a hearing in the district in which the applicant resides, or at the seat of the Federal Appeal Board as may be deemed more convenient. On this hearing, the Federal Appeal Board shall make such final decision as may appear just.

Final decision.

Time for appeals.

(5) The right of appeal shall be open for three months after the appointment of the District Review Board by the Governor in Council, or for a like period after the decision complained of, whichever may be the later.

One appeal on connection of disability with service.

(6) The applicant shall be entitled to only one appeal on the question of the connection of his disability with service, but if he subsequently submits evidence sufficiently convincing in the opinion of the District Review Board, the latter may, on special application, grant the right to another appeal.

One appeal on any one decision as to disability.

(7) The applicant shall be entitled to only one appeal as to any one decision fixing the degree of disability, but assessment on each periodic re-examination shall be considered a decision for this purpose. On an appeal as to degree of disability, the whole case, including service connection, shall be reviewed and the assessment increased, diminished or pension discontinued as the circumstances warrant.

Applicant may appear personally or by counsel.

(8) The applicant shall have the right to appear personally, and if he so desires, but at his own expense, to be assisted by counsel or representative other than the official Soldier Adviser, appointed under *The Department of Soldiers' Civil Re-establishment Act.*

Access to file.

(9) For the purpose of preparing the case, the Soldier Adviser, the applicant, or some one authorized by him in writing, shall have reasonable access to the applicant's

personal file in the presence of an official of the Department of Soldiers' Civil Re-establishment.

Payment of expenses.

(10) The expenses of the successful applicant in appearing before the District Review Board shall be paid on the scale now allowed applicants brought in for periodical medical examination, and the expenses of the applicant or his representative in appearing before the Federal Appeal Board shall, if the attendance of either be required by that Board, also be paid on the same scale.

Judicial powers on enquiries.

12. (1) Each District Review Board and the Federal Appeal Board shall have all the powers and authority of a Commissioner appointed under Part I of the *Inquiries Act*, Revised Statutes of Canada, 1906, chapter one hundred and four.

Power to take evidence on oath.

(2) Each of said Boards shall have power to appoint a person or persons to hear and receive evidence with respect of any matter pertaining to pensions, and such person or persons shall have authority to administer oaths and to hear and receive evidence under oath and to take affidavits in any part of Canada.

Rules and regulations.

13. The Governor in Council may make such rules and regulations as are deemed necessary; respecting,—

(a) The sittings, practice and procedure of the District Review Boards and of the Federal Appeal Board, and appeals thereto;

(b) The procedure for appellants to submit appeals thereto and to withdraw appeals therefrom;

(c) The reduction in the number of the District Review Boards or the increase of their territorial limits, as the volume of appeal may from time to time warrant; and

(d) To provide that pending the decision of the Federal Appeal Board upon any appeal, the recommendation of the District Review Board shall be effective, after such period or delay as may be deemed expedient to prescribe; and,

(e) Generally to carry out and enforce the provisions of this Act.

Inconsistent provisions repealed.

14. All provisions in any Act, Order in Council, or regulations, which are inconsistent with the provisions of this Act, are repealed.

FIRST REPRINT.

205.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 205.

An Act to Amend the Pension Act.

Amended as reported by the Special Committee to which the Bill was referred by the Senate.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
62682 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 205.

An Act to amend the Pension Act.

1919, c. 43; 1920, c. 62; 1921, c. 45; 1922, c. 38.

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

Definitions.

1. Section two of *The Pension Act*, chapter forty-three of the statutes of 1919, is amended by inserting the following paragraph immediately after paragraph *(k)* thereof:—

"Obvious".

"*(kk)* 'obvious' means that which would be apparent, clear, plain, evident or manifest to the eye, ear or mind of an unskilled observer on examination."

2. (1) Paragraph *(o)* of section two of the said Act is repealed, and the following paragraph is substituted therefor:—

"War".

"*(o)* 'war' means the Great War waged by the German Emperor and His Allies against His Majesty and His Majesty's Allies; and the period denoted by the term

"The war"

'the war' is the period between the fourth day of August, nineteen hundred and fourteen, and the thirty-first day of August, nineteen hundred and twenty-one, both dates inclusive."

(2) * * * * * * * * * *

3. Section eleven of the said Act, as enacted by chapter sixty-two of the statutes of 1920, and amended by chapter forty-five of the statutes of 1921, and by chapter thirty-eight of the statutes of 1922, is repealed, and the following section is substituted therefor:—

Disabilities in respect of which pensions claimed.

"**11.** (1) The Commission shall award pensions to or in respect of members of the forces who have suffered disability in accordance with the rates set out in Schedule A of this Act, and in respect of members of the forces who have died in accordance with the rates set out in Schedule B of this Act, when the disability or death in respect of which the application for pension is made, was attributable to military service as such. Any disability from which a member of the forces who served in an actual theatre of

Subs. (2) of clause 2 has been struck out. It read as follows:—

(2) Paragraph (*p*) of section two of the said Act, as enacted by chapter thirty-eight of the statutes of 1922, is amended by adding the following thereto:—"and also a mother whose husband is in a helpless and dependent condition".

The original 11 (1) read as follows:—

"(11). (1) In respect of military service rendered during the war,—

"(*a*) Pensions shall be awarded to or in respect of members of the forces who have suffered disability resulting from injury or disease or an aggravation thereof, in accordance with the rates set out in Schedule A of this Act, and in respect of members of the forces who have died, in accordance with the rates set out in Schedule B of this Act, when the disability resulting from injury or disease or the aggravation thereof in respect of which the application for pension is made or the injury or disease or the aggravation thereof resulting in the death in respect of which the application for pension is made, was attributable to or was incurred during such military service;

the Great War was suffering at the time of his discharge, shall for pension purposes be deemed to be attributable to or to have been incurred or aggravated during his military service, unless and until it be established by the Commission that the disability was not attributable to or incurred or aggravated during such service."

(1920, c. 62, s. 3, *as amended by* 1921, c. 45, s. 1 *and* 1922 c. 38, s. 5).

Pre-enlistment disabilities.

"(2) No deduction shall be made from the degree of actual disability of any member of the forces who has served in a theatre of actual war on account of any disability or disabling condition which existed in him at the time at which he became a member of the forces; provided that no pension shall be paid for a disability or disabling condition which at such time was wilfully concealed, was obvious, was not of a nature to cause rejection from service, or was a congenital defect;

"(3) An applicant shall not be denied a pension in respect of disability resulting from injury or disease or the aggravation thereof incurred during military service or in respect of the death of a member of the forces resulting from such injury or disease or the aggravation thereof solely on the ground that no substantial disability or disabling condition is considered to have existed at the time of discharge of such member of the forces;

(d) * * * * * * * * * *

(e) * * * * * * * * * *

Disappearance of aggravation.

"(4) Subject to the proviso in subsection (2) of this section, when a pension has been awarded to a member of the forces who has served in a theatre of actual war, it shall be continued, increased, decreased or discontinued, as if the entire disability had been incurred on service.

(2) * * * * * * * * * *

Periodical certificate.

"(5) The Commission may require a pensioner to submit periodically in such form as may in the opinion of the Commission be necessary or advisable, a statutory or other declaration that he is the person to whom the pension is

Subs. (2) is the same as para. (*b*) in the original Bill.

Subs. (3) is the same as para (*c*) in the original Bill.

Paragraphs (*d*) and (*e*) have been struck out. They read as follows:—

(*d*) When a member of the forces is, upon retirement or discharge from military service, passed directly to the Department of Soldiers' Civil Re-establishment for treatment, a pension shall be paid to or in respect of him for disability or death incurred by him during such treatment;

(*e*) When a member of the forces has during leave of absence from military service undertaken an occupation which is unconnected with military service no pension shall be paid for disability or death incurred by him during such leave unless his disability or death was attributable to his military service;

Subs. (2) in the original Bill has been struck out. It read as follows:—

(2) In respect of military service rendered after the war, pensions shall be awarded to or in respect of members of the forces who have suffered disability in accordance with the rates set out in Schedule A of this Act, and in respect of members of the forces who have died, in accordance with the rates set out in Schedule B of this Act, when the injury or disease or aggravation thereof resulting in disability or death in respect of which the application for pension is made was attributable to military service as such.

payable, and that his dependents in respect of whom he is in receipt of additional pension are living and are being supported and maintained by him, and in the event of his refusing or neglecting to submit such certificate, the Commission may suspend future payments of pension until the same is received."

3A. Section 12 of *The Pension Act*, as amended by section 4 of chapter 62 of the statutes of 1920, and by section 2 of chapter 45 of the statutes of 1921, is further amended by adding thereto as subsection (2) the following:—

Pension or compassionate allowance in specially meritorious individual cases.

"(2) Any individual case which, in the opinion of the majority of the members of the Pension Board and the Appeal Board acting jointly, appears to be especially meritorious and for which in said opinion no provision has been made in this Act, because such case did not form part of any class of case, such meritorious case may be made the subject of an investigation and adjudication by way of compassionate pension or allowance irrespective of any schedule to this Act."

4. Section twenty-five of the said Act, as amended by chapter sixty-two of the statutes of 1920, is repealed, and the following section is substituted therefor:—

Pension in accord with extent of disability.

"**25.** (1) Subject to the provisions of section eleven, pensions for disabilities shall be awarded or continued in accordance with the extent of the disability resulting from injury or disease or aggravation thereof as the case may be, of the applicant or pensioner.

How extent of disability estimated.

"(2) The estimate of the extent of a disability shall be based on the Instructions and a Table of Disabilities to be made by the Commission for the guidance of physicians and surgeons making medical examinations for pension purposes.

When no deduction of pension.

"(3) No deduction shall be made from the pension of any member of the forces owing to his having undertaken work or perfected himself in some form of industry."

5. * * * * * * * * * *

Clause 3A is wholly new.

Clause 5 of the original Bill has been struck out. It read as follows:—

5. (1) Sections one to four of this Act shall be deemed to have come into force and operation on the first day of September, one thousand nine hundred and nineteen, subject however to the provisions hereinafter contained.

(2) All cases in which pension has been refused, reduced, discontinued or underrated by reason of the fact that sections one to four of this Act were not included in *The Pension Act*, shall be subject to review by the Board of Pension Commissioners.

(3) On such review pension shall be granted, increased or continued in accordance with the schedules of rates in force from time to time, as from the date or dates it would have been granted, increased or continued had sections one to four of this Act been in force when such refusal, reduction, underrating or discontinuance was made effective.

(4) In any case where pension has been refused, if payment or part payment of insurance benefits under the provisions of *The Returned Soldiers' Insurance Act* has been made to a widow or other beneficiary of a deceased member of the forces, and if, after review of such case, it is found that pension would have been awarded had sections one to four of this Act been in force at

6. Section seven of the said Act is repealed, and the following section is substituted therefor:—

Jurisdiction of Board of Pension Commissioners.

"(**7**). (1) Subject to the provisions of this Act and of any regulations made under the provisions of this Act, the Commission shall have full power and authority to deal with all matters pertaining to pensions, consider all applications for pension, and to award, refuse, cancel, pay and administer pensions. There shall be an appeal from any decision of the Commission to the Federal Appeal Board as hereinafter provided, pursuant to the rules and regulations established by the Governor in Council under the authority of this Act.

(2) The Commission shall also have power to pay pensions, allowances and gratuities or other grants awarded in virtue of the *Militia Pension Act*, Revised Statutes of Canada, 1906, chapter forty-two, or any amendment to that Act, or awarded to or in respect of members of those forces who served in connection with the Fenian Raids or the Northwest Rebellion."

7. Section thirty of the said Act, as amended by chapter sixty-two of the statutes of 1920, is repealed, and the following section is substituted therefor:—

Differences between pay and allowances and pension to be applied for hospital maintenance.

"**30.** When a pensioner commences treatment under the jurisdiction of the Department of Soldiers' Civil Re-establishment, and his pension, including the pension, if any, for his dependents, is greater than the pay and allowances issued by that Department, there shall be deducted from such pension towards the cost of maintenance in hospital an amount equal to the difference between such pension and such pay and allowances."

Appeals and re-hearing.

8. Section eighteen of the said Act is repealed.

9. * * * * * * * * * * *

the date of the death of the said member of the forces, the provisions of *The Returned Soldiers' Insurance Act* shall become operative as from the date of death of the said member of the forces, and any insurance money paid to such widow or other beneficiary shall be deducted from the arrears of pension which on review of the case may become due to them; or, if the insurance money paid is in excess of the said arrears, one-half of the pension only shall be paid until the amount in excess has been absorbed. If, however,the beneficiary was the widow of the member of the forces and she has remarried or died since the commencement of payments of insurance money, and an award of pension would be less beneficial to her than the payment of insurance money, no pension shall be awarded.

7. (1) The only change is the striking out of the words "to the District Review Board or".

Clause 9 of the original Bill has been struck out. It read as follows:—

9. (1) The Governor in Council may, on the recommendation of the Minister of Justice, appoint a District Review Board for each of the nine districts of the Department of Soldiers' Civil Re-establishment, which shall consist of three members, one of whom shall be appointed chairman of the Board.

(2) Each member shall hold office for one year, and shall be removable at any time by the Governor in Council.

(3) One member of the said Board shall be of the medical profession, one of the legal profession, and one a layman, and two of such members shall be ex-members of the Forces.

(4) The remuneration of the members of the Board shall be as fixed by the Governor in Council, and such remuneration shall be paid monthly out of any unappropriated moneys of the Consolidated Revenue Fund of Canada.

Federal Appeal Board.

10. (1) There shall be a Board, to be known as "The Federal Appeal Board", consisting of not less than five nor more than seven members appointed by the Governor in Council on the recommendation of the Minister of Justice.

Chairman.

(2) One of the members shall be appointed by the Governor in Council chairman of the Board, and shall hold that office during pleasure. Any member may be removed for cause, at any time, by the Governor in Council.

Tenure of office.

War veterans.

(3) The majority of the members shall be persons who served in the Naval, Military or Air forces of Canada during the war.

Term of office.

(4) Of the members first appointed to the Board, other than the chairman, one half shall be appointed for a term of two years and the others for a term of three years.

Quorum.

(5) During the first two years after the appointment of the Board three members shall constitute a quorum thereof. Thereafter a majority of the members shall constitute a quorum.

Obligations of members.

(6) Each member shall devote the whole of his time to the performance of his duties under this Act, and shall not accept or hold any office or employment inconsistent therewith.

Acting members.

(7) In case of the illness, absence or inability to act of any member, the Governor in Council may appoint a person to act in his stead.

Ditto.

(8) No member shall be disqualified to act by reason of interest or of kindred or affinity to any person interested in any matter before the Board, but in such case the Governor in Council may, either upon the application of such member or otherwise, appoint some disinterested person to act in his stead.

Salaries.

(9) The Chairman shall be paid a salary of seven thousand dollars per annum, and each of the other members shall be paid a salary of six thousand dollars per annum. Such salaries shall be paid monthly out of any unappropriated moneys forming part of the Consolidated Revenue Fund of Canada.

Appeals.

11. (1) An appeal shall lie to the Federal Appeal Board from any decision by the Board of Pension Commissioners refusing a pension on any of the following grounds:—

Grounds.

(a) that the disability in respect of which the application for pension was made was not attributable to or was not incurred or aggravated during military service;

(b) that the death in respect of which the application for pension was made was not attributable to military service as such.

Individual members may hear and decide appeals.

(2) Every member of the Board shall also have the right to hear such appeals at such times and places as are fixed by regulations made and approved by the Board, and to give decisions thereon. The member giving any such

Subclauses (1) to (9) of clause 10 replace subclauses (1) to (3) of the original Bill which read as follows:—

10. (1) The Governor in Council may, on the recommendation of the Minister of Justice, appoint a Board to be known as "The Federal Appeal Board", which shall consist of three members with qualifications similar to those of the members of the District Review Boards, and one of such members shall be appointed Chairman of the Board.

(2) Each member shall hold office during good behaviour for a period of five years from the date of his appointment, but shall be removable at any time for cause by the Governor in Council. He shall cease to hold office upon reaching the age of seventy years. On the expiration of his term of office he shall, if not disqualified by age, be eligible for reappointment.

(3) Each member shall devote the whole of his time to the performance of his duties under this Act, and shall not accept or hold any office or employment inconsistent therewith.

Subclause (9) of clause 10 is subclause (4) of the original Bill without any change.

Subclauses (1) to (8) of clause 11 in the original Bill read as follows:—

11. (1) An Appeal shall lie from any decision as to pension, whether heretofore, or hereafter pronounced, to the District Review Board, which shall, after hearing the case, make such recommendation as is warranted. This recommendation shall be forwarded, as directed by the rules and regulations, to the Board of Pension Commissioners.

(2) In case a recommendation more favourable to the applicant than the decision appealed against is not carried into effect within a time specified by regulations made under the powers hereinafter conferred, or in case of a recommendation not more favourable to the applicant than the decision appealed against, the recommendation and fyle containing all papers in regard to the case shall be forthwith transmitted by the Board of Pension Commissioners to the Federal Appeal Board, and the Board of Pension Commissioners may at the same time submit for the information of the Federal Appeal Board a statement of their reasons for not carrying into effect the recommendations of the District Review Board.

decision shall notify the applicant who has so appealed and the Board of Pension Commissioners for Canada, by registered letter mailed within five days after such decision; and if such applicant is not satisfied with such decision an appeal therefrom may be lodged within thirty days from such decision with the Federal Appeal Board, a quorum of whom, not including the member of the Board who originally gave the decision, shall hear the appeal and the decision of the Board thereon shall be final.

Further appeal to Board.

Duration of right to appeal.

(3) The right of appeal shall be open for one year after the appointment of the Federal Appeal Board by the Governor in Council, or for a like period after the decision complained of, whichever may be the later.

One appeal only.

(4) An applicant shall be entitled to only one appeal upon the grounds or any of them set forth in section 11 of this Act. The decision of the Federal Appeal Board thereon shall be final and shall be binding upon the applicant and upon the Board of Pension Commissioners for Canada.

Right to appear in person.

(5) Every appellant shall have the right to attend in person, at any and all sittings for the purpose of hearing his appeal held by the Board or by a member thereof, under such conditions as to the payment of his expenses thereby incurred as may be fixed by regulation of the Governor in Council, and may if he so desires, but at his own expense, to be assisted thereat by counsel or representative other than the official Soldier Adviser appointed under *The Department of Soldiers' Civil Re-establishment Act.*

Counsel, etc.

Access to file.

(6) For the purpose of preparing the case, the Soldier Adviser, the applicant, or some one authorized by him in writing, shall have reasonable access to the applicant's personal file in the presence of an official of the Department of Soldiers' Civil Re-establishment.

Payment of expenses.

(7) The expenses of the successful applicant in appearing before the District Review Board shall be paid on the scale now allowed applicants brought in for periodical medical examination, and the expenses of the applicant or his representative in appearing before the Federal Appeal Board shall, if the attendance of either be required by that Board, also be paid on the same scale.

Judicial powers on enquiries.

12. (1) The Federal Appeal Board shall have all the powers and authority of a Commissioner appointed under Part I of the *Inquiries Act*, Revised Statutes of Canada, 1906, chapter one hundred and four.

Power to take evidence on oath.

(2) The Federal Appeal Board shall have power to appoint a person or persons to hear and receive evidence with respect of any matter pertaining to pensions, and such person or persons shall have authority to administer oaths and to hear and receive evidence under oath and to take affidavits in any part of Canada.

(3) The Federal Appeal Board may approve or disapprove the recommendation of the District Review Board, and the Board of Pension Commissioners shall be bound by and shall act upon the decision of the Federal Appeal Board.

(4) In cases where the recommendation of the District Review Board is more favourable to the applicant than the decision appealed against, the Federal Appeal Board may not disapprove the recommendation without giving the applicant an opportunity to appear personally, or be represented before it, at a hearing in the district in which the applicant resides, or at the seat of the Federal Appeal Board as may be deemed more convenient. On this hearing, the Federal Appeal Board shall make such final decision as may appear just.

(5) The right of appeal shall be open for one year after the appointment of the District Review Board by the Governor in Council, or for a like period after the decision complained of, whichever may be the later.

(6) The applicant shall be entitled to only one appeal on the question of the connection of his disability with service, but if he subsequently submits evidence sufficiently convincing in the opinion of the District Review Board, the latter may, on special application, grant the right to another appeal.

(7) The applicant shall be entitled to only one appeal as to any one decision fixing the degree of disability, but assessment on each periodic re-examination shall be considered a decision for this purpose. On an appeal as to degree of disability, the whole case, including service connection, shall be reviewed and the assessment increased, diminished or pension discontinued as the circumstances warrant.

(8) The applicant shall have the right to appear personally, and if he so desires, but at his own expense, to be assisted by counsel or representative other than the official Soldier Adviser, appointed under *The Department of Soldiers' Civil Re-establishment Act.*

Subclause (6) is subclause (9) in the original Bill.

Subclause (7) is subclause (10) in the original Bill.

The only alteration consists in striking out references to the District Review Boards which were created by the original Bill.

Rules and regulations.

"**13.** The Governor in Council may make such rules and regulations as he deems necessary:—

(a) respecting the sittings, practice and procedure of the Federal Appeal Board; and,

(b) generally, to carry out in all respects and to enforce the provisions of this Act."

Inconsistent provisions repealed.

14. All provisions in any Act, Order in Council, or regulations, which are inconsistent with the provisions of this Act, are repealed.

15. * * * * * * * * *

16. * * * * * * * * *

17. * * * * * * * * *

Clause 13 is practically the same as in the original Bill with references to District Boards eliminated.

Clause 15 of the original Bill has been struck out. It read as follows:—

15. Subsection one of section thirty-three of the said Act, as amended by chapter sixty-two of the statutes of 1920, is further amended by inserting after the words "married to him" in the second line thereof, the words "within one year after date of discharge from the forces or".

Clause 16 of the original Bill has been struck out. It read as follows:—

16. Subsection two of section thirty-three of the said Act is amended by striking out the words "provided that the death occurs within five years after the date of retirement or discharge or the date of commencement of pension".

Clause 17 of the original Bill has been struck out. It read as follows:—

17. Subsection two of section twenty-six of the said Act, as enacted by chapter sixty-two of the statutes of 1920, is amended by adding the following proviso thereto:—

"Provided, however, that the Board of Pension Commissioners shall have discretion to pay the pension to any person who was being, or was entitled to be, supported by the pensioner at the time of his last examination".

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 205.

An Act to amend the Pension Act.

AS PASSED BY THE HOUSE OF COMMONS, 13th JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
60962 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 205.

An Act to amend the Pension Act.

1919, c. 43; 1920, c. 62; 1921, c. 45; 1922, c. 38.

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

Definitions.

1. Section two of *The Pension Act*, chapter forty-three of the statutes of 1919, is amended by inserting the following paragraph immediately after paragraph *(k)* thereof:—

"Obvious".

"*(kk)* 'obvious' means that which would be apparent, clear, plain, evident or manifest to the eye, ear or mind of an unskilled observer on examination."

2. (1) Paragraph *(o)* of section two of the said Act is repealed, and the following paragraph is substituted therefor:—

"War".

"*(o)* 'war' means the Great War waged by the German Emperor and His Allies against His Majesty and His Majesty's Allies; and the period denoted by the term

"The war".

'the war' is the period between the fourth day of August, nineteen hundred and fourteen, and the thirty-first day of August, nineteen hundred and twenty-one, both dates inclusive."

"Widowed mother."

(2) Paragraph *(p)* of section two of the said Act, as enacted by chapter thirty-eight of the statutes of 1922, is amended by adding the following thereto:—"and also a mother whose husband is in a helpless and dependent condition".

3. Section eleven of the said Act, as enacted by chapter sixty-two of the statutes of 1920, and amended by chapter forty-five of the statutes of 1921, and by chapter thirty-eight of the statutes of 1922, is repealed, and the following section is substituted therefor:—

Disabilities in respect of which pensions claimed.

"(**11**). (1) In respect of military service rendered during the war,—

"*(a)* Pensions shall be awarded to or in respect of members of the forces who have suffered disability resulting from injury or disease or an aggravation thereof, in accordance with the rates set out in Schedule A of this Act, and in respect of members of the forces who have died, in accordance with the rates set out

in Schedule B of this Act, when the disability resulting from injury or disease or the aggravation thereof in respect of which the application for pension is made or the injury or disease or the aggravation thereof resulting in the death in respect of which the application for pension is made, was attributable to or was incurred during such military service;

Pre-enlistment disabilities.

"*(b)* No deduction shall be made from the degree of actual disability of any member of the forces who has served in a theatre of actual war on account of any disability or disabling condition which existed in him at the time at which he became a member of the forces; provided that no pension shall be paid for a disability or disabling condition which at such time was wilfully concealed, was obvious, was not of a nature to cause rejection from service, or was a congenital defect;

"*(c)* An applicant shall not be denied a pension in respect of disability resulting from injury or disease or the aggravation thereof incurred during military service or in respect of the death of a member of the forces resulting from such injury or disease or the aggravation thereof solely on the ground that no substantial disability or disabling condition is considered to have existed at the time of discharge of such member of the forces;

"*(d)* When a member of the forces is, upon retirement or discharge from military service, passed directly to the Department of Soldiers' Civil Re-establishment for treatment, a pension shall be paid to or in respect of him for disability or death incurred by him during such treatment;

"*(e)* When a member of the forces has during leave of absence from military service undertaken an occupation which is unconnected with military service no pension shall be paid for disability or death incurred by him during such leave unless his disability or death was attributable to his military service;

Disappearance of aggravation.

"*(f)* Subject to the proviso in paragraph *(b)* of this subsection, when a pension has been awarded to a member of the forces who has served in a theatre of actual war, it shall be continued, increased, decreased or discontinued, as if the entire disability had been incurred on service.

Post war disabilities.

"(2) In respect of military service rendered after the war, pensions shall be awarded to or in respect of members of the forces who have suffered disability, in accordance with the rates set out in Schedule A of this Act, and in respect of members of the forces who have died, in accordance with the rates set out in Schedule B of this Act, when the injury or disease or aggravation thereof resulting in disability

or death in respect of which the application for pension is made was attributable to military service as such.

Periodical certificate.

"(3) The Commission may require a pensioner to submit periodically in such form as may in the opinion of the Commission be necessary or advisable, a statutory or other declaration that he is the person to whom the pension is payable, and that his dependents in respect of whom he is in receipt of additional pension are living and are being supported and maintained by him, and in the event of his refusing or neglecting to submit such certificate, the Commission may suspend future payments of pension until the same is received."

4. Section twenty-five of the said Act, as amended by chapter sixty-two of the statutes of 1920, is repealed, and the following section is substituted therefor:—

Pension in accord with extent of disability.

"**25.** (1) Subject to the provisions of section eleven, pensions for disabilities shall be awarded or continued in accordance with the extent of the disability resulting from injury or disease or aggravation thereof as the case may be, of the applicant or pensioner.

How extent of disability estimated.

"(2) The estimate of the extent of a disability shall be based on the Instructions and a Table of Disabilities to be made by the Commission for the guidance of physicians and surgeons making medical examinations for pension purposes.

When no deduction of pension.

"(3) No deduction shall be made from the pension of any member of the forces owing to his having undertaken work or perfected himself in some form of industry."

Date of coming into force.

5. (1) Sections one to four of this Act shall be deemed to have come into force and operation on the first day of September, one thousand nine hundred and nineteen, subject however to the provisions hereinafter contained.

Review.

(2) All cases in which pension has been refused, reduced, discontinued or underrated by reason of the fact that sections one to four of this Act were not included in *The Pension Act,* shall be subject to review by the Board of Pension Commissioners.

Pensions to be granted under present legislation.

(3) On such review pension shall be granted, increased or continued in accordance with the schedules of rates in force from time to time, as from the date or dates it would have been granted, increased or continued had sections one to four of this Act been in force when such refusal, reduction, underrating or discontinuance was made effective.

Effect upon payment of insurance benefits.

(4) In any case where pension has been refused, if payment or part payment of insurance benefits under the provisions of *The Returned Soldiers' Insurance Act* has been made to a widow or other beneficiary of a deceased member of the forces, and if, after review of such case, it is found that pension would have been awarded had sections one to

four of this Act been in force at the date of the death of the said member of the forces, the provisions of *The Returned Soldiers' Insurance Act* shall become operative as from the date of death of the said member of the forces, and any insurance money paid to such widow or other beneficiary shall be deducted from the arrears of pension which on review of the case may become due to them; or, if the insurance money paid is in excess of the said arrears, one-half of the pension only shall be paid until the amount in excess has been absorbed. If, however, the beneficiary was the widow of the member of the forces and she has remarried or died since the commencement of payments of insurance money, and an award of pension would be less beneficial to her than the payment of insurance money, no pension shall be awarded.

6. Section seven of the said Act is repealed, and the following section is substituted therefor:—

Jurisdiction of Board of Pension Commissioners.

"(**7**). (1) Subject to the provisions of this Act and of any regulations made under the provisions of this Act, the Commission shall have full power and authority to deal with all matters pertaining to pensions, consider all applications for pension, and to award, refuse, cancel, pay and administer pensions. There shall be an appeal from any decision of the Commission to the District Review Boards or to the Federal Appeal Board as hereinafter provided, pursuant to the rules and regulations established by the Governor in Council under the authority of this Act.

(2) The Commission shall also have power to pay pensions, allowances and gratuities or other grants awarded in virtue of the *Militia Pension Act,* Revised Statutes of Canada, 1906, chapter forty-two, or any amendment to that Act, or awarded to or in respect of members of those forces who served in connection with the Fenian Raids or the Northwest Rebellion."

7. Section thirty of the said Act, as amended by chapter sixty-two of the statutes of 1920, is repealed, and the following section is substituted therefor:—

Differences between pay and allowances and pension to be applied for hospital maintenance.

"**30.** When a pensioner commences treatment under the jurisdiction of the Department of Soldiers' Civil Re-establishment, and his pension, including the pension, if any, for his dependents, is greater than the pay and allowances issued by that Department, there shall be deducted from such pension towards the cost of maintenance in hospital an amount equal to the difference between such pension and such pay and allowances."

Appeals and re-hearing.

8. Section eighteen of the said Act is repealed.

District Review Boards.

9. (1) The Governor in Council may, on the recommendation of the Minister of Justice, appoint a District Review Board for each of the nine districts of the Department of Soldiers' Civil Re-establishment, which shall consist of three members, one of whom shall be appointed chairman of the Board.

Tenure of office.

(2) Each member shall hold office for one year, and shall be removable at any time by the Governor in Council.

Qualifications.

(3) One member of the said Board shall be of the medical profession, one of the legal profession, and one a layman, and two of such members shall be ex-members of the Forces.

Remuneration.

(4) The remuneration of the members of the Board shall be as fixed by the Governor in Council, and such remuneration shall be paid monthly out of any unappropriated moneys of the Consolidated Revenue Fund of Canada.

Federal Appeal Board.

10. (1) The Governor in Council may, on the recommendation of the Minister of Justice, appoint a Board to be known as "The Federal Appeal Board", which shall consist of three members with qualifications similar to those of the members of the District Review Boards, and one of such members shall be appointed Chairman of the Board.

Tenure of office.

(2) Each member shall hold office during good behaviour for a period of five years from the date of his appointment, but shall be removable at any time for cause by the Governor in Council. He shall cease to hold office upon reaching the age of seventy years. On the expiration of his term of office he shall, if not disqualified by age, be eligible for reappointment.

Reappointment.

No other occupation.

(3) Each member shall devote the whole of his time to the performance of his duties under this Act, and shall not accept or hold any office or employment inconsistent therewith.

Salaries.

(4) The Chairman shall be paid a salary of seven thousand dollars per annum, and each of the other members shall be paid a salary of six thousand dollars per annum. Such salaries shall be paid monthly out of any unappropriated moneys forming part of the Consolidated Revenue Fund of Canada.

Appeals to District Review Board.

11. (1) An appeal shall lie from any decision as to pension, whether heretofore or hereafter pronounced, to the District Review Board, which shall, after hearing the case, make such recommendation as is warranted.

Recommendations.

This recommendation shall be forwarded, as directed by the rules and regulations, to the Board of Pension Commissioners.

Transmitted to Federal Appeal Board in certain cases.

(2) In case a recommendation more favourable to the applicant than the decision appealed against is not carried into effect within a time specified by regulations made

under the powers hereinafter conferred, or in case of a recommendation not more favourable to the applicant than the decision appealed against, the recommendation and fyle containing all papers in regard to the case shall be forthwith transmitted by the Board of Pension Commissioners to the Federal Appeal Board, and the Board of Pension Commissioners may at the same time submit for the information of the Federal Appeal Board a statement of their reasons for not carrying into effect the recommendations of the District Review Board.

Decision of Federal Appeal Board.

(3) The Federal Appeal Board may approve or disapprove the recommendation of the District Review Board, and the Board of Pension Commissioners shall be bound by and shall act upon the decision of the Federal Appeal Board.

In certain cases applicant is to be heard personally.

(4) In cases where the recommendation of the District Review Board is more favourable to the applicant than the decision appealed against, the Federal Appeal Board may not disapprove the recommendation without giving the applicant an opportunity to appear personally, or be represented before it, at a hearing in the district in which the applicant resides, or at the seat of the Federal Appeal Board as may be deemed more convenient. On this hearing, the Federal Appeal Board shall make such final decision as may appear just.

Final decision.

Time for appeals.

(5) The right of appeal shall be open for one year after the appointment of the District Review Board by the Governor in Council, or for a like period after the decision complained of, whichever may be the later.

One appeal on connection of disability with service.

(6) The applicant shall be entitled to only one appeal on the question of the connection of his disability with service, but if he subsequently submits evidence sufficiently convincing in the opinion of the District Review Board, the latter may, on special application, grant the right to another appeal.

One appeal on any one decision as to disability.

(7) The applicant shall be entitled to only one appeal as to any one decision fixing the degree of disability, but assessment on each periodic re-examination shall be considered a decision for this purpose. On an appeal as to degree of disability, the whole case, including service connection, shall be reviewed and the assessment increased, diminished or pension discontinued as the circumstances warrant.

Applicant may appear personally or by counsel.

(8) The applicant shall have the right to appear personally, and if he so desires, but at his own expense, to be assisted by counsel or representative other than the official Soldier Adviser, appointed under *The Department of Soldiers' Civil Re-establishment Act.*

Access to file.

(9) For the purpose of preparing the case, the Soldier Adviser, the applicant, or some one authorized by him in writing, shall have reasonable access to the applicant's

personal file in the presence of an official of the Department of Soldiers' Civil Re-establishment.

Payment of expenses.

(10) The expenses of the successful applicant in appearing before the District Review Board shall be paid on the scale now allowed applicants brought in for periodical medical examination, and the expenses of the applicant or his representative in appearing before the Federal Appeal Board shall, if the attendance of either be required by that Board, also be paid on the same scale.

Judicial powers on enquiries.

12. (1) Each District Review Board and the Federal Appeal Board shall have all the powers and authority of a Commissioner appointed under Part I of the *Inquiries Act*, Revised Statutes of Canada, 1906, chapter one hundred and four.

Power to take evidence on oath.

(2) Each of said Boards shall have power to appoint a person or persons to hear and receive evidence with respect of any matter pertaining to pensions, and such person or persons shall have authority to administer oaths and to hear and receive evidence under oath and to take affidavits in any part of Canada.

Rules and regulations.

13. The Governor in Council may make such rules and regulations as are deemed necessary; respecting,—

(a) The sittings, practice and procedure of the District Review Boards and of the Federal Appeal Board, and appeals thereto;

(b) The procedure for appellants to submit appeals thereto and to withdraw appeals therefrom;

(c) The reduction in the number of the District Review Boards or the increase of their territorial limits, as the volume of appeal may from time to time warrant; and

(d) To provide that pending the decision of the Federal Appeal Board upon any appeal, the recommendation of the District Review Board shall be effective, after such period or delay as may be deemed expedient to prescribe; and,

(e) Generally to carry out and enforce the provisions of this Act.

Inconsistent provisions repealed.

14. All provisions in any Act, Order in Council, or regulations, which are inconsistent with the provisions of this Act, are repealed.

Pension to widow.

15. Subsection one of section thirty-three of the said Act, as amended by chapter sixty-two of the statutes of 1920, is further amended by inserting after the words "married to him" in the second line thereof, the words "within one year after date of discharge from the forces or".

Widow's pensions.

16. Subsection two of section thirty-three of the said Act is amended by striking out the words "provided that the death occurs within five years after the date of retirement or discharge or the date of commencement of pension".

Medical re-examination.

17. Subsection two of section twenty-six of the said Act, as enacted by chapter sixty-two of the statutes of 1920, is amended by adding the following proviso thereto:—

"Provided, however, that the Board of Pension Commissioners shall have discretion to pay the pension to any person who was being, or was entitled to be, supported by the pensioner at the time of his last examination."

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 206.

An Act to amend The Biological Board Act.

First reading, June 13, 1923.

The Minister of Marine and Fisheries.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
61550 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 206.

1912, c. 6.

An Act to amend The Biological Board Act.

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

1. Section four of *The Biological Board Act*, chapter six of the statutes of 1912, is repealed and the following is substituted therefor:—

Constitution of Board.

"4. The Board shall consist of five members appointed by the Minister, and one additional member appointed by such Universities (to be named by the Minister) as may engage in the work of biological research."

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 206.

An Act to amend The Biological Board Act.

AS PASSED BY THE HOUSE OF COMMONS,
15th JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
61632 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 206.

1912, c. 6.

An Act to amend The Biological Board Act.

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

1. Section four of *The Biological Board Act*, chapter six of the statutes of 1912, is repealed and the following is substituted therefor:—

Constitution of Board.

"**4.** The Board shall consist of five members appointed by the Minister, and one additional member appointed by such Universities (to be named by the Minister) as may engage in the work of biological research."

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 214.

An Act respecting the payment of Bounties on Petroleum.

First reading, June 15, 1923.

The MINISTER OF FINANCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
60216 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 214.

An Act respecting the payment of Bounties on Petroleum.

1910, c. 46.

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

Bounty on petroleum.

1. The Governor in Council may authorize the payment out of the Consolidated Revenue Fund of Canada of a bounty payable only on crude petroleum having a specific gravity not less than ·8235 at 60 degrees by Fahrenheit's thermometer produced from wells in Canada or from shales or other substances mined in Canada which have actually produced crude petroleum before the date of the coming into force of this Act - the said bounty to be paid to or divided amongst the producers of the petroleum, the owner or occupier of the soil through which it is mined or won, or such other person interested or injuriously affected by the mining operations or works, as the Governor in Council approves.

Periods and rates of payment.

2. The said bounty shall be paid during the periods and at the rates following, that is to say:—

On such crude petroleum produced on or before the thirtieth day of June, one thousand nine hundred and twenty-four, a bounty of one and one-half cents per imperial gallon shall be paid;

On such crude petroleum produced on or after the first day of July, one thousand nine hundred and twenty-four, and not later than the thirtieth day of June, one thousand nine hundred and twenty-five, a bounty of three-quarters of one cent per imperial gallon shall be paid;

On such crude petroleum produced on and after the first day of July, one thousand nine hundred and twenty-five, no bounty shall be paid.

Administration and regulations.

3. The Minister of Trade and Commerce shall be charged with the administration of this Act, and may, subject to the approval of the Governor in Council, make such regulations as he deems necessary respecting the payment of the said bounties.

Repeal.

4. *The Petroleum Bounty Act, 1909,* chapter forty-six of the statutes of 1909-10, is repealed.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 214.

An Act respecting the payment of Bounties on Petroleum.

AS PASSED BY THE HOUSE OF COMMONS, 26th JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
60296 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 214.

An Act respecting the payment of Bounties on Petroleum.

1910, c. 46.

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

Bounty on petroleum.

1. The Governor in Council may authorize the payment out of the Consolidated Revenue Fund of Canada of a bounty payable only on crude petroleum having a specific gravity not less than ·8235 at 60 degrees by Fahrenheit's thermometer produced from wells in Canada or from shales or other substances mined in Canada which have actually produced crude petroleum before the date of the coming into force of this Act - the said bounty to be paid to or divided amongst the producers of the petroleum, the owner or occupier of the soil through which it is mined or won, or such other person interested or injuriously affected by the mining operations or works, as the Governor in Council approves.

Periods and rates of payment.

2. The said bounty shall be paid during the periods and at the rates following, that is to say:—

On such crude petroleum produced on or before the thirtieth day of June, one thousand nine hundred and twenty-four, a bounty of one and one-half cents per imperial gallon shall be paid;

On such crude petroleum produced on or after the first day of July, one thousand nine hundred and twenty-four, and not later than the thirtieth day of June, one thousand nine hundred and twenty-five, a bounty of three-quarters of one cent per imperial gallon shall be paid;

On such crude petroleum produced on and after the first day of July, one thousand nine hundred and twenty-five, no bounty shall be paid.

Administration and regulations.

3. The Minister of Trade and Commerce shall be charged with the administration of this Act, and may, subject to the approval of the Governor in Council, make such regulations as he deems necessary respecting the payment of the said bounties.

Repeal.

4. *The Petroleum Bounty Act, 1909*, chapter forty-six of the statutes of 1909-10, is repealed.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 215.

An Act respecting the payment of Bounties on certain manufactures of Hemp.

First reading, June 15, 1923.

The MINISTER OF FINANCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
60214 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 215.

An Act respecting the payment of Bounties on certain manufactures of Hemp.

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

Short title.

1. This Act may be cited as *The Hemp Bounties Act, 1923.*

Bounties on Canadian hemp used in manufacture of yarn or twine or further advanced, sold in Canada for consumption.

2. The Governor in Council may authorize the payment out of the Consolidated Revenue Fund of the following bounties on hemp grown in Canada and used in the manufacture of yarn or twine, or in the manufacture of hemp further advanced than yarn or twine, manufactured in Canada and sold for consumption therein, during the periods and at the rates following, that is to say:—

During the calendar year:—

1926, one and one-half cents per pound;
1927, one and three-eighths cents per pound;
1928, one and one-fourth cents per pound;
1929, one and one-eighth cents per pound;
1930, one cent per pound;
1931, seven-eighths of one cent per pound;
1932, three-fourths of one cent per pound;
1933, one-half of one cent per pound:

Weight, how computed.

Provided that the said bounty shall be paid on the weight of carded hemp used in such manufacture and that the weight of the carded hemp shall be computed on the absolutely dry weight thereof plus a moisture regain of not more than twelve per cent, and exclusive of lubricating or other extraneous material.

Limitation.

3. The sum to be paid as such bounty shall not exceed one hundred and twenty-five thousand dollars in any one of the said periods.

No bounty on exports.

4. The said bounty shall not be paid on hemp yarn or twine, or manufactures of hemp further advanced than yarn or twine, exported from Canada.

Regulations.

5. The Governor in Council may make regulations to carry out the intention of this Act.

Administration.

6. The Minister of Trade and Commerce shall be charged with the administration of the provisions of this Act.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 215.

An Act respecting the payment of Bounties on certain manufactures of Hemp.

AS PASSED BY THE HOUSE OF COMMONS, 26th JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
60294 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 215.

An Act respecting the payment of Bounties on certain manufactures of Hemp.

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

Short title.

1. This Act may be cited as *The Hemp Bounties Act, 1923.*

Bounties on Canadian hemp used in manufacture of yarn or twine or further advanced, sold in Canada for consumption.

2. The Governor in Council may authorize the payment out of the Consolidated Revenue Fund of the following bounties on hemp grown in Canada and used in the manufacture of yarn or twine, or in the manufacture of hemp further advanced than yarn or twine, manufactured in Canada and sold for consumption therein, during the periods and at the rates following, that is to say:—

During the calendar year:—

1926, one and one-half cents per pound;
1927, one and three-eighths cents per pound;
1928, one and one-fourth cents per pound;
1929, one and one-eighth cents per pound;
1930, one cent per pound;
1931, seven-eighths of one cent per pound;
1932, three-fourths of one cent per pound;
1933, one-half of one cent per pound:

Weight, how computed.

Provided that the said bounty shall be paid on the weight of carded hemp used in such manufacture and that the weight of the carded hemp shall be computed on the absolutely dry weight thereof plus a moisture regain of not more than twelve per cent, and exclusive of lubricating or other extraneous material.

Limitation.

3. The sum to be paid as such bounty shall not exceed one hundred and twenty-five thousand dollars in any one of the said periods.

No bounty on exports.

4. The said bounty shall not be paid on hemp yarn or twine, or manufactures of hemp further advanced than yarn or twine, exported from Canada.

Regulations.

5. The Governor in Council may make regulations to carry out the intention of this Act.

Administration.

6. The Minister of Trade and Commerce shall be charged with the administration of the provisions of this Act.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 216.

An Act to amend The Customs Tariff, 1907.

First reading, June 15, 1923.

The MINISTER OF FINANCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
60219 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

1907, c. 11;
1909, c. 10;
1910, c. 16;
1911, c. 7;
1913, c. 15;
1914, c. 26;
1914(2), c. 5;
1915, c. 3;
1916, c. 7;
1918, c. 17;
1919, c. 47;
1920, c. 44;
1921, c. 21;
1922, c. 19.

BILL 216.

An Act to amend The Customs Tariff, 1907.

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

1. Section five of *The Customs Tariff, 1907*, is repealed, and the following section is substituted therefor:—

Discount on importations under British preference into Canadian ports.

"**5.** The importer of goods entitled to the benefits of the British Preferential Tariff shall be entitled to a discount of ten per centum on the amount of duty computed under such Tariff, when such goods are conveyed without transhipment from a port of a country enjoying the benefits of the British Preferential Tariff into a sea or river port of Canada:

Provided that goods entitled to the benefits of the British Preferential Tariff shall be entitled to the discount authorized by this section, when such goods are shipped on a through bill of lading consigned to a consignee in a specified port in Canada, when such goods are transferred at a port of a British Colony or possession not enjoying the benefits of the British Preferential Tariff, and conveyed without further transhipment into a sea or river port of Canada.

Exceptions.

Provided, however, that this discount shall not apply to duties on any of the following articles, viz., wines, malt liquors, spirits, spirituous liquors, liquid medicines and articles containing alcohol; sugar, tobacco, cigars and cigarettes.

Provided further that this discount shall not apply in the case in which the duty does not exceed fifteen per centum *ad valorem*, or, in the case of a specific duty or a specific and *ad valorem* duty combined in which the computed rate does not exceed fifteen per centum *ad valorem*, or to goods admitted into Canada which have the benefit of

reductions provided for in the Canada-West Indies Trade Agreement, 1920."

2. *The Customs Tariff, 1907*, is amended by inserting the following sections immediately after section eight A thereof, as enacted by section two of chapter twenty-seven of the statutes of 1921:—

Commercial agreement with United States.

"8B. The Governor in Council may authorize any Minister of the Crown to enter into negotiations with any authorized representative of the Government of the United States with a view to the making of a commercial agreement between the two countries on terms that may be deemed mutually beneficial. Any agreement so made shall be subject to the approval of the Parliament of Canada.

Reciprocal reductions on certain articles.

"8C. If the President of the United States, under authority of the United States Tariff Act of 1922, determines to reduce the duties imposed by such Act on the following articles, that is to say:—

Cattle; wheat; wheat flour; oats; barley; potatoes; onions; turnips; hay; fish as enumerated in paragraphs 717, 718, 719 and 720 of the said Tariff Act of 1922, the Governor in Council may by Order in Council make such reductions of duties on such articles imported into Canada from the United States as may be deemed reasonable by way of compensation for such reductions on Canadian products imported into the United States."

Schedule A amended.

3. Schedule A to *The Customs Tariff, 1907*, as amended by chapter sixteen of the statutes of 1910, by chapter twenty-six of the statutes of 1914, by chapter five of the statutes of 1914 (second session), by chapter forty-seven of the statutes of 1919, by chapter twenty-seven of the statutes of 1921, by chapter nineteen of the statutes of 1922, and by Order in Council, is further amended by striking thereout tariff items:—83a, 99, 134, 135, 143a, 168, 235, 281, 328, 348b, 365, 374, 386, 441a, 442, 469, 581, 581a, 586, 638a, 670, 690a, 710b, the several enumerations of goods respectively, and the several rates of duties of Customs, if any, set opposite each of said items, and by repealing section 1 (i) of Order in Council, P.C. 16/1556, dated fifth day of June, 1912, designated as item 760 of *The Customs Tariff*, and the following items, enumerations and rates of duty are inserted in Schedule A:—

Tariff Items	—	British Preferential Tariff	Intermediate Tariff	General Tariff
72a	Hemp seed for agricultural purposes.....	Free	Free	Free
83a	Potatoes when imported from a country which imposes a customs duty on potatoes grown in Canada, per one hundred pounds.....	20 cents	35 cents	35 cents
99	Prunes and dried plums, unpitted, per pound..	½ cent	¾ cent	¾ cent
99b	Raisins and dried currants, per pound.....	½ cent	¾ cent	¾ cent
	The Governor in Council may by Order in Council direct that there be substituted for tariff item 99b in Schedule A of *The Customs Tariff, 1907*, the enumeration of goods and the rates of duties of Customs set opposite said item in Schedule A the following:—			
99c	Raisins and dried currants, per pound.....	Free	3 cents	3 cents
	2. From and after the publication of such Order in Council in *The Canada Gazette* tariff item 99b as it appears in said Schedule at the time of the passing of the Act founded on this Resolution shall be repealed and the provisions of tariff item 99c shall be substituted therefor.			
134	All sugar above number sixteen Dutch standard in colour, and all refined sugars of whatever kinds, grades or standards, not covered by tariff item No. 135, when not exceeding eighty-eight degrees of polarization, per one hundred pounds.....	83 cents	$1.50	$1.50
	when exceeding eighty-eight degrees but not exceeding eighty-nine degrees, per one hundred pounds.....	85 cents	$1.53	$1.53
	when exceeding eighty-nine degrees but not exceeding ninety degrees, per one hundred pounds.....	87 cents	$1.55	$1.55
	when exceeding ninety degrees but not exceeding ninety-one degrees, per one hundred pounds.....	89 cents	$1.58	$1.58
	when exceeding ninety-one degrees but not exceeding ninety-two degrees, per one hundred pounds.....	91 cents	$1.62	$1.62
	when exceeding ninety-two degrees but not exceeding ninety-three degrees, per one hundred pounds.....	93 cents	$1.65	$1.65
	when exceeding ninety-three degrees but not exceeding ninety-four degrees, per one hundred pounds.....	95 cents	$1.68	$1.68
	when exceeding ninety-four degrees but not exceeding ninety-five degrees, per one hundred pounds.....	97 cents	$1.70	$1.70
	when exceeding ninety-five degrees but not exceeding ninety-six degrees, per one hundred pounds.....	99 cents	$1.74	$1.74
	when exceeding ninety-six degrees but not exceeding ninety-seven degrees, per one hundred pounds.....	$1.01	$1.77	$1.77
	when exceeding ninety-seven degrees but not exceeding ninety-eight degrees, per one hundred pounds.....	$1.03	$1.80	$1.80
	when exceeding ninety-eight degrees but not exceeding ninety-nine degrees, per one hundred pounds.....	$1.09	$1.89	$1.89
	when exceeding ninety-nine dgrees, per one hundred pounds.....	$1.09	$1.89	$1.89
	Provided that refined sugar shall be entitled to entry under the British Preferential Tariff upon evidence satisfactory to the Minister of Customs and Excise, that such refined sugar has been manufactured wholly from raw sugar produced in the British colonies and possessions nd not otherwise.			

Tariff Items	—	British Preferential Tariff	Intermediate Tariff	General Tariff
	Provided further that sugar imported under this item shall not be subject to special duty in excess of three-fourths of one cent per pound.			
135	Sugar above number sixteen Dutch standard in colour when imported by a recognized sugar refiner, for refining purposes only, under regulations by the Minister of Customs and Excise; and sugar, n.o.p., not above number sixteen Dutch standard in colour, sugar drainings or pumpings drained in transit, melado or concentrated melado, tank bottoms, sugar concrete, and molasses testing over fifty-six degrees and not exceeding seventy-six degrees, when not exceeding seventy-six degrees of polarization, per one hundred pounds	35·00 cents	81·08 cents	81·08 cents
	when exceeding seventy-six degrees but not exceeding seventy-seven degrees, per one hundred pounds	35·50 cents	83·116 cents	83·116 cents
	when exceeding seventy-seven degrees but not exceeding seventy-eight degrees, per one hundred pounds	36·00 cents	85·152 cents	85·152 cents
	when exceeding seventy-eight degrees but not exceeding seventy-nine degrees, per one hundred pounds	36·50 cents	87·188 cents	87·188 cents
	when exceeding seventy-nine degrees but not exceeding eighty degrees, per one hundred pounds	37·00 cents	89·224 cents	89·224 cents
	when exceeding eighty degrees but not exceeding eighty-one degrees. per one hundred pounds	37·50 cents	91·260 cents	91·260 cents
	when exceeding eighty-one degrees but not exceeding eighty-two degrees, per one hundred pounds	38·00 cents	93·296 cents	93·296 cents
	when exceeding eighty-two degrees but not exceeding eighty-three degrees, per one hundred pounds	38·50 cents	95·332 cents	95·332 cents
	when exceeding eighty-three degrees but not exceeding eighty-four degrees, per one hundred pounds	39·00 cents	97·560 cents	97·560 cents
	when exceeding eighty-four degrees but not exceeding eighty-five degrees, per one hundred pounds	39·50 cents	99·788 cents	99·788 cents
	when exceeding eighty-five degrees but not exceeding eighty-six degrees, per one hundred pounds	40·00 cents	$1·02016	$1·02016
	when exceeding eighty-six degrees but not exceeding eighty-seven degrees, per one hundred pounds	40·50 cents	$1·04244	$1·04244
	when exceeding eighty-seven degrees but not exceeding eighty-eight degrees, per one hundred pounds	41·00 cents	$1·06664	$1·06664
	when exceeding eighty-eight degrees but not exceeding eighty-nine degrees, per one hundred pounds	41·50 cents	$1·09084	$1·09084
	when exceeding eighty-nine degrees but not exceeding ninety degrees, per one hundred pounds	42·00 cents	$1·11888	$1·11888
	when exceeding ninety degrees but not exceeding ninety-one degrees, per one hundred pounds	42·50 cents	$1·14692	$1·14692
	when exceeding ninety-one degrees but not exceeding ninety-two degrees, per one hundred pounds	43·00 cents	$1·17496	$1·17496
	when exceeding ninety-two degrees but not exceeding ninety-three degrees, per one hundred pounds	43·50 cents	$1·20300	$1·20300
	when exceeding ninety-three degrees but not exceeding ninety-four degrees, per one hundred pounds	44·00 cents	$1·23104	$1·23104

Tariff Items	—	British Preferential Tariff	Intermediate Tariff	General Tariff
	when exceeding ninety-four degrees but not exceeding ninety-five degrees, per one hundred pounds	44·50 cents	$1·25908	$1·25908
	when exceeding ninety-five degrees but not exceeding ninety-six degrees, per one hundred pounds	45·00 cents	$1·28712	$1·28712
	when exceeding ninety-six degrees but not exceeding ninety-seven degrees, per one hundred pounds	45·50 cents	$1·31516	$1·31516
	when exceeding ninety-seven degrees but not exceeding ninety-eight degrees, per one hundred pounds	46·00 cents	$1·34320	$1·34320
	over ninety-eight degrees, per one hundred pounds	46·50 cents	$1·4250	$1·4250
	Provided that all raw sugar, including sugar specified in this item, the produce of any British Colony or possession, shall be entitled to entry under the British Preferential Tariff, when imported direct into Canada from any British country.			
	Provided that sugar imported under this item shall not be subject to special duty.			
143a	Cigarettes, the weight of the paper covering to be included in the weight for duty, per pound	$4.10	$4.10	$4.10
	and	25 p.c.	25 p.c.	25 p.c.
168	Malt flour containing less than fifty per cent in weight of malt; also extract of malt, fluid or not, including grain molasses—all articles in this item upon valuation without British or Foreign excise duties, under regulations by the Minister of Customs and Excise, per pound	2 cents	2 cents	2 cents
	and	35 p.c.	35 p.c.	35 p.c.
208b	Bisulphate of soda or nitre cake	Free	Free	Free
208c	Dehydrated sulphate of copper for agricultural or spraying purposes	Free	Free	Free
235	Liquorice paste not sweetened	10 p.c.	15 p.c.	17½ p.c.
235a	Liquorice in rolls and sticks, not sweetened	15 p.c.	20 p.c.	22½ p.c.
267b	Crude petroleum not in its natural state ·7900 specific gravity or heavier at 60 degrees temperature, when imported by oil refiners to be refined in their own factories, per gallon	3–10 cent	4–10 cent	½ cent
281	Fire brick containing not less than ninety per cent of silica; magnesite fire brick or chrome fire brick; other fire brick valued at not less than one hundred dollars per one thousand, rectangular shaped, the dimensions of each not to exceed one hundred and twenty-five cubic inches, for use exclusively in the construction or repair of a furnace, kiln or other equipment of a manufacturing establishment	Free	Free	Free
281a	Fire brick, n.o.p., for use exclusively in the construction or repair of a furnace, kiln or other equipment of a manufacturing establishment	10 p.c.	12½ p.c.	15 p.c.
328	Spectacle and eyeglass frames, and metal parts thereof, n.o.p.	15 p.c.	17½ p.c.	20 p.c.
328a	Metal parts, unfinished, for the manufacture of spectacle and eyeglass frames	Free	5 p.c.	5 p.c.
348b	Brass and copper scrap	Free	Free	Free
	But nothing shall be deemed brass or copper scrap except waste or refuse brass or copper fit only to be remanufactured in furnaces.			
365	Composition metal and plated metal, in bars, ingots or cores, for the manufacture of watch cases, jewellery, filled gold and silver seamless wire and for dental purposes	5 p.c.	7½ p.c.	10 p.c.

Tariff Items	—	British Preferential Tariff	Intermediate Tariff	General Tariff
374	Iron or steel scrap, wrought, being waste or refuse, including punchings, cuttings or clippings of iron or steel plates or sheets having been in actual use; crop ends of tin plate bars, or of blooms, or of rails, the same not having been in actual use, per ton.... But nothing shall be deemed scrap iron or scrap steel except waste or refuse iron or steel fit only to be remanufactured in rolling mills or furnaces; provided that articles of iron or steel, damaged in transit, if broken up under customs supervision and rendered unsaleable except as scrap, may be entered for duty as scrap.	25 cents	45 cents	50 cents
384b	Rolled iron or steel hoop, band, scroll or strip, in the coil, number twelve gauge and thinner, when imported by manufacturers for use in their own factories in the manufacture of cold rolled iron or steel....	Free	Free	Free
386	Rolled iron or steel, and cast steel, in bars, bands, hoop, scroll, strip, sheet or plate of any size, thickness or width, and steel blanks for the manufacture of milling cutters, when of greater value than three and one-half cents per pound....	5 p.c	12½ p.c.	12½ p.c.
441a	Typewriters and parts thereof....	17½ p.c.	22½ p.c.	25 p.c.
442	Printing presses, lithographic presses, and type making accessories therefor, also machines specially designed for ruling, folding, binding, embossing, creasing, or cutting paper or cardboard, sheet feeding machines, when for use exclusively by printers, bookbinders and by manufacturers of articles made from paper or cardboard—including parts thereof composed wholly or in part of iron, steel, brass or wood; machinery and complete parts thereof for printing by photographic methods on plates for use on lithographic and offset presses....	5 p.c.	10 p.c.	10 p.c.
448c	Stumping machines and complete parts thereof	10 p.c.	15 p.c.	15 p.c.
467a	Machinery, of a class or kind not made in Canada, and parts thereof, for the manufacture of fish meal, stock and poultry food and fertilizers, from fish and the waste thereof..	Free	Free	Free
469	Well-drilling machinery and apparatus, and parts thereof, of a class or kind not made in Canada, drawn or seamless iron or steel tubing over four inches in diameter, for drilling for water, natural gas and oil, and for prospecting for minerals, not to include motive power....	Free	Free	Free
502a	Staves of wood, n.o.p., not less than five-eighths of an inch in thickness, further manufactured than sawn or split but not further manufactured than listed....	10 p.c.	12½ p.c.	15 p.c.
524b	Fabrics of cotton or other fibre including cord fabric, weighing over eight ounces per square yard, for use in the manufacture of pneumatic tires....	15 p.c.	17½ p.c.	20 p.c.
581	Velvets, velveteens, silk velvets, plush and silk fabrics....	17½ p.c.	32½ p.c.	35 p.c.
581a	Silk cloth woven in the gum, not boiled or bleached, measuring not less than twenty inches in width, when imported for the purpose of being dyed and finished in Canada, under regulations prescribed by the Minister of Customs and Excise....	12½ p.c.	22½ p.c.	35 p.c.
583a	Artificial silk tops and waste or artificial fibre silk tops and waste produced from a form of cellulose obtained by chemical processes..	5 p.c.	7½ p.c.	10 p.c.

Tariff Items	—	British Preferential Tariff	Intermediate Tariff	General Tariff
583aa	Artificial silk yarns or filaments or artificial fibre silk yarns or filaments produced from a form of cellulose obtained by chemical processes, not more advanced than singles, not coloured	12½ p.c.	17½ p.c.	20 p.c.
583b	Artificial silk yarns, n.o.p., threads or twists or artificial fibre silk yarns, n.o.p., threads or twists, produced from a form of cellulose obtained by chemical processes, coloured or not	17½ p.c.	22½ p.c.	25 p.c.
583c	Artificial silk fabrics or artificial fibre silk fabrics produced from a form of cellulose obtained by chemical processes or of which artificial silk or artificial fibre silk is the component part of chief value, n.o.p.	17½ p.c.	32½ p.c.	35 p.c.
583d	Manufactures of artificial silk or of artificial fibre silk produced from a form of cellulose obtained by chemical processes or of which artificial silk or artificial fibre silk is the component part of chief value, n.o.p.	30 p.c.	35 p.c.	37½ p.c.
586	Coal, anthracite and lignite; anthracite and lignite coal dust; coke	Free	Free	Free
611b	Specially constructed boot or appliance made to order for a person having a crippled or deformed foot or ankle	Free	Free	Free
638a	Hat sweats; hatters' tips and sides when cut to shape. The articles in this item when imported by hat and cap manufacturers for use exclusively in the manufacture of hats and caps in their own factories	Free	Free	Free
663a	Cyanamid or lime nitrogen	Free	Free	Free
670	Emery wheels; carborundum wheels and stones, n.o.p.; manufactures of emery or of carborundum	17½ p.c.	22½ p.c.	25 p.c.
670a	Carborundum wheels or stones not further manufactured than moulded and burned	10 p.c.	12½ p.c.	15 p.c.
672a	Sticks or canes cut into suitable lengths for umbrella, parasol or sunshade or walking sticks, further manufactured than in tariff item 672 but not further finished than bent, when imported by manufacturers of umbrellas, parasols, sunshades or walking sticks for use exclusively in the manufacture of such articles in their own factories	10 p.c.	12½ p.c.	15 p.c.
690a	Casual donations from abroad sent by friends, and not being advertising matter, tobacco, articles containing spirits or merchandise for sale—when the duty otherwise payable thereon does not exceed one dollar in any one case, under regulations by the Minister of Customs and Excise	Free	Free	Free
710	(*b*) Usual coverings containing goods, not machinery, subject to any ad valorem duty, when not included in the invoice value of the goods they contain	15 p.c.	20 p.c.	20 p.c.
	(*bb*) Usual coverings containing machinery subject to any ad valorem duty, when not included in the invoice value of the goods they contain	7½ p.c.	15 p.c.	20 p.c.

Schedule B amended.

4. Schedule B to *The Customs Tariff, 1907*, as amended by chapter twenty-six of the statutes of 1914, by chapter forty-seven of the statutes of 1919, chapter nineteen of the statutes of 1922, and by Orders in Council, is further amended by striking thereout tariff items 1029, 1030, the enumerations of goods, and the rates of drawback of customs duties set opposite to each of the said items, and by repealing Orders in Council, P.C. 19/656, dated the twenty-fifth day of March, 1920, and P.C. 17/846, dated the twenty-first day of April, 1922, and the following items, enumerations and rates of drawback of customs duties are inserted in said Schedule B:—

Tariff Items	Goods	When Subject to Drawback	Portion of Duty (Not including Special Duty or Dumping Duty) Payable as Drawback
1029	Materials	When imported by manufacturers of hat sweats and hatters' tips and sides and used in the manufacture of such articles in their own factories	99 p.c.
1030	Materials	When used in the manufacture of articles enumerated in tariff item 236	50 p.c.
1031	Artificial silk tops and waste or artificial fibre silk, artificial silk yarns or filaments, enumerated in Tariff items 583a and 583aa.	When imported by manufacturers to be further manufactured in their own factories before the first day of July, 1924	60 p.c.
1032	Oil	When used in the manufacture of manila rope, not exceeding one and one-half inches in circumference, when used exclusively in the fisheries	99 p.c.
1033	Glass tubing	When used for the manufacture of glassware and other scientific apparatus for laboratory work in public hospitals	99 p.c.
1034	Barilla or soda ash	When used in the manufacture of sal soda	99 p.c.
1035	Machinery, and parts thereof, and dies valued at more than five hundred dollars each, of a class or kind not made in Canada.	When used in manufacturing or producing goods of a class or kind not manufactured or produced in Canada prior to the twelfth day of May, 1923	60 p.c.
1036	Materials, including all parts not finished	When used in the manufacture of goods enumerated in tariff item 448c	40 p.c.
1037	Copper in blocks, ingots, pigs or bars	When used in the manufacture of rods for use only in the manufacture of trolley, telegraph and telephone wires, electric wires and electric cables	99 p.c.

Commencement of Act.

5. This Act shall be deemed to have come into force on the twelfth day of May, one thousand nine hundred and twenty-three, and to have applied to all goods mentioned in the preceeding sections imported or taken out of warehouse for consumption on and after that day, and to have also applied to goods previously imported for which no entry for consumption was made before that day.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 216.

An Act to amend The Customs Tariff, 1907.

AS PASSED BY THE HOUSE OF COMMONS,
26th JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
60291 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

1907, c. 11;
1909, c. 10;
1910, c. 16;
1911, c. 7;
1913, c. 15;
1914, c. 26;
1914(2), c. 5;
1915, c. 3;
1916, c. 7;
1918, c. 17;
1919, c. 47;
1920, c. 44;
1921, c. 21;
1922, c. 19.

BILL 216.

An Act to amend The Customs Tariff, 1907.

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

1. Section five of *The Customs Tariff, 1907*, is repealed, and the following section is substituted therefor:—

Discount on importations under British preference into Canadian ports.

"**5.** The importer of goods entitled to the benefits of the British Preferential Tariff shall be entitled to a discount of ten per centum on the amount of duty computed under such Tariff, when such goods are conveyed without transhipment from a port of a country enjoying the benefits of the British Preferential Tariff into a sea or river port of Canada:

Provided that goods entitled to the benefits of the British Preferential Tariff shall be entitled to the discount authorized by this section, when such goods are shipped on a through bill of lading consigned to a consignee in a specified port in Canada, when such goods are transferred at a port of a British Colony or possession not enjoying the benefits of the British Preferential Tariff, and conveyed without further transhipment into a sea or river port of Canada.

Exceptions.

Provided, however, that this discount shall not apply to duties on any of the following articles, viz., wines, malt liquors, spirits, spirituous liquors, liquid medicines and articles containing alcohol; sugar, tobacco, cigars and cigarettes.

Provided further that this discount shall not apply in the case in which the duty does not exceed fifteen per centum *ad valorem*, or, in the case of a specific duty or a specific and *ad valorem* duty combined in which the computed rate does not exceed fifteen per centum *ad valorem*, or to goods admitted into Canada which have the benefit of

reductions provided for in the Canada-West Indies Trade Agreement, 1920."

2. *The Customs Tariff, 1907*, is amended by inserting the following sections immediately after section eight A thereof, as enacted by section two of chapter twenty-seven of the statutes of 1921:—

Commercial agreement with United States.

"8B. The Governor in Council may authorize any Minister of the Crown to enter into negotiations with any authorized representative of the Government of the United States with a view to the making of a commercial agreement between the two countries on terms that may be deemed mutually beneficial. Any agreement so made shall be subject to the approval of the Parliament of Canada.

Reciprocal reductions on certain articles.

"8C. If the President of the United States, under authority of the United States Tariff Act of 1922, determines to reduce the duties imposed by such Act on the following articles, that is to say:—

Cattle; wheat; wheat flour; oats; barley; potatoes; onions; turnips; hay; fish as enumerated in paragraphs 717, 718, 719 and 720 of the said Tariff Act of 1922, the Governor in Council may by Order in Council make such reductions of duties on such articles imported into Canada from the United States as may be deemed reasonable by way of compensation for such reductions on Canadian products imported into the United States."

Schedule A amended.

3. Schedule A to *The Customs Tariff, 1907*, as amended by chapter sixteen of the statutes of 1910, by chapter twenty-six of the statutes of 1914, by chapter five of the statutes of 1914 (second session), by chapter forty-seven of the statutes of 1919, by chapter twenty-seven of the statutes of 1921, by chapter nineteen of the statutes of 1922, and by Order in Council, is further amended by striking thereout tariff items:—83a, 99, 134, 135, 143a, 168, 235, 281, 328, 348b, 365, 374, 386, 441a, 442, 469, 581, 581a, 586, 638a, 670, 690a, 710b, the several enumerations of goods respectively, and the several rates of duties of Customs, if any, set opposite each of said items, and by repealing section 1 (i) of Order in Council, P.C. 16/1556, dated fifth day of June, 1912, designated as item 760 of *The Customs Tariff*, and the following items, enumerations and rates of duty are inserted in Schedule A:—

Tariff Items	—	British Preferential Tariff	Intermediate Tariff	General Tariff
72a	Hemp seed for agricultural purposes	Free	Free	Free
83a	Potatoes when imported from a country which imposes a customs duty on potatoes grown in Canada, per one hundred pounds	20 cents	35 cents	35 cents
99	Prunes and dried plums, unpitted, per pound	½ cent	¾ cent	¾ cent
99b	Raisins and dried currants, per pound	½ cent	¾ cent	¾ cent
	The Governor in Council may by Order in Council direct that there be substituted for tariff item 99b in Schedule A of *The Customs Tariff, 1907*, the enumeration of goods and the rates of duties of Customs set opposite said item in Schedule A the following:—			
99c	Raisins and dried currants, per pound	Free	3 cents	3 cents
	2. From and after the publication of such Order in Council in *The Canada Gazette* tariff item 99b as it appears in said Schedule at the time of the passing of the Act founded on this Resolution shall be repealed and the provisions of tariff item 99c shall be substituted therefor.			
134	All sugar above number sixteen Dutch standard in colour, and all refined sugars of whatever kinds, grades or standards, not covered by tariff item No. 135, when not exceeding eighty-eight degrees of polarization, per one hundred pounds	83 cents	$1.50	$1.50
	when exceeding eighty-eight degrees but not exceeding eighty-nine degrees, per one hundred pounds	85 cents	$1.53	$1.53
	when exceeding eighty-nine degrees but not exceeding ninety degrees, per one hundred pounds	87 cents	$1.55	$1.55
	when exceeding ninety degrees but not exceeding ninety-one degrees, per one hundred pounds	89 cents	$1.58	$1.58
	when exceeding ninety-one degrees but not exceeding ninety-two degrees, per one hundred pounds	91 cents	$1.62	$1.62
	when exceeding ninety-two degrees but not exceeding ninety-three degrees, per one hundred pounds	93 cents	$1.65	$1.65
	when exceeding ninety-three degrees but not exceeding ninety-four degrees, per one hundred pounds	95 cents	$1.68	$1.68
	when exceeding ninety-four degrees but not exceeding ninety-five degrees, per one hundred pounds	97 cents	$1.70	$1.70
	when exceeding ninety-five degrees but not exceeding ninety-six degrees, per one hundred pounds	99 cents	$1.74	$1.74
	when exceeding ninety-six degrees but not exceeding ninety-seven degrees, per one hundred pounds	$1.01	$1.77	$1.77
	when exceeding ninety-seven degrees but not exceedlng ninety-eight degrees, per one hundred pounds	$1.03	$1.80	$1.80
	when exceeding ninety-eight degrees but not exceeding ninety-nine degrees, per one hundred pounds	$1.09	$1.89	$1.89
	when exceeding ninety-nine dgrees, per one hundred pounds	$1.09	$1.89	$1.89
	Provided that refined sugar shall be entitled to entry under the British Preferential Tariff upon evidence satisfactory to the Minister of Customs and Excise, that such refined sugar has been manufactured wholly from raw sugar produced in the British colonies and possessions and not otherwise.			

Tariff Items	—	British Preferential Tariff	Intermediate Tariff	General Tariff
	Provided further that sugar imported under this item shall not be subject to special duty in excess of three-fourths of one cent per pound.			
135	Sugar above number sixteen Dutch standard in colour when imported by a recognized sugar refiner, for refining purposes only, under regulations by the Minister of Customs and Excise; and sugar, n.o.p., not above number sixteen Dutch standard in colour, sugar drainings or pumpings drained in transit, melado or concentrated melado, tank bottoms, sugar concrete, and molasses testing over fifty-six degrees and not exceeding seventy-six degrees, when not exceeding seventy-six degrees of polarization, per one hundred pounds	35·00 cents	81·08 cents	81·08 cents
	when exceeding seventy-six degrees but not exceeding seventy-seven degrees, per one hundred pounds	35·50 cents	83·116 cents	83·116 cents
	when exceeding seventy-seven degrees but not exceeding seventy-eight degrees, per one hundred pounds	36·00 cents	85·152 cents	85·152 cents
	when exceeding seventy-eight degrees but not exceeding seventy-nine degrees, per one hundred pounds	36·50 cents	87·188 cents	87·188 cents
	when exceeding seventy-nine degrees but not exceeding eighty degrees, per one hundred pounds	37·00 cents	89·224 cents	89·224 cents
	when exceeding eighty degrees but not exceeding eighty-one degrees. per one hundred pounds	37·50 cents	91·260 cents	91·260 cents
	when exceeding eighty-one degrees but not exceeding eighty-two degrees, per one hundred pounds	38·00 cents	93·296 cents	93·296 cents
	when exceeding eighty-two degrees but not exceeding eighty-three degrees, per one hundred pounds	38·50 cents	95·332 cents	95·332 cents
	when exceeding eighty-three degrees but not exceeding eighty-four degrees, per one hundred pounds	39·00 cents	97·560 cents	97·560 cents
	when exceeding eighty-four degrees but not exceeding eighty-five degrees, per one hundred pounds	39·50 cents	99·788 cents	99·788 cents
	when exceeding eighty-five degrees but not exceeding eighty-six degrees, per one hundred pounds	40·00 cents	$1·02016	$1·02016
	when exceeding eighty-six degrees but not exceeding eighty-seven degrees, per one hundred pounds	40·50 cents	$1·04244	$1·04244
	when exceeding eighty-seven degrees but not exceeding eighty-eight degrees, per one hundred pounds	41·00 cents	$1·06664	$1·06664
	when exceeding eighty-eight degrees but not exceeding eighty-nine degrees, per one hundred pounds	41·50 cents	$1·09084	$1·09084
	when exceeding eighty-nine degrees but not exceeding ninety degrees, per one hundred pounds	42·00 cents	$1·11888	$1·11888
	when exceeding ninety degrees but not exceeding ninety-one degrees, per one hundred pounds	42·50 cents	$1·14692	$1·14692
	when exceeding ninety-one degrees but not exceeding ninety-two degrees, per one hundred pounds	43·00 cents	$1·17496	$1·17496
	when exceeding ninety-two degrees but not exceeding ninety-three degrees, per one hundred pounds	43·50 cents	$1·20300	$1·20300
	when exceeding ninety-three degrees but not exceeding ninety-four degrees, per one hundred pounds	44·00 cents	$1·23104	$1·23104

Tariff Items	—	British Preferential Tariff	Intermediate Tariff	General Tariff
	when exceeding ninety-four degrees but not exceeding ninety-five degrees, per one hundred pounds	44·50 cents	$1·25908	$1·25908
	when exceeding ninety-five degrees but not exceeding ninety-six degrees, per one hundred pounds	45·00 cents	$1·28712	$1·28712
	when exceeding ninety-six degrees but not exceeding ninety-seven degrees, per one hundred pounds	45·50 cents	$1·31516	$1·31516
	when exceeding ninety-seven degrees but not exceeding ninety-eight degrees, per one hundred pounds	46·00 cents	$1·34320	$1·34320
	over ninety-eight degrees, per one hundred pounds	46·50 cents	$1·4250	$1·4250
	Provided that all raw sugar, including sugar specified in this item, the produce of any British Colony or possession, shall be entitled to entry under the British Preferential Tariff, when imported direct into Canada from any British country.			
	Provided that sugar imported under this item shall not be subject to special duty.			
143a	Cigarettes, the weight of the paper covering to be included in the weight for duty, per pound	$4.10	$4.10	$4.10
	and	25 p.c.	25 p.c.	25 p.c.
168	Malt flour containing less than fifty per cent in weight of malt; also extract of malt, fluid or not, including grain molasses—all articles in this item upon valuation without British or Foreign excise duties, under regulations by the Minister of Customs and Excise, per pound	2 cents	2 cents	2 cents
	and	35 p.c.	35 p.c.	35 p.c.
208b	Bisulphate of soda or nitre cake	Free	Free	Free
208c	Dehydrated sulphate of copper for agricultural or spraying purposes	Free	Free	Free
235	Liquorice paste not sweetened	10 p.c.	15 p.c.	17½ p.c.
235a	Liquorice in rolls and sticks, not sweetened	15 p.c.	20 p.c.	22½ p.c.
267b	Crude petroleum not in its natural state ·7900 specific gravity or heavier at 60 degrees temperature, when imported by oil refiners to be refined in their own factories, per gallon	3–10 cent	4–10 cent	½ cent
281	Fire brick containing not less than ninety per cent of silica; magnesite fire brick or chrome fire brick; other fire brick valued at not less than one hundred dollars per one thousand, rectangular shaped, the dimensions of each not to exceed one hundred and twenty-five cubic inches, for use exclusively in the construction or repair of a furnace, kiln or other equipment of a manufacturing establishment	Free	Free	Free
281a	Fire brick, n.o.p., for use exclusively in the construction or repair of a furnace, kiln or other equipment of a manufacturing establishment	10 p.c.	12½ p.c.	15 p.c.
328	Spectacle and eyeglass frames, and metal parts thereof, n.o.p.	15 p.c.	17½ p.c.	20 p.c.
328a	Metal parts, unfinished, for the manufacture of spectacle and eyeglass frames	Free	5 p.c.	5 p.c.
348b	Brass and copper scrap	Free	Free	Free
	But nothing shall be deemed brass or copper scrap except waste or refuse brass or copper fit only to be remanufactured in furnaces.			
365	Composition metal and plated metal, in bars, ingots or cores, for the manufacture of watch cases, jewellery, filled gold and silver seamless wire and for dental purposes	5 p.c.	7½ p.c.	10 p.c.

Tariff Items	—	British Preferential Tariff	Intermediate Tariff	General Tariff
374	Iron or steel scrap, wrought, being waste or refuse, including punchings, cuttings or clippings of iron or steel plates or sheets having been in actual use; crop ends of tin plate bars, or of blooms, or of rails, the same not having been in actual use, per ton.... But nothing shall be deemed scrap iron or scrap steel except waste or refuse iron or steel fit only to be remanufactured in rolling mills or furnaces; provided that articles of iron or steel, damaged in transit, if broken up under customs supervision and rendered unsaleable except as scrap, may be entered for duty as scrap.	25 cents	45 cents	50 cents
384b	Rolled iron or steel hoop, band, scroll or strip, in the coil, number twelve gauge and thinner, when imported by manufacturers for use in their own factories in the manufacture of cold rolled iron or steel....	Free	Free	Free
386	Rolled iron or steel, and cast steel, in bars, bands, hoop, scroll, strip, sheet or plate of any size, thickness or width, and steel blanks for the manufacture of milling cutters, when of greater value than three and one-half cents per pound....	5 p.c	12½ p.c.	12½ p.c.
441a	Typewriters and parts thereof....	17½ p.c.	22½ p.c.	25 p.c.
442	Printing presses, lithographic presses, and type making accessories therefor, also machines specially designed for ruling, folding, binding, embossing, creasing, or cutting paper or cardboard, sheet feeding machines, when for use exclusively by printers, bookbinders and by manufacturers of articles made from paper or cardboard—including parts thereof composed wholly or in part of iron, steel, brass or wood; machinery and complete parts thereof for printing by photographic methods on plates for use on lithographic and offset presses....	5 p.c.	10 p.c.	10 p.c.
448c	Stumping machines and complete parts thereof	10 p.c.	15 p.c.	15 p.c.
467a	Machinery, of a class or kind not made in Canada, and parts thereof, for the manufacture of fish meal, stock and poultry food and fertilizers, from fish and the waste thereof..	Free	Free	Free
469	Well-drilling machinery and apparatus, and parts thereof, of a class or kind not made in Canada, drawn or seamless iron or steel tubing over four inches in diameter, for drilling for water, natural gas and oil, and for prospecting for minerals, not to include motive power....	Free	Free	Free
502a	Staves of wood, n.o.p., not less than five-eighths of an inch in thickness, further manufactured than sawn or split but not further manufactured than listed....	10 p.c.	12½ p.c.	15 p.c.
524b	Fabrics of cotton or other fibre including cord fabric, weighing over eight ounces per square yard, for use in the manufacture of pneumatic tires....	15 p.c.	17½ p.c.	20 p.c.
581	Velvets, velveteens, silk velvets, plush and silk fabrics....	17½ p.c.	32½ p.c.	35 p.c.
581a	Silk cloth woven in the gum, not boiled or bleached, measuring not less than twenty inches in width, when imported for the purpose of being dyed and finished in Canada, under regulations prescribed by the Minister of Customs and Excise....	12½ p.c.	22½ p.c.	35 p.c.
583a	Artificial silk tops and waste or artificial fibre silk tops and waste produced from a form of cellulose obtained by chemical processes..	5 p.c.	7½ p.c.	10 p.c.

Tariff Items	—	British Preferential Tariff	Intermediate Tariff	General Tariff
583aa	Artificial silk yarns or filaments or artificial fibre silk yarns or filaments produced from a form of cellulose obtained by chemical processes, not more advanced than singles, not coloured	12½ p.c.	17½ p.c.	20 p.c.
583b	Artificial silk yarns, n.o.p., threads or twists or artificial fibre silk yarns, n.o.p., threads or twists, produced from a form of cellulose obtained by chemical processes, coloured or not	17½ p.c.	22½ p.c.	25 p.c.
583c	Artificial silk fabrics or artificial fibre silk fabrics produced from a form of cellulose obtained by chemical processes or of which artificial silk or artificial fibre silk is the component part of chief value, n.o.p.	17½ p.c.	32½ p.c.	35 p.c.
583d	Manufactures of artificial silk or of artificial fibre silk produced from a form of cellulose obtained by chemical processes or of which artificial silk or artificial fibre silk is the component part of chief value, n.o.p.	30 p.c.	35 p.c.	37½ p.c.
586	Coal, anthracite and lignite; anthracite and lignite coal dust; coke	Free	Free	Free
611b	Specially constructed boot or appliance made to order for a person having a crippled or deformed foot or ankle	Free	Free	Free
638a	Hat sweats; hatters' tips and sides when cut to shape. The articles in this item when imported by hat and cap manufacturers for use exclusively in the manufacture of hats and caps in their own factories	Free	Free	Free
663a	Cyanamid or lime nitrogen	Free	Free	Free
670	Emery wheels; carborundum wheels and stones, n.o.p.; manufactures of emery or of carborundum	17½ p.c.	22½ p.c.	25 p.c.
670a	Carborundum wheels or stones not further manufactured than moulded and burned	10 p.c.	12½ p.c.	15 p.c.
672a	Sticks or canes cut into suitable lengths for umbrella, parasol or sunshade or walking sticks, further manufactured than in tariff item 672 but not further finished than bent, when imported by manufacturers of umbrellas, parasols, sunshades or walking sticks for use exclusively in the manufacture of such articles in their own factories	10 p.c.	12½ p.c.	15 p.c.
690a	Casual donations from abroad sent by friends, and not being advertising matter, tobacco, articles containing spirits or merchandise for sale—when the duty otherwise payable thereon does not exceed one dollar in any one case, under regulations by the Minister of Customs and Excise	Free	Free	Free
710	(*b*) Usual coverings containing goods, not machinery, subject to any ad valorem duty, when not included in the invoice value of the goods they contain	15 p.c.	20 p.c.	20 p.c.
	(*bb*) Usual coverings containing machinery subject to any ad valorem duty, when not included in the invoice value of the goods they contain	7½ p.c.	15 p.c.	20 p.c.

Schedule B amended.

4. Schedule B to *The Customs Tariff, 1907*, as amended by chapter twenty-six of the statutes of 1914, by chapter forty-seven of the statutes of 1919, chapter nineteen of the statutes of 1922, and by Orders in Council, is further amended by striking thereout tariff items 1029, 1030, the enumerations of goods, and the rates of drawback of customs duties set opposite to each of the said items, and by repealing Orders in Council, P.C. 19/656, dated the twenty-fifth day of March, 1920, and P.C. 17/846, dated the twenty-first day of April, 1922, and the following items, enumerations and rates of drawback of customs duties are inserted in said Schedule B:—

Tariff Items	Goods	When Subject to Drawback	Portion of Duty (Not including Special Duty or Dumping Duty) Payable as Drawback
1029	Materials	When imported by manufacturers of hat sweats and hatters' tips and sides and used in the manufacture of such articles in their own factories	99 p.c.
1030	Materials	When used in the manufacture of articles enumerated in tariff item 236	50 p.c.
1031	Artificial silk tops and waste or artificial fibre silk, artificial silk yarns or filaments, enumerated in Tariff items 583a and 583aa.	When imported by manufacturers to be further manufactured in their own factories before the first day of July, 1924	60 p.c.
1032	Oil	When used in the manufacture of manila rope, not exceeding one and one-half inches in circumference, when used exclusively in the fisheries	99 p.c.
1033	Glass tubing	When used for the manufacture of glassware and other scientific apparatus for laboratory work in public hospitals	99 p.c.
1034	Barilla or soda ash	When used in the manufacture of sal soda	99 p.c.
1035	Machinery, and parts thereof, and dies valued at more than five hundred dollars each, of a class or kind not made in Canada.	When used in manufacturing or producing goods of a class or kind not manufactured or produced in Canada prior to the twelfth day of May, 1923	60 p.c.
1036	Materials, including all parts not finished	When used in the manufacture of goods enumerated in tariff item 448c	40 p.c.
1037	Copper in blocks, ingots, pigs or bars	When used in the manufacture of rods for use only in the manufacture of trolley, telegraph and telephone wires, electric wires and electric cables	99 p.c.

Commencement of Act.

5. This Act shall be deemed to have come into force on the twelfth day of May, one thousand nine hundred and twenty-three, and to have applied to all goods mentioned in the preceeding sections imported or taken out of warehouse for consumption on and after that day, and to have also applied to goods previously imported for which no entry for consumption was made before that day.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 217.

An Act respecting the Three Rivers Harbour Commissioners.

First reading, June 15, 1923.

The MINISTER OF MARINE AND FISHERIES.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
61135 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 217.

An Act respecting the Three Rivers Harbour Commissioners.

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

Short title.

1. This Act may be cited as *The Three Rivers Harbour Commissioners' Act, 1923.*

Incorporation.

Name.

2. The Commissioners from time to time appointed in accordance with this Act shall be and are hereby incorporated under the name of the "Three Rivers Harbour Commissioners", hereinafter called "the Corporation".

Interpretation.

3. In this Act and in any by-law or regulation made hereunder, unless the context otherwise requires,—

"By-law".

(a) "by-law" means any by-law, rule, order or regulation made by the Corporation under the authority of this Act;

"Commissioner".

(b) "commissioner" means a member of the corporation;

"Corporation".

(c) "corporation" means the Three Rivers Harbour Commissioners;

"Goods".

(d) "goods" includes all personal property and moveables other than vessels;

"Minister".

(e) "minister" means the Minister of Marine and Fisheries;

"Raft".

(f) "raft" includes any raft, crib, dram, bag or boom of logs, timber or lumber of any kind, and logs, timber or lumber in boom or being towed;

"Rate".

(g) "rate" means any rate or toll leviable under or imposed by the authority of this Act;

"The harbour".

(h) "the harbour" means the harbour of Three Rivers as defined by this Act;

"Vessel".

(i) "vessel" includes every kind of ship, boat, barge, raft, dredge, elevator, scow or other floating craft.

Harbour limits defined.

4. The harbour of Three Rivers shall for the purpose of this Act comprise that portion of the river St. Lawrence lying between the eastern and western boundaries hereinafter described and extending in the river St. Maurice to the northerly boundary of the city of Three Rivers where it crosses the river St. Maurice, and shall include all water and beach up to tidal highwater on both sides of the said rivers and on the shores of islands contained within the harbour limits. The westerly boundary of the harbour shall be a line drawn parallel to and one mile easterly perpendicularly from the line joining the intersection with high water mark on the north shore of the river St. Lawrence of the boundary line of the parishes of Three Rivers and Pointe du Lac and the intersection with high water mark on the south shore of the river of the boundary line of the parishes of St. Gregoire and Nicolet. The easterly limit shall be a line drawn through triangulation monument No. XII, situate on the north shore of the St. Lawrence river on Lottinville point in the parish of Cap Magdeleine, and triangulation monument No. XII-1 situate on the south shore of the St. Lawrence river on the extremity of Becancour point on Ile Dorval or Montessen in the parish of Becancour.

Commissioners.

5. (1) The Corporation shall consist of three commissioners, who shall be appointed by the Governor in Council and who shall hold office during pleasure.

Quorum.

(2) Two Commissioners shall be a quorum. If a quorum be present and act, vacancies in the Corporation shall not prevent or impair the effect of such action. It shall not

Signature to bonds, etc.

be necessary for more than two commissioners to sign any debenture, bond or other security that may be issued by the commissioners.

President.

(3) The Governor in Council may from time to time appoint one of the said commissioners to be president of the Corporation.

Payment of commissioners.

(4) For their services, the president and the other commissioners may be paid out of the revenues of the harbour, such remuneration as the Governor in Council may determine.

Resignations.

(5) A commissioner may resign his office by notice in writing to the Minister.

Oath of office.

(6) Before any commissioner enters upon the execution of his duties he shall take and subscribe the following oath:—

"I, ..., make oath and say that I will truly and impartially and to the best of my skill and understanding execute the powers vested in me as a commissioner (or as President) of the Corporation of The Three Rivers Harbour Commissioners."

The said oath shall be filed of record in the office of the Corporation.

Evidence of presidency.

(7) A certificate under the seal of the Corporation that any person named therein is president or presiding officer, as the case may be, shall be conclusive evidence of such fact.

OFFICERS AND EMPLOYEES

Officers, etc.

6. The Corporation may appoint a harbour master, a deputy harbour master, and such other officers, assistants, engineers, clerks and servants as it may consider necessary to carry out the objects and provisions of this Act, and may, by by-law, allow them such compensation or salaries as it considers proper; and may require them to furnish such security for the due and faithful performance of their respective duties as it thinks necessary.

Salaries.

Security.

GENERAL POWERS

Jurisdiction.

7. The Corporation shall, for the purpose of and as provided in this Act, have jurisdiction, within the limits of the said harbour and shall, likewise, have the administration and control of the harbour and of all harbour property, including the property, both real and personal, heretofore under the administration and control of the Three Rivers Harbour Commissioners appointed under the authority of chapter fifty-two of the statutes of 1882 and of any Acts in amendment thereof.

Powers as to property required for harbour.

8. The Corporation may, with the approval of the Governor in Council, acquire, expropriate, sell, lease, or otherwise dispose of such real estate or personal property as it deems necessary or desirable for the development, improvement, maintenance and protection of the harbour, or for the management, development and control of the property vested in the Corporation, but all such real estate shall be acquired in the name of and vested in His Majesty; and the Corporation may, likewise, acquire, hold, possess and build such movable property, vessels, plant and machinery as it deems necessary for the efficient discharge of the duties devolving upon it under or in pursuance of this Act, and may dispose thereof, and may register such vessels in the name of the Corporation.

Motive power, tracks, plant, etc.

9. The Corporation may own and operate by any motive power, all kinds of tracks, appliances, apparatus, plant and machinery for the purpose of increasing the usefulness of the harbour or facilitating traffic therein.

EXPROPRIATION OF LANDS.

Expropriation of lands.

10. Whenever the Corporation desires to acquire any lands for any of the purposes of this Act, should the Corporation be unable to agree with the owner of such lands as to the price to be paid therefor, the Corporation shall have the right to acquire such lands without the consent of the owner, and the provisions of *The Railway Act, 1919*, relating to the taking of land by railway companies shall, *mutatis mutandis*, be applicable to the acquisition of such lands by the Corporation and in any such proceedings the powers of the Board of Railway Commissioners under the said Act shall be exercised by the Governor in Council.

BY-LAWS.

By-laws.

11. (1) The Corporation may, by by-laws not contrary to law or inconsistent with the provisions of this Act, make effective regulations for any of the following purposes, namely:—

(a) The direction, conduct and government of the Corporation, its officers and servants, and the management, control and improvement of its property, real and personal, and for the protection and care of the same in every manner deemed necessary, and all matters in relation thereto;

(b) The regulation and control of each and every matter in connection with vessels navigating the harbour and their mooring, berthing, discharging or loading, and anything incidental thereto;

(c) The use of the harbour facilities by vessels and the agents, owners, masters or consignees of the same; and for the lease or allotment of any of the harbour property, plant or facilities;

(d) The compensation or salaries to be paid the officers, assistants, engineers, clerks and servants appointed by the Corporation.

(e) The regulation of the construction of wharves, piers, buildings or any other structure within the harbour, and anything incidental thereto;

(f) The imposition and collection of rates and tolls on vessels entering, using and leaving the harbour and their cargoes; and on goods or cargo of any kind landed or shipped in the harbour; and for the use of any buildings, plant or facilities of the Corporation; and penalties for the infringement of any of the provisions of this Act or any by-law made thereunder;

(g) The doing of anything necessary to carry out the provisions of this Act within their true intent and meaning, and for the regulation, good government

and control of the harbour and harbour services under its jurisdiction;

(h) The construction, maintenance and operation of such harbour and branch and other railway and tramway tracks as are required for the satisfactory conduct and development of the business of the harbour, or to authorize the acquisition by the Corporation of such tracks by purchase, lease or otherwise;

(i) To authorize the Corporation to enter into an agreement with any railway company for the operation by any motive power by such company of the tracks of the Corporation 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;

(j) To authorize the Corporation making arrangements with railway companies for facilitating traffic to, from and in the harbour; for making connections within the harbour between companies' railways and those of the Corporation for the maintenance, management, control and working of tracks of the Corporation by the parties to such agreement severally, or any of them jointly, and for the using by any party to the agreement of any real or personal property of any other party thereto for the purpose of facilitating traffic to, from and in the harbour;

(k) Prescribing the penalties that may be imposed on any person violating any by-law which the Corporation is authorized to make under this Act, but no such penalty shall exceed five hundred dollars or sixty days imprisonment, or in default of payment of a pecuniary penalty or of the costs of conviction, imprisonment for a period of thirty days but such imprisonment not to continue after such payment is made.

Force and effect of by-laws.

(2) No by-law shall have force or effect until confirmed by the Governor in Council and published in the *Canada Gazette*, and, upon such confirmation and publication, any by-law made in accordance with this Act shall have the same force and effect as if enacted in this Act.

COLLECTION OF RATES, ETC.

Payment of rates, as to sea-going vessels.

12. (1) The rates on goods landed or shipped from seagoing vessels shall be paid by the consignee, shipper, owner or agent of such goods, and goods shall not be removed from any dock or wharf within the harbour until such rates are fully paid.

Rates upon cargoes of all other vessels.

(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 sum 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.

Collection through Collector of Customs.

13. (1) The Corporation may require the collector of customs at Three Rivers to collect on its behalf such portions of the rates authorized by this Act to be levied in the harbour as it deems expedient to collect through him.

Payments and returns by collector.

(2) Every collector so required to make collection on account of the Corporation shall pay over to the Corporation on the first 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.

BORROWING POWERS

Borrowing powers.

14. To enable the Corporation to pay off and redeem the principal of the debentures issued to the Minister of Finance and Receiver General under the authority of chapter seventy-six of the statutes of 1885, amounting to eighty-two thousand dollars; and the principal of the debentures amounting in all to two hundred and eighteen thousand dollars issued under the authority of chapter ten of the statutes of 1892; and for the further purpose of repairing and improving the wharves and other works and structures in the harbour, the Corporation may, after the approval by the Governor in Council, on the recommendation of the Minister, of the plans, specifications and estimates in detail for the work proposed, and the amount proposed to be borrowed; borrow money at such rates of interest, as it finds expedient, and may for the

Debentures.

said purpose issue debentures for sums not less than one hundred dollars or twenty pounds sterling, payable in not more than forty years, which debentures may be secured upon the revenues or property receivable or controlled by the Corporation. Such debentures may be sold at such rates and on such terms as the Corporation, with the approval of the Governor in Council, deems advisable.

In payment of money borrowed.

15. (1) The principal and interest of the sums of money which may be borrowed by the Corporation under this Act, and the principal and interest of the debentures to be issued under the authority of this Act, shall be repaid out of the revenue arising out of the rates and penalties imposed by or under this Act for and on account of the harbour or out of any other revenue vested in or coming to the Corporation, and the lawful charges upon the said revenue shall be as follows, and in the following order, that is to say:—

(a) The payment of all necessary expenses incurred in the collection of the said revenue, and in the management and operation of the harbour services, and in the maintenance and ordinary repair of its works and facilities,—the expenditure of all revenue to be subject to the supervision and control of the Minister;

(b) The payment of interest on any debentures issued under the authority of this Act.

Sinking fund.

(2) After the payment of the charges above provided for, the surplus revenue shall be applied to the establishment of a sinking fund for the repayment of the principal of the debentures issued under the authority of this Act. The balance now at credit of the sinking fund provided for by section one of chapter ten of the statutes of 1892, shall be transferred to, and stand as a credit to, the sinking fund herein authorized.

Transfer of balance.

ENFORCEMENT AND COLLECTION OF PENALTIES

Recovery of penalties.

16. All penalties incurred under this Act, or under any by-law made in pursuance thereof, may be recovered in a summary manner under Part XV of the *Criminal Code*.

Seizure and detention of vessels.

17. (1) The Corporation may in the following cases seize and detain any vessel within the limits of the province of Quebec:—

(a) Whenever any sum is due in respect of the vessel for rates or for commutation of rates and is unpaid;

(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;

(c) Whenever any injury has been done by the vessel, or by the fault or neglect of the crew when acting as the crew, or under order of their superior officers, to any property of the Corporation;

(d) Whenever any obstruction whatever has been offered or made to the operations of the Corporation by the vessel, or by the fault or neglect of the crew while acting as the crew, or under order of their superior officer.

Effects of seizure.

(2) In a case coming within paragraphs *(c)* or *(d)* of subsection one of this section, the vessel may be seized and detained until the injury so done has been repaired by the master or crew or by the other persons interested, and until all 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; and for the amount of all such injury, damages, expenses and costs, the Corporation shall have a preferential lien upon the vessel and upon the proceeds

Lien.

thereof until security has been given to pay the amount of such damages, whether direct or indirect, and of such injury and costs as may be awarded in any suit resulting therefrom, and the owner, charterer, master or agent of such vessel shall also be liable to the Corporation for all such injury and damages.

Special privilege for rates and penalties.

(3) The Corporation shall have a special lien and privilege upon any vessel and upon the proceeds thereof in preference to all other claims and demands whatsoever (saving and excepting the claims for wages of seamen, under the provisions of the *Canada Shipping Act*) for the payment of any rates or commutation of rates or penalties due and payable with respect to such vessel or in respect of the acts of the master, owner or person in charge thereof.

Seizure after judgment.

(4) 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 the judgment or conviction at the suit of the Corporation against the master, owner or person in charge thereof.

In whose hands seizure may be made.

(5) Such vessel may be so seized and detained, or so seized and sold while 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.

Prescription.

(6) The rights conferred by this section shall not be exercised after one year from the period when such rates, commutation or penalties accrued and became exigible.

Seizure and detention of goods.

18. The Corporation may seize and detain any goods in case,—

(a) any sum is due for rates in respect of such goods, and is unpaid; or

(b) 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 has thereby been incurred.

Seizure and detention to be at owner's charge.

19. (1) Every lawful 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 or 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 provisions of this Act or any by-law in force under this Act, have been paid in full.

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 suit or proceeding, or as incident thereto,

or without the institution of any suit or proceeding whatsoever.

Order of seizure.

(3) The seizure and detention may be effected upon the order of,—

(a) any judge;

(b) any magistrate having the power of two justices of the peace;

(c) the collector of customs at any port in the province of Quebec;

Application for order.

(4) The said order may be made on the application of the Corporation or its authorized agent, or its solicitor, and may be executed by any constable, bailiff or other person whom the Corporation entrusts with the execution thereof, and the said constable, bailiff or other person is hereby empowered to take all necessary means and demand all necessary aid to enable him to execute the said order.

Service of process.

20. (1) Service of any warrant, summons, writ, order, notice or other document, when personal service cannot be effected, may be made upon the owners or upon the master or other person in charge of any vessel by showing the original to and leaving a copy with any person found on board the vessel and appearing to be one of her crew.

Vessels of H.M. excepted.

(2) Nothing in this Act shall authorize the service of any summons or the execution of any warrant on board any vessel in His Majesty's service.

Penalties to be paid over.

21. (1) 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.

(2) The Corporation shall apply all sums collected by it for rates, or received by it as such pecuniary penalties, to the payment of the charges upon its revenue.

Administration of oaths.

22. Whenever any person is required by or in pursuance of this Act or of any by-law or regulation made under this Act to take oath, any commissioner and the secretary of the Corporation, and the harbour master of the harbour may administer such oath as well as any other officer or person duty authorized to administer oaths.

Separate accounts.

23. The Corporation shall keep separate accounts of all moneys borrowed and expended by it under the authority of this Act, and of all revenue received and expended from the operation of the harbour, its services and facilities, and shall account therefor to the Minister at such periods and in such manner and form as he shall direct.

Prescription of prosecutions.

24. 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 XV of the *Criminal Code* after two years from the time when the matter of complaint or information arose.

REPEAL.

Repeal.

25. Chapter fifty-two of the statutes of 1882, chapter forty-one of the statutes of 1883, chapter seventy-six of the statutes of 1885, chapter ten of the statutes of 1892 and chapter twenty-six of the statutes of 1895, are hereby repealed.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 217.

An Act respecting the Three Rivers Harbour Commissioners.

AS PASSED BY THE HOUSE OF COMMONS, 21st JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
61142 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 217.

An Act respecting the Three Rivers Harbour Commissioners.

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

Short title.

1. This Act may be cited as *The Three Rivers Harbour Commissioners' Act, 1923.*

Incorporation.

Name.

2. The Commissioners from time to time appointed in accordance with this Act shall be and are hereby incorporated under the name of the "Three Rivers Harbour Commissioners", hereinafter called "the Corporation".

Interpretation.

3. In this Act and in any by-law or regulation made hereunder, unless the context otherwise requires,—

"By-law".

(a) "by-law" means any by-law, rule, order or regulation made by the Corporation under the authority of this Act;

"Commissioner".

(b) "commissioner" means a member of the corporation;

"Corporation".

(c) "corporation" means the Three Rivers Harbour Commissioners;

"Goods".

(d) "goods" includes all personal property and moveables other than vessels;

"Minister".

(e) "minister" means the Minister of Marine and Fisheries;

"Raft".

(f) "raft" includes any raft, crib, dram, bag or boom of logs, timber or lumber of any kind, and logs, timber or lumber in boom or being towed;

"Rate".

(g) "rate" means any rate or toll leviable under or imposed by the authority of this Act;

"The harbour".

(h) "the harbour" means the harbour of Three Rivers as defined by this Act;

"Vessel".

(i) "vessel" includes every kind of ship, boat, barge, raft, dredge, elevator, scow or other floating craft.

Harbour limits defined.

4. The harbour of Three Rivers shall for the purpose of this Act comprise that portion of the river St. Lawrence lying between the eastern and western boundaries hereinafter described and extending in the river St. Maurice to the northerly boundary of the city of Three Rivers where it crosses the river St. Maurice, and shall include all water and beach up to tidal highwater on both sides of the said rivers and on the shores of islands contained within the harbour limits. The westerly boundary of the harbour shall be a line drawn parallel to and one mile easterly perpendicularly from the line joining the intersection with high water mark on the north shore of the river St. Lawrence of the boundary line of the parishes of Three Rivers and Pointe du Lac and the intersection with high water mark on the south shore of the river of the boundary line of the parishes of St. Gregoire and Nicolet. The easterly limit shall be a line drawn through triangulation monument No. XII, situate on the north shore of the St. Lawrence river on Lottinville point in the parish of Cap Magdeleine, and triangulation monument No. XII-1 situate on the south shore of the St. Lawrence river on the extremity of Becancour point on Ile Dorval or Montessen in the parish of Becancour.

Commissioners.

5. (1) The Corporation shall consist of three commissioners, who shall be appointed by the Governor in Council and who shall hold office during pleasure.

Quorum.

(2) Two Commissioners shall be a quorum. If a quorum be present and act, vacancies in the Corporation shall not prevent or impair the effect of such action. It shall not

Signature to bonds, etc.

be necessary for more than two commissioners to sign any debenture, bond or other security that may be issued by the commissioners.

President.

(3) The Governor in Council may from time to time appoint one of the said commissioners to be president of the Corporation.

Payment of commissioners.

(4) For their services, the president and the other commissioners may be paid out of the revenues of the harbour, such remuneration as the Governor in Council may determine.

Resignations.

(5) A commissioner may resign his office by notice in writing to the Minister.

Oath of office.

(6) Before any commissioner enters upon the execution of his duties he shall take and subscribe the following oath:—

"I,....., make oath and say that I will truly and impartially and to the best of my skill and understanding execute the powers vested in me as a commissioner (or as President) of the Corporation of The Three Rivers Harbour Commissioners."

The said oath shall be filed of record in the office of the Corporation.

Evidence of presidency.

(7) A certificate under the seal of the Corporation that any person named therein is president or presiding officer, as the case may be, shall be conclusive evidence of such fact.

OFFICERS AND EMPLOYEES

Officers, etc.

6. The Corporation may appoint a harbour master, a deputy harbour master, and such other officers, assistants, engineers, clerks and servants as it may consider necessary to carry out the objects and provisions of this Act, and may, by by-law, allow them such compensation or salaries as it considers proper; and may require them to furnish such security for the due and faithful performance of their respective duties as it thinks necessary.

Salaries.

Security.

GENERAL POWERS

Jurisdiction.

7. The Corporation shall, for the purpose of and as provided in this Act, have jurisdiction, within the limits of the said harbour and shall, likewise, have the administration and control of the harbour and of all harbour property, including the property, both real and personal, heretofore under the administration and control of the Three Rivers Harbour Commissioners appointed under the authority of chapter fifty-two of the statutes of 1882 and of any Acts in amendment thereof.

Powers as to property required for harbour.

8. The Corporation may, with the approval of the Governor in Council, acquire, expropriate, sell, lease, or otherwise dispose of such real estate or personal property as it deems necessary or desirable for the development, improvement, maintenance and protection of the harbour, or for the management, development and control of the property vested in the Corporation, but all such real estate shall be acquired in the name of and vested in His Majesty; and the Corporation may, likewise, acquire, hold, possess and build such movable property, vessels, plant and machinery as it deems necessary for the efficient discharge of the duties devolving upon it under or in pursuance of this Act, and may dispose thereof, and may register such vessels in the name of the Corporation.

Motive power, tracks, plant, etc.

9. The Corporation may own and operate by any motive power, all kinds of tracks, appliances, apparatus, plant and machinery for the purpose of increasing the usefulness of the harbour or facilitating traffic therein.

EXPROPRIATION OF LANDS.

Expropriation of lands.

10. Whenever the Corporation desires to acquire any lands for any of the purposes of this Act, should the Corporation be unable to agree with the owner of such lands as to the price to be paid therefor, the Corporation shall have the right to acquire such lands without the consent of the owner, and the provisions of *The Railway Act, 1919*, relating to the taking of land by railway companies shall, *mutatis mutandis*, be applicable to the acquisition of such lands by the Corporation and in any such proceedings the powers of the Board of Railway Commissioners under the said Act shall be exercised by the Governor in Council.

BY-LAWS.

By-laws.

11. (1) The Corporation may, by by-laws not contrary to law or inconsistent with the provisions of this Act, make effective regulations for any of the following purposes, namely:—

(a) The direction, conduct and government of the Corporation, its officers and servants, and the management, control and improvement of its property, real and personal, and for the protection and care of the same in every manner deemed necessary, and all matters in relation thereto;

(b) The regulation and control of each and every matter in connection with vessels navigating the harbour and their mooring, berthing, discharging or loading, and anything incidental thereto;

(c) The use of the harbour facilities by vessels and the agents, owners, masters or consignees of the same; and for the lease or allotment of any of the harbour property, plant or facilities;

(d) The compensation or salaries to be paid the officers, assistants, engineers, clerks and servants appointed by the Corporation.

(e) The regulation of the construction of wharves, piers, buildings or any other structure within the harbour, and anything incidental thereto;

(f) The imposition and collection of rates and tolls on vessels entering, using and leaving the harbour and their cargoes; and on goods or cargo of any kind landed or shipped in the harbour; and for the use of any buildings, plant or facilities of the Corporation; and penalties for the infringement of any of the provisions of this Act or any by-law made thereunder;

(g) The doing of anything necessary to carry out the provisions of this Act within their true intent and meaning, and for the regulation, good government

and control of the harbour and harbour services under its jurisdiction;

(h) The construction, maintenance and operation of such harbour and branch and other railway and tramway tracks as are required for the satisfactory conduct and development of the business of the harbour, or to authorize the acquisition by the Corporation of such tracks by purchase, lease or otherwise;

(i) To authorize the Corporation to enter into an agreement with any railway company for the operation by any motive power by such company of the tracks of the Corporation 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;

(j) To authorize the Corporation making arrangements with railway companies for facilitating traffic to, from and in the harbour; for making connections within the harbour between companies' railways and those of the Corporation for the maintenance, management, control and working of tracks of the Corporation by the parties to such agreement severally, or any of them jointly, and for the using by any party to the agreement of any real or personal property of any other party thereto for the purpose of facilitating traffic to, from and in the harbour;

(k) Prescribing the penalties that may be imposed on any person violating any by-law which the Corporation is authorized to make under this Act, but no such penalty shall exceed five hundred dollars or sixty days imprisonment, or in default of payment of a pecuniary penalty or of the costs of conviction, imprisonment for a period of thirty days but such imprisonment not to continue after such payment is made.

Force and effect of by-laws.

(2) No by-law shall have force or effect until confirmed by the Governor in Council and published in the *Canada Gazette*, and, upon such confirmation and publication, any by-law made in accordance with this Act shall have the same force and effect as if enacted in this Act.

COLLECTION OF RATES, ETC.

Payment of rates, as to sea-going vessels.

12. (1) The rates on goods landed or shipped from seagoing vessels shall be paid by the consignee, shipper, owner or agent of such goods, and goods shall not be removed from any dock or wharf within the harbour until such rates are fully paid.

Rates upon cargoes of all other vessels.

(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 sum 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.

Collection through Collector of Customs.

13. (1) The Corporation may require the collector of customs at Three Rivers to collect on its behalf such portions of the rates authorized by this Act to be levied in the harbour as it deems expedient to collect through him.

Payments and returns by collector.

(2) Every collector so required to make collection on account of the Corporation shall pay over to the Corporation on the first 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.

BORROWING POWERS

Borrowing powers.

14. To enable the Corporation to pay off and redeem the principal of the debentures issued to the Minister of Finance and Receiver General under the authority of chapter seventy-six of the statutes of 1885, amounting to eighty-two thousand dollars; and the principal of the debentures amounting in all to two hundred and eighteen thousand dollars issued under the authority of chapter ten of the statutes of 1892; and for the further purpose of constructing, repairing and improving wharves and other works and structures in the harbour, the Corporation may, after the approval by the Governor in Council, on the recommendation of the Minister, of the plans, specifications and estimates in detail for the work proposed, and the amount proposed to be borrowed; borrow money at such rates of interest, as it finds expedient, and may for the said purpose issue debentures for sums not less than one hundred dollars or twenty pounds sterling, payable in not more than forty years, which debentures may be secured upon the revenues or property receivable or controlled by the Corporation. Such debentures may be sold at such rates and on such terms as the Corporation, with the approval of the Governor in Council, deems advisable.

Debentures.

In payment of money borrowed.

15. (1) The principal and interest of the sums of money which may be borrowed by the Corporation under this Act, and the principal and interest of the debentures to be issued under the authority of this Act, shall be repaid out of the revenue arising out of the rates and penalties imposed by or under this Act for and on account of the harbour or out of any other revenue vested in or coming to the Corporation, and the lawful charges upon the said revenue shall be as follows, and in the following order, that is to say:—

(a) The payment of all necessary expenses incurred in the collection of the said revenue, and in the management and operation of the harbour services, and in the maintenance and ordinary repair of its works and facilities,—the expenditure of all revenue to be subject to the supervision and control of the Minister;

(b) The payment of interest on any debentures issued under the authority of this Act.

Sinking fund.

(2) After the payment of the charges above provided for, the surplus revenue shall be applied to the establishment of a sinking fund for the repayment of the principal of the debentures issued under the authority of this Act. The balance now at credit of the sinking fund provided for by section one of chapter ten of the statutes of 1892, shall be transferred to, and stand as a credit to, the sinking fund herein authorized.

Transfer of balance.

ENFORCEMENT AND COLLECTION OF PENALTIES

Recovery of penalties.

16. All penalties incurred under this Act, or under any by-law made in pursuance thereof, may be recovered in a summary manner under Part XV of the *Criminal Code*.

Seizure and detention of vessels.

17. (1) The Corporation may in the following cases seize and detain any vessel within the limits of the province of Quebec:—

(a) Whenever any sum is due in respect of the vessel for rates or for commutation of rates and is unpaid;

(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;

(c) Whenever any injury has been done by the vessel, or by the fault or neglect of the crew when acting as the crew, or under order of their superior officers, to any property of the Corporation;

(d) Whenever any obstruction whatever has been offered or made to the operations of the Corporation by the vessel, or by the fault or neglect of the crew while acting as the crew, or under order of their superior officer.

Effects of seizure.

(2) In a case coming within paragraphs *(c)* or *(d)* of subsection one of this section, the vessel may be seized and detained until the injury so done has been repaired by the master or crew or by the other persons interested, and until all 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; and for the amount of all such injury, damages, expenses and costs, the Corporation shall have a preferential lien upon the vessel and upon the proceeds

Lien.

thereof until security has been given to pay the amount of such damages, whether direct or indirect, and of such injury and costs as may be awarded in any suit resulting therefrom, and the owner, charterer, master or agent of such vessel shall also be liable to the Corporation for all such injury and damages.

Special privilege for rates and penalties.

(3) The Corporation shall have a special lien and privilege upon any vessel and upon the proceeds thereof in preference to all other claims and demands whatsoever (saving and excepting the claims for wages of seamen, under the provisions of the *Canada Shipping Act*) for the payment of any rates or commutation of rates or penalties due and payable with respect to such vessel or in respect of the acts of the master, owner or person in charge thereof.

Seizure after judgment.

(4) 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 the judgment or conviction at the suit of the Corporation against the master, owner or person in charge thereof.

In whose hands seizure may be made.

(5) Such vessel may be so seized and detained, or so seized and sold while 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.

Prescription.

(6) The rights conferred by this section shall not be exercised after one year from the period when such rates, commutation or penalties accrued and became exigible.

Seizure and detention of goods.

18. The Corporation may seize and detain any goods in case,—

(a) any sum is due for rates in respect of such goods, and is unpaid; or

(b) 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 has thereby been incurred.

Seizure and detention to be at owner's charge.

19. (1) Every lawful 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 or 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 provisions of this Act or any by-law in force under this Act, have been paid in full.

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 suit or proceeding, or as incident thereto,

or without the institution of any suit or proceeding whatsoever.

Order of seizure.

(3) The seizure and detention may be effected upon the order of,—

(a) any judge;

(b) any magistrate having the power of two justices of the peace;

(c) the collector of customs at any port in the province of Quebec;

Application for order.

(4) The said order may be made on the application of the Corporation or its authorized agent, or its solicitor, and may be executed by any constable, bailiff or other person whom the Corporation entrusts with the execution thereof, and the said constable, bailiff or other person is hereby empowered to take all necessary means and demand all necessary aid to enable him to execute the said order.

Service of process.

20. (1) Service of any warrant, summons, writ, order, notice or other document, when personal service cannot be effected, may be made upon the owners or upon the master or other person in charge of any vessel by showing the original to and leaving a copy with any person found on board the vessel and appearing to be one of her crew.

Vessels of H.M. excepted.

(2) Nothing in this Act shall authorize the service of any summons or the execution of any warrant on board any vessel in His Majesty's service.

Penalties to be paid over.

21. (1) 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.

(2) The Corporation shall apply all sums collected by it for rates, or received by it as such pecuniary penalties, to the payment of the charges upon its revenue.

Administration of oaths.

22. Whenever any person is required by or in pursuance of this Act or of any by-law or regulation made under this Act to take oath, any commissioner and the secretary of the Corporation, and the harbour master of the harbour may administer such oath as well as any other officer or person duty authorized to administer oaths.

Separate accounts.

23. The Corporation shall keep separate accounts of all moneys borrowed and expended by it under the authority of this Act, and of all revenue received and expended from the operation of the harbour, its services and facilities, and shall account therefor to the Minister at such periods and in such manner and form as he shall direct.

Prescription of prosecutions.

24. In the case of any violation of this Act or of any by-law in force under this Act no complaint or information

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shall be made or laid under Part XV of the *Criminal Code* after two years from the time when the matter of complaint or information arose.

REPEAL.

Repeal.

25. Chapter fifty-two of the statutes of 1882, chapter forty-one of the statutes of 1883, chapter seventy-six of the statutes of 1885, chapter ten of the statutes of 1892 and chapter twenty-six of the statutes of 1895, are hereby repealed.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 218.

An Act to amend the Canada Shipping Act.

First reading, June 15, 1923.

The MINISTER OF MARINE AND FISHERIES.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
55014 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 218.

An Act to amend the Canada Shipping Act.

R.S., c. 113; 1920, c. 38.

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

1. Section three of the *Canada Shipping Act*, chapter one hundred and thirteen of the Revised Statutes of Canada, 1906, is amended by inserting the following paragraph immediately after paragraph (*b*) thereof:—

"Ship" to include share in a ship.

"*(c)* Any reference to a ship shall include a reference to a share in a ship."

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

Annual returns by surveyors.

"(2) Every surveyor shall on or before the twentieth day of January in each year make and forward to the Minister a report in writing and in such form and containing such particulars as the Minister from time to time directs, of all ships measured, distances travelled and fees and travelling expenses charged and collected by him during the year ended the thirty-first day of December then passed."

3. The said Act is amended by inserting the following sections immediately after section sixty-four thereof:—

Registration prohibited if ship purchased from foreign subject or corporation and subject to control of foreign government.

"**64A.** No registrar shall register under the provisions of the Merchant Shipping Acts or of this Part any ship purchased or otherwise acquired from a foreign subject or corporation where any bill of sale or other document under or by virtue of which the ship became vested in the applicant for registry contains any provision express, implied or constructive, restricting the use of the vessel or imputing any measure of continued control thereof by the Government of a foreign country.

Security to be given by

"**64B.** Where in the opinion of the Minister any person who applies to be registered as owner of a ship has not

applicant if assets in Canada not sufficient

sufficient assets in Canada, other than the ship itself, to reimburse His Majesty for any expenses His Majesty may subsequently incur in connection with such ship, her master or a member of her crew, the Minister may prohibit a registrar from registering such person as owner until security for such expenses, in such form and such amount as the Minister may decide, shall have been furnished."

4. Section two hundred and seven of the said Act, as enacted by chapter thirty-eight of the statutes of 1920, is repealed, and the following is substituted therefor:—

Assistance to shipwrecked, destitute or distressed seamen.

"**207.** (1) The Minister may, whenever he deems it necessary, pay, out of any moneys applicable to the relief of distressed seamen and appropriated by the Parliament of Canada for that purpose, such sums as he deems requisite for the temporary relief, in such manner as he deems advisable, of shipwrecked, destitute or otherwise distressed seamen not entitled to relief under any of the provisions of the Merchant Shipping Acts, and may also, on the production of the bills of the disbursements with the proper vouchers and such other evidence as the Minister requires, pay out of such moneys any reasonable expenses incurred by the Board of Trade of the United Kingdom or by any officers of His 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 belonging to any ship registered in Canada 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.

Domicile.

"(2) Persons serving in ships registered in Canada shall for the purpose of this section be deemed to be domiciled in Canada while so serving."

5. Section five hundred and sixty-nine, Part VII, of the said Act is amended by adding thereto the following subsection:—

Passenger certificate issued by Government of Great Britain or of a British possession.

"(2) The Governor in Council may direct that this Part or certain provisions thereof shall apply, or shall not apply, to any passenger steamboat registered in Canada holding a valid passenger steamboat certificate issued by the Government of Great Britain or by the Government of a British possession, provided he is satisfied that such certificate is to the like effect, and is granted after a like inspection, and in such manner as to be equally as effective as the certificate granted for the same purpose under this Part."

6. Section five hundred and ninety-six of the said Act is amended by adding thereto the following subsection:—

Survey or inspection by a classification society surveyor.

"(5) The Governor in Council may direct, subject to regulations he may make, that survey or inspection by an exclusive surveyor to a society or association for the classification and registry of shipping approved by the Minister, if made at a port or place outside of Canada other than along the Great Lakes and connecting waters in the United States and other than any port, place or territory that the Governor in Council may direct, may be deemed to have been made by an inspector appointed under this Part: Provided, however, that this subsection shall only apply to sea-going freight boats as defined in this Act, and shall not exempt any such freight boat from the requirement of having a certificate issued by an inspector appointed under this Part, which certificate may be in a form to be approved by the Minister."

7. The said Act is amended by inserting the following section immediately after section seven hundred and sixteen:—

Regulations as to loading of grain cargoes.

"**716A.** The Governor in Council may make regulations prescribing the manner in which grain cargoes shall be loaded at ports in Canada on ships bound to ports outside of Canada not within the limits of inland navigation, and for the imposition of penalties for breach of any such regulations."

Regulations to prescribe duties of port warden.

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

"**900.** (1) The Governor in Council may make regulations prescribing the manner in which the Port Warden shall perform his duties, and giving him such additional duties as he may from time to time see fit, and the Council of the board of trade or chamber of commerce may, from time to time, make suggestions to the Governor in Council with respect to any such other duties, or any modification of the duties in this Part assigned to the Port Warden for the harbour; and such other duties may be assigned or such modification made by the Governor in Council accordingly.

Effect of regulations.

(2) Every regulation made under this Part shall have the force of law."

9. Section nine hundred and twenty-two of the said Act is repealed, and the following is substituted therefor:—

Tonnage, how calculated.

"**922.** Tonnage of a steamship shall be her registered tonnage with the addition of any engine-room space deducted for the purpose of ascertaining that tonnage; and the tonnage of a sailing ship shall be her registered tonnage: Provided that there shall not be included in such tonnage any space occupied by seamen or apprentices and appropriated to their use which is certified under the regulations scheduled to the *Merchant Shipping Act, 1894*, with regard thereto."

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 218.

An Act to amend the Canada Shipping Act.

AS PASSED BY THE HOUSE OF COMMONS,
21st JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
55040 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 218.

An Act to amend the Canada Shipping Act.

R.S., c. 113; 1920, c. 38.

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

1. Section three of the *Canada Shipping Act*, chapter one hundred and thirteen of the Revised Statutes of Canada, 1906, is amended by inserting the following paragraph immediately after paragraph (*b*) thereof:—

"Ship" to include share in a ship.

"*(c)* Any reference to a ship shall include a reference to a share in a ship."

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

Annual returns by surveyors.

"(2) Every surveyor shall on or before the twentieth day of January in each year make and forward to the Minister a report in writing and in such form and containing such particulars as the Minister from time to time directs, of all ships measured, distances travelled and fees and travelling expenses charged and collected by him during the year ended the thirty-first day of December then passed."

3. The said Act is amended by inserting the following sections immediately after section sixty-four thereof:—

Registration prohibited if ship purchased from foreign subject or corporation and subject to control of foreign government.

"**64A.** No registrar shall register under the provisions of the Merchant Shipping Acts or of this Part any ship purchased or otherwise acquired from a foreign subject or corporation where any bill of sale or other document under or by virtue of which the ship became vested in the applicant for registry contains any provision express, implied or constructive, restricting the use of the vessel or imputing any measure of continued control thereof by the Government of a foreign country.

Security to be given by

"**64B.** Where in the opinion of the Minister any person who applies to be registered as owner of a ship has not

applicant if assets in Canada not sufficient

sufficient assets in Canada, other than the ship itself, to reimburse His Majesty for any expenses His Majesty may subsequently incur in connection with such ship, her master or a member of her crew, the Minister may prohibit a registrar from registering such person as owner until security for such expenses, in such form and such amount as the Minister may decide, shall have been furnished."

4. Section two hundred and seven of the said Act, as enacted by chapter thirty-eight of the statutes of 1920, is repealed, and the following is substituted therefor:—

Assistance to shipwrecked, destitute or distressed seamen.

"**207.** (1) The Minister may, whenever he deems it necessary, pay, out of any moneys applicable to the relief of distressed seamen and appropriated by the Parliament of Canada for that purpose, such sums as he deems requisite for the temporary relief, in such manner as he deems advisable, of shipwrecked, destitute or otherwise distressed seamen not entitled to relief under any of the provisions of the Merchant Shipping Acts, and may also, on the production of the bills of the disbursements with the proper vouchers and such other evidence as the Minister requires, pay out of such moneys any reasonable expenses incurred by the Board of Trade of the United Kingdom or by any officers of His 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 belonging to any ship registered in Canada 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.

Domicile.

"(2) Persons serving in ships registered in Canada shall for the purpose of this section be deemed to be domiciled in Canada while so serving."

5. Section five hundred and sixty-nine, Part VII, of the said Act is amended by adding thereto the following subsection:—

Passenger certificate issued by Government of Great Britain or of a British possession.

"(2) The Governor in Council may direct that this Part or certain provisions thereof shall apply, or shall not apply, to any passenger steamboat registered in Canada holding a valid passenger steamboat certificate issued by the Government of Great Britain or by the Government of a British possession, provided he is satisfied that such certificate is to the like effect, and is granted after a like inspection, and in such manner as to be equally as effective as the certificate granted for the same purpose under this Part."

6. Section five hundred and ninety-six of the said Act is amended by adding thereto the following subsection:—

Survey or inspection by a classification society surveyor.

"(5) The Governor in Council may direct, subject to regulations he may make, that survey or inspection by an exclusive surveyor to a society or association for the classification and registry of shipping approved by the Minister, if made at a port or place outside of Canada other than along the Great Lakes and connecting waters in the United States and other than any port, place or territory that the Governor in Council may direct, may be deemed to have been made by an inspector appointed under this Part: Provided, however, that this subsection shall only apply to sea-going freight boats as defined in this Act, and shall not exempt any such freight boat from the requirement of having a certificate issued by an inspector appointed under this Part, which certificate may be in a form to be approved by the Minister."

7. The said Act is amended by inserting the following section immediately after section seven hundred and sixteen:—

Regulations as to loading of grain cargoes.

"**716A.** The Governor in Council may make regulations prescribing the manner in which grain cargoes shall be loaded at ports in Canada on ships bound to ports outside of Canada not within the limits of inland navigation, and for the imposition of penalties for breach of any such regulations."

Regulations to prescribe duties of port warden.

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

"**900.** (1) The Governor in Council may make regulations prescribing the manner in which the Port Warden shall perform his duties, and giving him such additional duties as he may from time to time see fit, and the Council of the board of trade or chamber of commerce may, from time to time, make suggestions to the Governor in Council with respect to any such other duties, or any modification of the duties in this Part assigned to the Port Warden for the harbour; and such other duties may be assigned or such modification made by the Governor in Council accordingly.

Effect of regulations.

(2) Every regulation made under this Part shall have the force of law."

9. Section nine hundred and twenty-two of the said Act is repealed, and the following is substituted therefor:—

Tonnage, how calculated.

"**922.** Tonnage of a steamship shall be her registered tonnage with the addition of any engine-room space deducted for the purpose of ascertaining that tonnage; and the tonnage of a sailing ship shall be her registered tonnage: Provided that there shall not be included in such tonnage any space occupied by seamen or apprentices and appropriated to their use which is certified under the regulations scheduled to the *Merchant Shipping Act, 1894*, with regard thereto."

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 219.

An Act to amend the Militia Pension Act.

AS PASSED BY THE HOUSE OF COMMONS,
15th JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
61308 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 219.

An Act to amend the Militia Pension Act.

R.S., c. 42; 1907, c. 28; 1910, c. 39; 1919, c. 61; 1920, c. 58.

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

Period of service entitling officers to pension.

1. Subsection one of section four of the *Militia Pension Act*, chapter forty-two of the Revised Statutes of Canada, 1906, as amended by section two of chapter sixty-one of the statutes of 1919, is amended by substituting the word "twenty" for the word "ten" in the second line thereof, and by adding at the end thereof the following provision:—

Proviso as to officers who served in War and have been on Force for not less than ten years since appointment.

"Provided, however, that any officer so retired who, having served on active service during the war between Great Britain and Germany, which commenced on the fourth day of August, one thousand nine hundred and fourteen, was appointed to the Force on or after the first day of January, one thousand nine hundred and nineteen, and prior to the thirty-first day of December, one thousand nine hundred and twenty-one, and since such appointment has served continuously in the Force for not less than ten complete years, shall be entitled to a pension as provided for in this section."

Period of service for militiamen.

2. Section eleven of the said Act, as amended by section five of chapter sixty-one of the statutes of 1919, is amended by substituting the word "twenty" for the word "ten" in paragraph *(a)* thereof, and by adding the word "or" at the end of said paragraph *(a)*.

3. Section eleven of the said Act is further amended by inserting the following paragraph and subsection immediately after paragraph *(a)* thereof:—

Service and incapacity.

(b) has completed not less than fifteen years service, and is incapacitated for the performance of his duty by infirmity of mind or body.

Return to service.

"(2) Every militiaman who receives a pension under this section before he has completed twenty years service

shall be subject to return to service, as provided by this Act if he ceases to be incapacitated."

Scales of pension.

4. Subsection one of section twelve of the said Act, as amended by section six of chapter sixty-one of the statutes of 1919, is amended by substituting the word "fifteen" for the word "ten" in paragraph *(a)* thereof."

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 220.

An Act to amend The Dry Dock Subsidies Act, 1910.

AS PASSED BY THE HOUSE OF COMMONS, 15th JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
61140 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 220.

An Act to amend The Dry Dock Subsidies Act, 1910.

1910, c. 17; 1912, c. 20; 1914, c. 29; 1917, c. 27; 1919, c. 51.

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

Short title.

1. This Act may be cited as *The Dry Dock's Amendment Act, 1923.*

Advances during construction on first class docks.

2. Paragraph *(a)* of subsection one of section eight of *The Dry Dock Subsidies Act, 1910*, as enacted by chapter twenty-seven of the statutes of 1917, is amended by adding thereto the following proviso:—

"Provided further that when the amount actually expended for the work and the materials upon or for the dock shall have equalled at least seventy-five per cent of the cost thereof as fixed and determined under the provisions of subsection two of section eight of this Act, and the chief engineer of the Department of Public Works shall have certified thereto and shall have further certified that such work has been done to his satisfaction, half-yearly payments on account of the subsidy at the rate of four and one-half per cent per annum may be made on ninety per cent of the cost of all work done and materials provided at the time of such payment but in all other respects the provisions of this Act shall apply to the issue of any bonds, debentures, or other securities and to any payments on account of the subsidy during construction of the said dock."

Advances during construction on second class docks.

3. Paragraph *(b)* of subsection one of section eight of the said Act, as enacted by chapter fifty-one of the statutes of 1919, is amended by adding thereto the following proviso:—

"Provided further that when the amount actually expended for the work and the materials upon or for the dock shall have equalled at least seventy-five per cent of the cost thereof as fixed and determined under the provisions of

subsection two of section eight of this Act, and the chief engineer of the Department of Public Works shall have certified thereto and shall have further certified that such work has been done to his satisfaction, half-yearly payments on account of the subsidy at the rate of four and one-half per cent per annum may be made on ninety per cent of the cost of all work done and materials provided at the time of such payment but in all other respects the provisions of this Act shall apply to the issue of any bonds, debentures, or other securities and to any payments on account of the subsidy during construction of the said dock."

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 222.

An Act to amend The Dominion Lands Act.

First reading, June 15, 1923.

The MINISTER OF THE INTERIOR.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
59576 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 222.

1908, c. 20; 1909, c. 11; 1914, cc. 27, 28; 1918, c. 19; 1919, c. 50; 1919 (2 Sess.), c. 13; 1920, c. 11; 1921, c. 30; 1922, c. 21.

An Act to amend The Dominion Lands Act.

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

1. Subsection five of section eleven of *The Dominion Lands Act*, chapter twenty of the statutes of 1908, as enacted by chapter nineteen of the statutes of 1918, is amended by adding the following paragraph thereto:—

Further enquiry as to value of improvements prior to entry.

"*(e)* In any case where doubt arises as to the correctness of the valuation made by a Homestead Inspector under the provisions of this subsection, the Minister may order such further enquiry as he may deem advisable for the purpose of fixing the actual value of the improvements; and the actual value so ascertained shall be the amount to be collected and paid by the person obtaining the land in accordance with the provisions of this subsection."

2. Subsection eight of section eleven of the said Act is amended by adding thereto the following proviso:—

Transfer of holders of letters patent in pre-emption and purchased homestead area to another homestead, by provincial certificate.

"Provided further that notwithstanding anything contained in this subsection any person who, on the first day of January, 1923, had obtained letters patent for a homestead, within that part lying south of the south boundary of township thirty-one of the tract known as the pre-emption and purchased homestead area, and defined by subsection one of section twenty-seven of *The Dominion Lands Act*, but who is no longer the owner of a farm, may, in the discretion of the Minister, be granted the right to make entry for another homestead subject to the provisions of this Act, upon submitting proof of his *bona fides* as a settler in the form of a certificate from the Government of the Province setting forth that the said applicant conscientiously endeavoured to farm his land but failed because of circumstances not favourable to successful agriculture."

Issue of patent after death of applicant.

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

"**19.** In the event of the death of an entrant for a homestead before the completion of the requirements for the obtaining of letters patent therefor, his legal representative shall only be required to fulfil the conditions set forth in section sixteen of this Act as to cultivation in order to entitle him to obtain letters patent, after the expiration of three years from the date of the entry for the homestead; or the legal representative may assign the homestead to a person eligible to obtain a homestead entry; and the assignee shall, after *(a)* the expiration of three years from the date of entry for the homestead, *(b)* holding the homestead for his own exclusive use and benefit from the date of the assignment, and *(c)* completing the residence and cultivation requirements, as set forth in section sixteen of this Act, in the same manner as the person who made the entry would have been required to complete them thereunder, be entitled to letters patent for the homestead."

Duties required of person who takes deceased's patent.

4. Subsection one of section twenty of the said Act is repealed, and the following is substituted therefor:—

Issue of patent if applicant becomes insane.

"**20.** (1) In the event of any person who obtained entry for a homestead becoming insane or mentally incapable and, by reason of such insanity or mental incapacity, unable to complete the requirements necessary for the obtaining of letters patent therefor, the guardian or committee of the said person, or any person who, in the event of his death, would be entitled as his legal representative to do so, shall only be required to fulfil the conditions set forth in section sixteen of this Act as to cultivation before the issue of letters patent: Provided that the letters patent shall not issue until the expiration of three years from the date of entry."

5. Subsection one of section thirty-nine of the said Act is repealed and the following is substituted therefor:—

Sections 11 and 29 in each township, together with gold and silver and other minerals, set apart as school lands.

"**39.** (1) Sections eleven and twenty-nine in every surveyed township in Manitoba, Saskatchewan and Alberta, together with the gold and silver as well as other minerals contained therein, are hereby set apart as an endowment for purposes of education, and shall be designated as school lands; and they are hereby withdrawn from the operation of the provisions of this Act, which relate to entry for homestead, purchased homestead, pre-emption or sale; and no right to obtain entry for homestead or purchased homestead or pre-emption or to purchase shall be recognized in connection with the said sections, or any part of them: Provided that any person who is proved to the satisfaction of the Minister to have *bona fide* settled and made improvements upon any such sections before the commencement

of the survey thereof, may be granted an entry for a homestead for the land so occupied by him, not in excess of a quarter-section, and may be allowed to pre-empt an additional quarter-section of ordinary Dominion land other than school lands, if there is any such land available adjoining the quarter-section of school lands for which he enters, under the provisions of section twenty-seven of this Act; but an area of available land equal to that which may be entered for as a homestead shall be set apart as school lands, and notice thereof shall be published in the *Canada Gazette*."

6. Section forty-one of the said Act, as amended by section fifteen of chapter nineteen of the statutes of 1918, is amended by inserting after the word "unpaid" in the sixth line thereof, the following:—

Terms of payment for school lands.

"Provided that in respect of sales of School Lands made subsequent to the first day of January, 1923, the amount to be paid in cash at the time of sale shall be at least one-twentieth of the purchase price, and the balance of such purchase price shall be paid in nineteen equal consecutive annual instalments, with interest as hereinbefore enacted."

7. Subsection two of section fifty-nine of the said Act, inclusive of paragraph *(b)* thereof as enacted by chapter fifty of the statutes of 1919, is repealed and the following is substituted therefor:—

"(2) The Governor in Council may make regulations for the issue of—

Permits to cut timber on Dominion Lands.

"*(a)* permits to owners of mills who are not the owners of a timber berth under license, to cut timber upon Dominion lands in the provinces of Manitoba, Saskatchewan and Alberta in the tract of three and one-half million acres described in paragraph *(b)* of section three of this Act, and in the Northwest Territories, of an area in each case not exceeding one square mile, inclusive of the mill site, upon payment in advance of a fee to be fixed by the regulations;

Limits of areas of timber limits.

"*(b)* permits to cut timber as cordwood, pulpwood, fence posts or telegraph poles for mining purposes, or for any other purpose, over tracts of land not exceeding one square mile in area, except in the case of permits to cut pulpwood which may apply to tracts of such area as may be determined by the Governor in Council;

Period permits are to be in force.

Provided that no person shall be granted more than one permit at a time; that a permit shall not be transferable, except with the consent of the Minister and subject to such conditions as he may impose; that it shall not be for a longer period than one year, and shall only be renewable for not more than four consecutive years thereafter, except in the case of a permit to cut pulpwood which shall be

renewable from year to year under regulations established by the Governor in Council; and that for any permit or renewal there shall be payable such fee and annual rental as may be fixed by the Governor in Council."

8. Paragraph *(b)* of section seventy-six of the said Act is repealed and the following is substituted therefor:—

Powers of Governor in Council.

"*(b)* make grants not exceeding in any case the sum of two hundred and forty dollars in cash in satisfaction of claims of half-breeds arising out of the extinguishment of the Indian title".

9. Paragraph *(g)* of section seventy-six of the said Act is repealed and the following is substituted therefor:—

Governor in Council may authorize enquiry before or after issue of patent.

"*(g)* In connection with any question in respect to Dominion lands, whether such question arises before or after the issue of patent therefor, authorize any person or persons to summon before him or them, any person, by subpoena issued by him or them, examine such person under oath, and compel the production of papers and writings before him or them; and if any person duly summoned neglects or refuses to appear at the time and place specified in the subpoena, legally served upon him, or refuses to give evidence or to produce the papers or writings demanded of him, the person or persons so authorized may, by warrant, under his or their hand or hands, cause such persons, so neglecting or refusing, to be taken into custody and to be imprisoned in the nearest common gaol, as for contempt of court, for a term not exceeding fourteen days."

No employee to purchase or acquire interest in Dominion lands.

10. Section eighty-four of the said Act is repealed and the following is substituted therefor:—

"**84.** No officer or employee of or under the Government of Canada shall, directly or indirectly, in his own name or in that of any other person, purchase or acquire any Dominion lands or any interest therein, nor shall he be interested as shareholder or otherwise in any corporation or company purchasing or acquiring such lands or any interest therein, except by or under authority of an order of the Governor in Council, nor shall he locate any land warrant or scrip, unless issued to himself, or act as an agent of any person in that behalf, and any employee violating this subsection shall be liable to summary dismissal on the order of the Minister; but his dismissal shall not affect the right which any person may have to bring against him any civil or criminal action."

11. Section twenty-seven of chapter nineteen of the statutes of 1918, is repealed and the following section is enacted in lieu thereof:—

Patents to issue in name of deceased entrant.

"**27.** Nothwithstanding anything contained in *The Dominion Lands Act*, or the amendments thereto, in the event of the death of any settler before the issue of patent for the land held by him under entry or sale, the patent for such land may be issued in the name of the deceased entrant, on proof, satisfactory to the Minister, that the necessary requirements of this Act have been complied with."

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 222.

An Act to amend The Dominion Lands Act.

AS PASSED BY THE HOUSE OF COMMONS, 26th JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
59585 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 222.

1908, c. 20;
1909, c. 11;
1914, cc. 27, 28;
1918, c. 19;
1919, c. 50;
1919 (2 Sess.), c. 13;
1920, c. 11;
1921, c. 30;
1922, c. 21.

An Act to amend The Dominion Lands Act.

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

1. Subsection five of section eleven of *The Dominion Lands Act*, chapter twenty of the statutes of 1908, as enacted by chapter nineteen of the statutes of 1918, is amended by adding the following paragraph thereto:—

Further enquiry as to value of improvements prior to entry.

"*(e)* In any case where doubt arises as to the correctness of the valuation made by a Homestead Inspector under the provisions of this subsection, the Minister may order such further enquiry as he may deem advisable for the purpose of fixing the actual value of the improvements; and the actual value so ascertained shall be the amount to be collected and paid by the person obtaining the land in accordance with the provisions of this subsection."

2. Subsection eight of section eleven of the said Act is amended by adding thereto the following proviso:—

Transfer of holders of letters patent in pre-emption and purchased homestead area to another homestead, by provincial certificate.

"Provided further that notwithstanding anything contained in this subsection any person who, on the first day of January, 1923, had obtained letters patent for a homestead, within that part lying south of the south boundary of township thirty-one of the tract known as the pre-emption and purchased homestead area, and defined by subsection one of section twenty-seven of *The Dominion Lands Act*, but who is no longer the owner of a farm, may, in the discretion of the Minister, be granted the right to make entry for another homestead subject to the provisions of this Act, upon submitting proof of his *bona fides* as a settler in the form of a certificate from the Government of the Province setting forth that the said applicant conscientiously endeavoured to farm his land but failed because of circumstances not favourable to successful agriculture."

Issue of patent after death of applicant.

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

"**19.** In the event of the death of an entrant for a homestead before the completion of the requirements for the obtaining of letters patent therefor, his legal representative shall only be required to fulfil the conditions set forth in section sixteen of this Act as to cultivation in order to entitle him to obtain letters patent, after the expiration of three years from the date of the entry for the homestead; or the legal representative may assign the homestead to a person eligible to obtain a homestead entry; and the assignee shall, after *(a)* the expiration of three years from the date of entry for the homestead, *(b)* holding the homestead for his own exclusive use and benefit from the date of the assignment, and *(c)* completing the residence and cultivation requirements, as set forth in section sixteen of this Act, in the same manner as the person who made the entry would have been required to complete them thereunder, be entitled to letters patent for the homestead."

Duties required of person who takes deceased's patent.

4. Subsection one of section twenty of the said Act is repealed, and the following is substituted therefor:—

Issue of patent if applicant becomes insane.

"**20.** (1) In the event of any person who obtained entry for a homestead becoming insane or mentally incapable and, by reason of such insanity or mental incapacity, unable to complete the requirements necessary for the obtaining of letters patent therefor, the guardian or committee of the said person, or any person who, in the event of his death, would be entitled as his legal representative to do so, shall only be required to fulfil the conditions set forth in section sixteen of this Act as to cultivation before the issue of letters patent: Provided that the letters patent shall not issue until the expiration of three years from the date of entry."

5. Subsection one of section thirty-nine of the said Act is repealed and the following is substituted therefor:—

Sections 11 and 29 in each township, together with gold and silver and other minerals, set apart as school lands.

"**39.** (1) Sections eleven and twenty-nine in every surveyed township in Manitoba, Saskatchewan and Alberta, together with the gold and silver as well as other minerals contained therein, are hereby set apart as an endowment for purposes of education, and shall be designated as school lands; and they are hereby withdrawn from the operation of the provisions of this Act, which relate to entry for homestead, purchased homestead, pre-emption or sale; and no right to obtain entry for homestead or purchased homestead or pre-emption or to purchase shall be recognized in connection with the said sections, or any part of them: Provided that any person who is proved to the satisfaction of the Minister to have *bona fide* settled and made improvements upon any such sections before the commencement

of the survey thereof, may be granted an entry for a homestead for the land so occupied by him, not in excess of a quarter-section, and may be allowed to pre-empt an additional quarter-section of ordinary Dominion land other than school lands, if there is any such land available adjoining the quarter-section of school lands for which he enters, under the provisions of section twenty-seven of this Act; but an area of available land equal to that which may be entered for as a homestead shall be set apart as school lands, and notice thereof shall be published in the *Canada Gazette*."

6. Section forty-one of the said Act, as amended by section fifteen of chapter nineteen of the statutes of 1918, is amended by inserting after the word "unpaid" in the sixth line thereof, the following:—

Terms of payment for school lands.

"Provided that in respect of sales of School Lands made subsequent to the first day of January, 1923, the amount to be paid in cash at the time of sale shall be at least one-twentieth of the purchase price, and the balance of such purchase price shall be paid in nineteen equal consecutive annual instalments, with interest as hereinbefore enacted."

7. Subsection two of section fifty-nine of the said Act, inclusive of paragraph *(b)* thereof as enacted by chapter fifty of the statutes of 1919, is repealed and the following is substituted therefor:—

"(2) The Governor in Council may make regulations for the issue of—

Permits to cut timber on Dominion Lands.

"*(a)* permits to owners of mills who are not the owners of a timber berth under license, to cut timber upon Dominion lands in the provinces of Manitoba, Saskatchewan and Alberta in the tract of three and one-half million acres described in paragraph *(b)* of section three of this Act, and in the Northwest Territories, of an area in each case not exceeding one square mile, inclusive of the mill site, upon payment in advance of a fee to be fixed by the regulations;

Limits of areas of timber limits.

"*(b)* permits to cut timber as cordwood, pulpwood, fence posts, telegraph poles or props for mining purposes, or for any other purpose, over tracts of land not exceeding one square mile in area, except in the case of permits to cut pulpwood which may apply to tracts of such area as may be determined by the Governor in Council;

Period permits are to be in force.

Provided that no person shall be granted more than one permit at a time; that a permit shall not be transferable, except with the consent of the Minister and subject to such conditions as he may impose; that it shall not be for a longer period than one year, and shall only be renewable for not more than four consecutive years thereafter, except in the case of a permit to cut pulpwood which shall be

renewable from year to year under regulations established by the Governor in Council; and that for any permit or renewal there shall be payable such fee and annual rental as may be fixed by the Governor in Council."

Powers of Governor in Council.

8. Paragraph *(b)* of section seventy-six of the said Act is repealed and the following is substituted therefor:—

"*(b)* make grants not exceeding in any case the sum of two hundred and forty dollars in cash in satisfaction of claims of half-breeds arising out of the extinguishment of the Indian title".

Governor in Council may authorize enquiry before or after issue of patent.

9. Paragraph *(g)* of section seventy-six of the said Act is repealed and the following is substituted therefor:—

"*(g)* In connection with any question in respect to Dominion lands, whether such question arises before or after the issue of patent therefor, authorize any person or persons to summon before him or them, any person, by subpoena issued by him or them, examine such person under oath, and compel the production of papers and writings before him or them; and if any person duly summoned neglects or refuses to appear at the time and place specified in the subpoena, legally served upon him, or refuses to give evidence or to produce the papers or writings demanded of him, the person or persons so authorized may, by warrant, under his or their hand or hands, cause such persons, so neglecting or refusing, to be taken into custody and to be imprisoned in the nearest common gaol, as for contempt of court, for a term not exceeding fourteen days."

No employee to purchase or acquire interest in Dominion lands.

10. Section eighty-four of the said Act is repealed and the following is substituted therefor:—

"**84.** No officer or employee of or under the Government of Canada shall, directly or indirectly, in his own name or in that of any other person, purchase or acquire any Dominion lands or any interest therein, nor shall he be interested as shareholder or otherwise in any corporation or company purchasing or acquiring such lands or any interest therein, except by or under authority of an order of the Governor in Council, nor shall he locate any land warrant or scrip, unless issued to himself, or act as an agent of any person in that behalf, and any employee violating this subsection shall be liable to summary dismissal on the order of the Minister; but his dismissal shall not affect the right which any person may have to bring against him any civil or criminal action."

11. Section twenty-seven of chapter nineteen of the statutes of 1918, is repealed and the following section is enacted in lieu thereof:—

Patents to issue in name of deceased entrant.

"**27.** Nothwithstanding anything contained in *The Dominion Lands Act*, or the amendments thereto, in the event of the death of any settler before the issue of patent for the land held by him under entry or sale, the patent for such land may be issued in the name of the deceased entrant, on proof, satisfactory to the Minister, that the necessary requirements of this Act have been complied with."

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 223.

An Act to amend The Fisheries Act, 1914.

First reading, June 18, 1923.

The MINISTER OF MARINE AND FISHERIES.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
61915 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 223.

1914, c. 8; 1917, c. 16; 1918, c. 22; 1919, c. 52; 1922, cc. 23, 24.

An Act to amend The Fisheries Act, 1914.

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

1. Paragraph *(a)* of subsection two of section eighteen of *The Fisheries Act, 1914*, as amended by chapter fifty-two of the statutes of 1919, is repealed, and the following is substituted therefor;

License fee for salmon cannery decreased.

"(2) *(a)* The annual fee for a salmon cannery license shall be twenty dollars, and in addition, four cents for each case of forty-eight one pound cans, or the equivalent thereto, of sockeye salmon, and three cents for each case of forty-eight one pound cans, or the equivalent thereto, of any other species of salmon, including steelhead (*salmo rivularis*) packed in such cannery during the continuance in force of the license. The said twenty dollars shall be paid before the license is issued, and the remainder of the license fee shall be paid as the Minister may from time to time by regulation prescribe.

Correction of citation of section.

2. Paragraph *(b)* of subsection one of section sixty-seven A of the said Act, as enacted by chapter twenty-three of the statutes of 1922, is amended by substituting for the word "sixty" in the second last line of the said paragraph the word "eighty".

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 223.

An Act to amend The Fisheries Act, 1914.

AS PASSED BY THE HOUSE OF COMMONS,
21st JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
61919 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 223.

1914, c. 8; 1917, c. 16; 1918, c. 22; 1919, c. 52; 1922, cc. 23, 24.

An Act to amend The Fisheries Act, 1914.

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

1. Paragraph *(a)* of subsection two of section eighteen of *The Fisheries Act, 1914*, as amended by chapter fifty-two of the statutes of 1919, is repealed, and the following is substituted therefor;

License fee for salmon cannery decreased.

"(2) *(a)* The annual fee for a salmon cannery license shall be twenty dollars, and in addition, four cents for each case of forty-eight one pound cans, or the equivalent thereto, of sockeye salmon, and three cents for each case of forty-eight one pound cans, or the equivalent thereto, of any other species of salmon, including steelhead (*salmo rivularis*) packed in such cannery during the continuance in force of the license. The said twenty dollars shall be paid before the license is issued, and the remainder of the license fee shall be paid as the Minister may from time to time by regulation prescribe.

Correction of citation of section.

2. Paragraph *(b)* of subsection one of section sixty-seven A of the said Act, as enacted by chapter twenty-three of the statutes of 1922, is amended by substituting for the word "sixty" in the second last line of the said paragraph the word "eighty".

225.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 225.

An Act to amend the Inland Revenue Act.

First reading, June 20, 1923.

The Minister of Customs and Excise.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
61546 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 225.

An Act to amend the Inland Revenue Act.

R.S., c. 51; 1920, c. 52; 1921, c. 26.

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

Definitions.

1. Section two of the *Inland Revenue Act*, as amended by chapter twenty-six of the statutes of 1921, which reads as follows:

"*(i)* "departmental analyst" means an analyst in the employment of the Department of Customs and Excise or any Department of the Government of Canada."

is hereby repealed, and the following substituted therefor:

"Departmental analyst."

"*(i)* "departmental analyst" means an analyst in the employment of the Department of Customs and Excise or of any Department of the Government of Canada *and includes any employee classified as Junior Chemist, Assistant Chemist or Chemist in the laboratory of the Department of Customs and Excise or in the laboratory of any Department of the Government of Canada.*

2. Subsection three of section one hundred and eighty of the said Act, as amended by chapter fifty-two of the statutes of 1920, and further amended by chapter twenty-six of the statutes of 1921, which reads as follows:—

"Section 180, Subsection 3. In every prosecution under this section, the certificate of analysis from a departmental or provincial analyst shall be accepted as evidence of the alcoholic content of the beer or wash suitable for the manufacture of spirits."

is repealed, and the following substituted therefor:

Certificate of analysis of departmental or provincial analyst to be evidence.

"Section 180, Subsection 3. In every prosecution under this *Act* the certificate of analysis of a departmental analyst or of a provincial analyst shall be accepted as *conclusive* evidence of the alcoholic content of any beer, wash *or spirits and of the suitability of any beer or wash for the manufacture of spirits, and of the authority of the*

person giving or issuing such certificate, without further proof of appointment or of signature.

3. Section two hundred and sixty-five of the said Act which reads as follows:

"**265.** Every person who deodorizes or clarifies, or attempts to deodorize or clarify, any methylated spirits, whether by distillation, filtration or any other process, is guilty of an indictable offence, and shall, for the first offence, be liable to a penalty of five hundred dollars, and for each subsequent offence to a penalty of one thousand dollars."

is repealed, and the following substituted therefor:

Deodorizing, etc., of denatured alcohol.

"**265.** Every person who deodorizes or clarifies, or attempts to deodorize or clarify, *any denatured alcohol or specially denatured alcohol as defined in Part X of this Act*, whether by distillation, filtration or any other process, is guilty of an indictable offence, and shall, for the first offence, be liable to a penalty of five hundred dollars, and for each subsequent offence to a penalty of one thousand dollars."

Tobacco cultivated for private use.

4. Section three hundred and twenty-seven of the said Act, is hereby repealed.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 225.

An Act to amend the Inland Revenue Act.

AS PASSED BY THE HOUSE OF COMMONS,
21st JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
61552 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 225.

An Act to amend the Inland Revenue Act.

R.S., c. 51; 1920, c. 52; 1921, c. 26.

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

Definitions.

1. Section two of the *Inland Revenue Act*, as amended by chapter twenty-six of the statutes of 1921, which reads as follows:

"*(i)* "departmental analyst" means an analyst in the employment of the Department of Customs and Excise or any Department of the Government of Canada."

is hereby repealed, and the following substituted therefor:

"Departmental analyst."

"*(i)* "departmental analyst" means an analyst in the employment of the Department of Customs and Excise or of any Department of the Government of Canada *and includes any employee classified as Junior Chemist, Assistant Chemist or Chemist in the laboratory of the Department of Customs and Excise or in the laboratory of any Department of the Government of Canada.*

2. Subsection three of section one hundred and eighty of the said Act, as amended by chapter fifty-two of the statutes of 1920, and further amended by chapter twenty-six of the statutes of 1921, which reads as follows:—

"Section 180, Subsection 3. In every prosecution under this section, the certificate of analysis from a departmental or provincial analyst shall be accepted as evidence of the alcoholic content of the beer or wash suitable for the manufacture of spirits."

is repealed, and the following substituted therefor:

Certificate of analysis of departmental or provincial analyst to be evidence.

"Section 180, Subsection 3. In every prosecution under this *Act* the certificate of analysis of a departmental analyst or of a provincial analyst shall be accepted as *conclusive* evidence of the alcoholic content of any beer, wash *or spirits and of the suitability of any beer or wash for the manufacture of spirits, and of the authority of the*

person giving or issuing such certificate, without further proof of appointment or of signature.

3. Section two hundred and sixty-five of the said Act which reads as follows:

"**265.** Every person who deodorizes or clarifies, or attempts to deodorize or clarify, any methylated spirits, whether by distillation, filtration or any other process, is guilty of an indictable offence, and shall, for the first offence, be liable to a penalty of five hundred dollars, and for each subsequent offence to a penalty of one thousand dollars."

is repealed, and the following substituted therefor:

Deodorizing, etc., of denatured alcohol.

"**265.** Every person who deodorizes or clarifies, or attempts to deodorize or clarify, *any denatured alcohol or specially denatured alcohol as defined in Part X of this Act*, whether by distillation, filtration or any other process, is guilty of an indictable offence, and shall, for the first offence, be liable to a penalty of five hundred dollars, and for each subsequent offence to a penalty of one thousand dollars."

Tobacco cultivated for private use.

4. Section three hundred and twenty-seven of the said Act, is hereby repealed.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 230.

An Act to amend The Special War Revenue Act, 1915.

First reading, June 20, 1923.

The MINISTER OF FINANCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
60842 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 230.

An Act to amend The Special War Revenue Act, 1915.

1915, c. 8; 1918, c. 46; 1920, c. 71; 1921, c. 50; 1922, c. 47.

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

1. Section twelve of *The Special War Revenue Act, 1915*, is amended by striking thereout the first paragraph of subsection two, paragraph *(b)* of subsection three, and subsection four, as enacted by chapter forty-seven of the statutes of 1922 and subsections seven and nine of the said section, and substituting therefor the following:—

Stamp tax on cheques.

"(2) No person shall issue a cheque payable at or by a bank or drawn upon or addressed to a bank and requiring or directing payment of a sum of money, unless there is affixed thereto an adhesive stamp or unless there is impressed thereon by means of a die a stamp of the value of, if the amount of money for which the cheque is issued, drawn or made

(i) does not exceed $50.00.....two cents,

(ii) exceeds $50.00, but does not exceed $2,500.00, for every $50.00 or fraction thereof.....two cents,

(iii) exceeds $2,500.00.....one dollar.

Stamp tax on bills payable on demand, etc.

"*(b)* If a bill of exchange transferred or delivered to a bank or issued by a bank is payable on demand or at sight or on presentation, or within three days after date or sight, such bill shall, for the purpose of the value of the stamp to be affixed thereto or impressed thereon, be deemed to be drawn for an amount not exceeding twenty-five hundred dollars.

Stamp tax on receipts for money paid by bank.

"(4) No person shall sign a receipt for money paid to him by a bank chargeable against a deposit of money in the bank to his credit until he has affixed to the receipt an adhesive stamp or unless there is impressed thereon by means of a die a stamp of the value of, if the amount of money for which the receipt is signed

(i) does not exceed $50.00.....two cents,
(ii) exceeds $50.00, but does not exceed $2,500.00, for every $50.00 or fraction thereof.....two cents,
(iii) exceeds $2,500.00.....one dollar;

and every adhesive stamp affixed to such receipt shall be cancelled by the bank at or before the time the money is paid.

Issue of cheque without stamp.

Penalty.

"(7) Every person who issues a cheque payable at or by a bank to which there is not affixed an adhesive stamp or on which there is not impressed by means of a die a stamp of the requisite value according to the requirements of this section shall be liable to a penalty not exceeding fifty dollars.

Receipt for money paid by bank without stamp.

Penalty.

"(9) Every person who signs a receipt for money paid to him by a bank chargeable against a deposit of money in the bank to his credit to which there is not affixed an adhesive stamp or on which there is not impressed by means of a die a stamp of the requisite value according to the requirements of this section shall be liable to a penalty not exceeding fifty dollars."

2. Subsections two and three of section thirteen of the said Act, as enacted by chapter forty-seven of the statutes of 1922, are repealed and the following are substituted therefor:—

Stamp tax on money orders, etc., of express companies.

"(2) Every express company carrying on business in Canada shall before the issue of a money order or traveller's cheque affix thereto an adhesive stamp of the value of, if the amount of money for which the money order or traveller's cheque is issued

(i) does not exceed $50.00.....two cents,
(ii) exceeds $50.00, but does not exceed $2,500.00, for every $50.00 or fraction thereof.....two cents,
(iii) exceeds $2,500.00.....one dollar;

and the company may charge the amount of the stamps so affixed to and collect the same from the purchaser of the order or cheque or from the payee thereof. The company shall before delivery of the order or cheque cancel the stamp by writing on or across the stamp initials or other identification of the company together with the date of the issue of the order or cheque.

Stamp tax on money orders of post office.

R.S. c. 66.

"(3) No money order shall be issued under the provisions of the *Post Office Act* until there is affixed thereto or to the relative advice a postage stamp of the value of, if the amount of money for which the money order is issued

(i) does not exceed $50.00.....two cents,
(ii) exceeds $50.00, but does not exceed $2,500.00, for every $50.00 or fraction thereof.....two cents,
(iii) exceeds $2,500.....one dollar;

to be paid for by the purchaser of the order. The postmaster or other officer of the Post Office Department issuing the order shall cancel the stamp by impressing thereon when affixed the date stamp of the post office at which the order is issued.

3. (1) Section fourteen of the said Act, as enacted by chapter forty-seven of the statutes of 1922, is amended by striking out paragraph *(b)* of subsection four and substituting the following:—

Exception from stamp tax on receipts.

"*(b)* a receipt or document in the nature of a receipt which is taxable under section twelve of this Act."

(2) The following are inserted as subsections five, six, seven and eight of section fourteen of the said Act:—

Receipt without stamp may be stamped within one month in presence of officer.

"(5) A receipt given without being stamped may be stamped within one month after it has been given, upon the terms following, that is to say:

(i) The stamp shall be affixed to the receipt in the presence of any collector of customs and excise by the person who gave the receipt, and shall be cancelled in the same manner as provided by subsection two of this section;

Penalty of $10.

(ii) Before such person may affix the stamp he shall pay to the said collector of customs and excise a penalty of ten dollars for the public uses of Canada;

Certificate of officer.

(iii) The collector of customs and excise shall write on the receipt a certificate to the effect that the stamp was affixed in his presence by the person who gave the receipt and that such person before affixing the stamp paid to the said officer the penalty of ten dollars; and the certificate shall bear the true date on which it was given and shall be signed by the said officer.

Judicial notice of omission of stamp on receipts put in evidence.

"(6) Upon the production of a receipt taxable under this section as evidence in any court of civil jurisdiction in any province of Canada, or before any arbitrator or referee, or any trustee or other official under *The Bankruptcy Act*, notice shall be taken by the judge, arbitrator, referee or trustee of any omission of the stamp thereon, and the receipt may, on payment to the judge, arbitrator, referee or trustee of a penalty of twenty dollars for the public uses of Canada, be received in evidence, saving all just exceptions on other grounds.

Penalty of $20 to be paid before it is admitted.

Receipt of judge or other officer and particulars sent to Minister.

"(7) The judge, arbitrator, referee or trustee receiving the amount of the penalty shall give a receipt for the same and shall communicate to the Minister the name or title of the proceeding in which, and of the person from whom, he received the penalty, and the date of the receipt and the name and address of the person who gave the receipt, and shall pay over the amount of the penalty to such person as the Minister may direct.

Otherwise no receipt to be given in

(8) "Save as aforesaid a receipt liable to taxation under this section, shall not, except in criminal proceedings, be

evidence, except in criminal cases.

given in evidence, or be available for any purpose whatsoever, unless it be duly stamped in accordance with the law in force at the time when it was given."

4. Section nineteen A of Part IV of the said Act, as amended by chapter forty-seven of the statutes of 1922, is repealed, and the following sections are substituted therefor:—

Definition, "Minister".

"**19**A. In this Part, unless the context otherwise requires,—"Minister" means the Minister of Customs and Excise.

"Duty paid value".

"**19**AA. For the purpose of this Part, the "duty paid value" of any article means the value of the article as it would be determined for the purpose of calculating an *ad valorem* duty upon the importation of same into Canada under the laws relating to the customs and the customs tariff whether such article be in fact subject to *ad valorem* or other duty or not, and in addition the amount of the customs duties, if any, payable thereon.

Provided that in computing the "duty paid value" of tea purchased in bond in the United Kingdom the amount of the customs duty payable on tea for consumption in the United Kingdom shall not be included in the value of such tea for purposes of this Act."

5. (1) Section nineteen BB of the said Act, as enacted by chapter fifty of the statutes of 1921, is amended by striking out paragraphs *(c)* and *(d)* of subsection one and substituting therefor the following:—

Excise tax on wines.

"*(c)* A tax of seven and one-half cents per gallon on wines of all kinds, except sparkling wines, containing not more than forty per cent of proof spirit.

Sparkling wines.

"*(d)* A tax of one dollar and fifty cents per gallon on champagne and all other sparkling wines."

Comes into force on proclamation.

(2) This section shall come into force on a day to be fixed by proclamation of the Governor in Council, and such proclamation shall be published in the *Canada Gazette*.

6. (1) Subsection one of section nineteen BBB of the said Act, as enacted by said chapter forty-seven of the statutes of 1922, is amended by striking out the first three paragraphs of subsection one thereof and substituting therefor the following:—

Tax on sales.

"**19**BBB. (1) In addition to any duty or tax that may be payable under this Part, or any other statute or law, there shall be imposed, levied and collected a consumption or sales tax of six per cent on the sale price of all goods produced or manufactured in Canada, including the amount of excise duties when the goods are sold in bond, which tax shall be payable by the producer or manufacturer at the time of the sale thereof by him; and in the case of imported goods the like tax upon the duty paid value of

the goods imported payable by the importer or transferee who takes the goods out of bond for consumption at the time when the goods are imported or taken out of warehouse for consumption.

"Sale price" defined.

For the purpose of calculating the amount of the consumption or sales tax, "sale price" shall mean the price before any amount payable in respect of the consumption or sales tax is added thereto.

Proviso.

Provided that the consumption or sales tax specified in this section shall not be payable on goods exported; or on goods sold by a licensed manufacturer or producer to another licensed manufacturer or producer if the goods are to be used in, wrought into, or attached to articles to be manufactured or produced for sale and which are articles subject to the consumption or sales tax; or on goods sold by a licensed manufacturer or producer to a licensed wholesaler or jobber whose sales are to be accounted for under the provisions of subsection seven of this section.

Sales tax on Canadian goods sold by licensed wholesaler or jobber.

"(2) A like tax shall be imposed, levied and collected on goods manufactured or produced in Canada sold by a licensed wholesaler or jobber to other than a licensed manufacturer or producer computed on the price for which the same are sold by the licensed manufacturer or producer to the said wholesaler or jobber, which price shall include the amount of the excise duties on goods sold in bond.

License for manufacturer or producer of goods under $10,000 per year.

"(3) If the Minister determines that any manufacturer or producer, who does not manufacture or produce goods to the value of ten thousand dollars a year, uses a substantial portion of goods which are exempt from the tax in the manufacture of goods which are liable to the tax, as to which the Minister's finding shall be conclusive, such manufacturer or producer shall take out a license as required by subsection six of this section and shall be subject to the same conditions as a licensed manufacturer or producer."

Paragraph made subsection.

(2) *(a)* Paragraph four of subsection one of said section nineteen BBB, being the list of excepted articles not liable to tax, is amended by striking out the words "provided also that" at the beginning of said paragraph, by adding at the beginning of the said paragraph as a subsection number the figure (4) and by striking out of the list of articles to which the tax specified in the said section shall not apply the following words:

Job printed matter where sales do not exceed $10,000 taken out of excepted articles.

"job printed matter produced and sold by printers or firms, whose sales of job printing do not exceed ten thousand dollars per annum;"

Manuscript and other goods added to excepted articles.

(b) The said paragraph four of subsection one of section nineteen BBB is further amended by adding thereto the following items:—

"manuscript; raw furs; wool not further prepared than washed; drain tiles for agricultural purposes;"

Syrups added to excepted articles.

(c) The said paragraph four of subsection one of section nineteen BBB is further amended by adding thereto the following item:

"syrups, enumerated in Customs Tariff item 140;"

(3) Subsection one of said section nineteen BBB is amended by striking out paragraph five immediately following the list of excepted articles not liable to tax, and the following is inserted as subsection five of said section:

Manufacturer or producer under $10,000 to pay tax on importations.

"(5) A manufacturer or producer, who does not manufacture or produce goods to the value of ten thousand dollars as provided in subsection six of this section, unless otherwise provided for in subsection three of this section, shall not pay the consumption or sales tax on goods manufactured or produced by him but shall pay the said tax on importations."

(4) Section nineteen BBB of the said Act is further amended by adding thereto the following as subsections six, seven, eight, nine, ten, eleven, twelve and thirteen:—

License to be taken out by manufacturer or producer of $10,000 or more.

Fee.

Penalty.

"(6) Every manufacturer or producer who manufactured or produced goods to the value of ten thousand dollars or more during the fiscal year ended 31st March, 1923 or during any fiscal year thereafter, shall take out an annual license for the purpose aforesaid, and the Minister may prescribe a fee therefor, not exceeding two dollars, and the penalty for neglect shall be a sum not exceeding one thousand dollars.

License to be taken out by wholesaler or jobber who sells not less than 50% to licensed manufacturer or producer.

Fee.

Bond.

"(7) A wholesaler or jobber who sells not less than fifty per cent of his total sales of goods to a licensed manufacturer or producer, to be used in, wrought into or attached to articles to be manufactured or produced for sale, may be granted an annual license and the Minister may prescribe a fee therefor not exceeding two dollars. The wholesaler or jobber applying for such license shall give security, by bond of an incorporated guarantee company authorized to do business in Canada, and whose bonds are acceptable to the Dominion Government, such bond to be in form approved by the Minister, or by a deposit of Dominion of Canada bonds, for an amount not less than double the amount of the consumption or sales tax on a three months period of total sales selected by the Minister, that the said wholesaler or jobber shall keep adequate books or accounts for the purposes of this Act, and shall render true statements of sales to licensed manufacturers or producers, and sales to others and pay any tax imposed by this Act.

Refunds or deductions to licensed manufacturer, producer, wholesaler, jobber or other dealer.

"(8) A deduction from the consumption or sales tax may be made in respect of goods imported by a licensed manufacturer or producer when such goods are further manufactured and liable to the consumption or sales tax, but the deduction shall not exceed the amount of

such tax paid on the importation of the said goods; or a refund or deduction of the amount of the consumption or sales tax paid under this section may be granted to a licensed manufacturer or producer or to a wholesaler, jobber or other dealer, on goods sold to a licensed manufacturer or producer if such goods are to be used in, wrought into, or attached to articles manufactured or produced for sale, and which are articles subject to the consumption or sales tax; or a refund or deduction of the amount of the said tax may, with the consent of the wholesaler, jobber or dealer be granted to a licensed manufacturer or producer on goods purchased from a wholesaler, jobber or other dealer if such goods are to be used in, wrought into, or attached to articles manufactured or produced for sale by the licensed manufacturer, and which are articles subject to the consumption or sales tax; and a deduction of the amount of the sales tax may be granted to a licensed manufacturer or a licensed wholesaler or jobber in respect of goods which he has on hand on the first day of January, 1924, if such goods have been, are being, or are to be used in, wrought into, or attached to articles to be manufactured or produced for sale and which are articles subject to the consumption or sales tax, such deduction not to exceed the amount actually paid by the said manufacturer or producer or wholesaler or jobber, no deduction to be allowed in respect of such goods not accounted for prior to the thirty-first day of March, 1924, and claims for such deduction must be presented to the Department of Customs and Excise with complete evidence on or before the thirtieth day of June, 1924, otherwise the same shall be rejected.

Deduction on goods on hand on 1st January, 1924.

No deduction after 31st May, 1924.

Claims to be filed before 30th June, 1924.

"(9) When goods may be imported into Canada free of customs duty, there may be granted a refund or reduction of the consumption or sales tax on similar goods manufactured or produced in Canada, when evidence satisfactory to the Minister is produced that such Canadian goods are at a disadvantage with respect to similar imported goods. Such refund or reduction shall not exceed twenty-five per cent of the amount of the said tax paid or to be payable.

Refund on goods imported free of duty.

"(10) A refund of the consumption or sales tax may be granted on imported goods on which customs duties have been refunded on exportation; and a refund of the said tax may be granted on domestic goods exported, under regulations prescribed by the Minister of Customs and Excise.

Refund on exportations.

"(11) A deduction from the consumption or sales tax may be granted in respect to goods sold at a price fixed by a *bona fide* contract of sale made before the twelfth day of May, 1923, and still in force at the time of delivery of the goods; provided that such deduction shall not exceed the difference between the amount of the sales tax calculated at the rate in force on the eleventh day of May, 1923,

Deduction on price fixed by contract of sale made before 12th May, 1923.

No deduction

after 31st March, 1924.

and the amount of the consumption or sales tax paid or to be payable under the provisions of this Part, and that no such deduction shall be made in respect of goods delivered after the thirty-first day of March, 1924, and claims for such deduction must be presented to the Department of Customs and Excise with complete evidence on or before the thirtieth day of June, 1924, otherwise the same shall be rejected.

Claims to be filed before 30th June, 1924.

Invoice on sales to wholesaler or jobber not licensed.

"(12) *(a)* When goods are sold by a licensed manufacturer or producer or by a licensed wholesaler or jobber to a wholesaler or jobber not licensed under this Act, the purchaser shall be furnished with a written invoice of the goods sold, which invoice shall state separately the amount of the consumption or sales tax.

Invoice on sales by wholesaler or jobber not licensed.

(b) When goods are sold by a wholesaler or jobber not licensed under this Act to a licensed manufacturer or producer the purchaser shall be furnished with a written invoice of the goods sold, which invoice shall state separately the amount of the consumption or sales tax.

Minister may determine value for tax in difficult circumstances.

"(13) Whenever goods are manufactured or produced in Canada under such circumstances or conditions as render it difficult to determine the value thereof for the consumption or sales tax because,—

(a) a lease of such goods or the right of using the same but not the right of property therein is sold or given; or,

(b) such goods having a royalty imposed thereon, the royalty is uncertain, or is not from other causes a reliable means of estimating the value of the goods; or,

(c) such goods are manufactured by contract for labour only and not including the value of the goods that enter into the same, or under any other unusual or peculiar manner or conditions; or,

(d) such goods are for use by the manufacturer or producer and not for sale

the Minister may determine the value for the tax under this Act and all such transactions shall for the purposes of this Act be regarded as sales."

Paragraph made a subsection.

(5) Paragraph six of subsection one of said section nineteen BBB, respecting drawback, is amended by inserting before said paragraph the subsection number (14).

Licenses, recovery of tax, costs or penalties.

(6) Subsections two and three of said section nineteen BBB as enacted by chapter fifty of the statutes of 1921, are repealed.

7. (1) Section nineteen D of the said Act, as enacted by chapter forty-seven of the statutes of 1922, is repealed, and the following is substituted therefor:—

Penalty for neglecting or refusal to pay tax.

"**19D.** (1) Every person who, being thereto liable, neglects or refuses to pay any tax imposed by this Part, and any person who contravenes any requirement of this Part or any regulation of the Minister under this Part

for which no other penalty is provided, shall be liable, on summary conviction, to a penalty of not less than fifty dollars and not exceeding one thousand dollars.

(2) Subsection five of section nineteen B of the said Act, as enacted by chapter forty-six of the statutes of 1918, is repealed, and the following is inserted as subsection two of section nineteen D:—

Records, books and accounts to be open to inspection by officers.

"**19**D. (2) The records, books, accounts and vouchers of all manufacturers, producers, wholesalers and jobbers and of importers and dealers which are required to be kept under the provisions of this Part shall be open at all reasonable hours to the inspection of the officers or other persons authorized by the Minister to inspect the same, and any person who in any way prevents or attempts to prevent any such officer or other person from having access to or inspecting the same, or refuses to produce the same or any of them, shall be liable, on summary conviction, to a penalty not exceeding one thousand dollars."

8. The said Act is amended by adding to Part IV thereof the following sections:—

Failure or refusal to keep books.

"**19**E. If a manufacturer or producer fails or refuses to keep adequate books or accounts, in English or French, for the purposes of this Act, the Minister may, by notice in writing, require the manufacturer or producer to keep such records and accounts as the Minister may prescribe. For every default in complying with the requirements of such notice the manufacturer or producer shall be liable, on summary conviction, to a penalty not exceeding one hundred dollars for each day during which the default continues.

Penalty.

Taxes to apply to goods sold to or imported by Dominion, Provinces, provincial railways or provincial commission, board or public utility.

"**19**F. The taxes imposed by sections 16A, 19B, 19BB and 19BBB of this Act shall apply to goods sold to, or imported by,—

(i) His Majesty in the right of His Majesty's Government of Canada;

(ii) His Majesty in the right of His Majesty's Government of any province of Canada, for the purpose of resale;

(iii) Any railway operated by or under the authority of the Legislature or the Lieutenant-Governor in Council of any province;

(iv) Any commission, board or public utility which is operated by or under the authority of the Legislature or the Lieutenant Governor in Council of any province.

Refund on goods sold to Province if Province exempt from tax.

"**19**G. A refund of the amount of taxes paid under sections 16A, 19B, 19BB and 19BBB of this Act may be granted to a manufacturer, producer, wholesaler, jobber or other dealer on goods sold to His Majesty in the right of His Majesty's Government of any province in Canada, when

His Majesty's Government of the province is exempt from taxes in respect of such goods."

Prosecutions.

9. Subsection three of section twenty of the said Act is repealed, and the following is substituted therefor:—

"(3) All penalties imposed by this Act, when no other procedure for the recovery thereof is by this Act provided, may be sued for, prosecuted and recovered with costs by His Majesty's Attorney General of Canada, or, in respect of penalties under Part One, in the name of the Minister of Finance, or, in respect of penalties under Part Two, Part Three and Part Four in the name of the Minister of Customs and Excise."

Government or provincial sales.

Use of postage stamps.

10. (1) Section fifteen of chapter forty-seven of the statutes of 1922 is repealed.

(2) Subsection three of section nineteen of the said Act is repealed.

Schedule I amended.

11. Schedule One to the said Act, as enacted by chapter forty-seven of the statutes of 1922, is amended by striking thereout all the words after "settlers' effects" in line ten down to the end of the said Schedule.

Schedule II amended.

12. Schedule Two to the said Act, as enacted by chapter forty-seven of the statutes of 1922, is amended by striking out the second item respecting beverages and by adding to the said Schedule the following item:—

"Carbonic acid gas, per pound.....one cent.

Provided that carbonic acid gas manufactured or produced in Canada and used in the manufacture of other products shall be deemed to be carbonic acid gas manufactured or produced in Canada and sold."

When secs. 1, 2, 3, come into force.

13. Sections one, two and three of this Act shall come into force on the first day of August, nineteen hundred and twenty-three.

When secs. 6 (2) *b*, 11 and 12 come into force.

14. Paragraph *(b)* of subsection two of section six and sections eleven and twelve of this Act shall be deemed to have come into force on the first day of June, one thousand nine hundred and twenty-three.

When sec. 10 (2) comes into force.

15. Subsection two of section ten of this Act shall come into force on the first day of October, one thousand nine hundred and twenty-three.

When secs. 4, 6 except (2) *b*, 7, 8, 9, and 10 come into force.

16. Section four, section six (except paragraph *(b)* of subsection two of said section six) and sections seven, eight, nine and subsection one of section ten of this Act shall come into force on the first day of January, one thousand

nine hundred and twenty-four and shall apply to all goods imported or taken out of warehouse for consumption on and after that day, and shall apply to goods previously imported for which no entry for consumption was made before that date.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 230.

An Act to amend The Special War Revenue Act, 1915.

AS PASSED BY THE HOUSE OF COMMONS, 26th JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
60971 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 230.

An Act to amend The Special War Revenue Act, 1915.

1915, c. 8; 1918, c. 46; 1920, c. 71; 1921, c. 50; 1922, c. 47.

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

1. Section twelve of *The Special War Revenue Act, 1915*, is amended by striking thereout the first paragraph of subsection two, paragraph *(b)* of subsection three, and subsection four, as enacted by chapter forty-seven of the statutes of 1922 and subsections seven and nine of the said section, and substituting therefor the following:—

Stamp tax on cheques.

"(2) No person shall issue a cheque payable at or by a bank or drawn upon or addressed to a bank and requiring or directing payment of a sum of money, unless there is affixed thereto an adhesive stamp or unless there is impressed thereon by means of a die a stamp of the value of, if the amount of money for which the cheque is issued, drawn or made

(i) does not exceed $50.00.....two cents,

(ii) exceeds $50.00, but does not exceed $2,500.00, for every $50.00 or fraction thereof.....two cents,

(iii) exceeds $2,500.00.....one dollar,

and every adhesive stamp affixed to such cheque shall be cancelled by the bank at which the cheque is payable at or before the time of payment.

Stamp tax on bills payable on demand, etc.

"*(b)* If a bill of exchange transferred or delivered to a bank or issued by a bank is payable on demand or at sight or on presentation, or within three days after date or sight, such bill shall, for the purpose of the value of the stamp to be affixed thereto or impressed thereon, be deemed to be drawn for an amount not exceeding twenty-five hundred dollars.

Stamp tax on receipts for money paid by bank.

"(4) No person shall sign a receipt for money paid to him by a bank chargeable against a deposit of money in the bank to his credit until he has affixed to the receipt an adhesive stamp or unless there is impressed thereon by means of a die a stamp of the value of, if the amount of money for which the receipt is signed

(i) does not exceed $50.00.....two cents,
(ii) exceeds $50.00, but does not exceed $2,500.00, for every $50.00 or fraction thereof.....two cents,
(iii) exceeds $2,500.00.....one dollar;

and every adhesive stamp affixed to such receipt shall be cancelled by the bank at or before the time the money is paid.

Issue of cheque without stamp.

Penalty.

"(7) Every person who issues a cheque payable at or by a bank to which there is not affixed an adhesive stamp or on which there is not impressed by means of a die a stamp of the requisite value according to the requirements of this section shall be liable to a penalty not exceeding fifty dollars.

Receipt for money paid by bank without stamp.

Penalty.

"(9) Every person who signs a receipt for money paid to him by a bank chargeable against a deposit of money in the bank to his credit to which there is not affixed an adhesive stamp or on which there is not impressed by means of a die a stamp of the requisite value according to the requirements of this section shall be liable to a penalty not exceeding fifty dollars."

2. Subsections two and three of section thirteen of the said Act, as enacted by chapter forty-seven of the statutes of 1922, are repealed and the following are substituted therefor:—

Stamp tax on money orders, etc., of express companies.

"(2) Every express company carrying on business in Canada shall before the issue of a money order or traveller's cheque affix thereto an adhesive stamp of the value of, if the amount of money for which the money order or traveller's cheque is issued

(i) does not exceed $50.00.....two cents,
(ii) exceeds $50.00, but does not exceed $2,500.00, for every $50.00 or fraction thereof.....two cents,
(iii) exceeds $2,500.00.....one dollar;

and the company may charge the amount of the stamps so affixed to and collect the same from the purchaser of the order or cheque or from the payee thereof. The company shall before delivery of the order or cheque cancel the stamp by writing on or across the stamp initials or other identification of the company together with the date of the issue of the order or cheque.

Stamp tax on money orders of post office.

R.S. c. 66.

"(3) No money order shall be issued under the provisions of the *Post Office Act* until there is affixed thereto or to the relative advice a postage stamp of the value of, if the amount of money for which the money order is issued

(i) does not exceed $50.00.....two cents,
(ii) exceeds $50.00, but does not exceed $2,500.00, for every $50.00 or fraction thereof.....two cents,
(iii) exceeds $2,500.....one dollar;

to be paid for by the purchaser of the order. The postmaster or other officer of the Post Office Department issuing the order shall cancel the stamp by impressing thereon when affixed the date stamp of the post office at which the order is issued.

3. (1) Section fourteen of the said Act, as enacted by chapter forty-seven of the statutes of 1922, is amended by striking out paragraph *(b)* of subsection four and substituting the following:—

Exception from stamp tax on receipts.

"*(b)* a receipt or document in the nature of a receipt which is taxable under section twelve of this Act."

(2) The following are inserted as subsections five, six, seven and eight of section fourteen of the said Act:—

Receipt without stamp may be stamped within one month in presence of officer.

"(5) A receipt given without being stamped may be stamped within one month after it has been given, upon the terms following, that is to say:

(i) The stamp shall be affixed to the receipt in the presence of any collector of customs and excise by the person who gave the receipt, and shall be cancelled in the same manner as provided by subsection two of this section;

Penalty of $10.

(ii) Before such person may affix the stamp he shall pay to the said collector of customs and excise a penalty of ten dollars for the public uses of Canada;

Certificate of officer.

(iii) The collector of customs and excise shall write on the receipt a certificate to the effect that the stamp was affixed in his presence by the person who gave the receipt and that such person before affixing the stamp paid to the said officer the penalty of ten dollars; and the certificate shall bear the true date on which it was given and shall be signed by the said officer.

Judicial notice of omission of stamp on receipts put in evidence.

"(6) Upon the production of a receipt taxable under this section as evidence in any court of civil jurisdiction in any province of Canada, or before any arbitrator or referee, or any trustee or other official under *The Bankruptcy Act*, notice shall be taken by the judge, arbitrator, referee or trustee of any omission of the stamp thereon, and the receipt may, on payment to the judge, arbitrator, referee or trustee of a penalty of twenty dollars for the public uses of Canada, be received in evidence, saving all just exceptions on other grounds.

Penalty of $20 to be paid before it is admitted.

Receipt of judge or other officer and particulars sent to Minister.

"(7) The judge, arbitrator, referee or trustee receiving the amount of the penalty shall give a receipt for the same and shall communicate to the Minister the name or title of the proceeding in which, and of the person from whom, he received the penalty, and the date of the receipt and the name and address of the person who gave the receipt, and shall pay over the amount of the penalty to such person as the Minister may direct.

Otherwise no receipt to be given in

(8) "Save as aforesaid a receipt liable to taxation under this section, shall not, except in criminal proceedings, be

evidence, except in criminal cases.

given in evidence, or be available for any purpose whatsoever, unless it be duly stamped in accordance with the law in force at the time when it was given."

4. Section nineteen A of Part IV of the said Act, as amended by chapter forty-seven of the statutes of 1922, is repealed, and the following sections are substituted therefor:—

Definition. "Minister".

"**19**A. In this Part, unless the context otherwise requires,—"Minister" means the Minister of Customs and Excise.

"Duty paid value".

"**19**AA. For the purpose of this Part, the "duty paid value" of any article means the value of the article as it would be determined for the purpose of calculating an *ad valorem* duty upon the importation of same into Canada under the laws relating to the customs and the customs tariff whether such article be in fact subject to *ad valorem* or other duty or not, and in addition the amount of the customs duties, if any, payable thereon.

Provided that in computing the "duty paid value" of tea purchased in bond in the United Kingdom the amount of the customs duty payable on tea for consumption in the United Kingdom shall not be included in the value of such tea for purposes of this Act."

5. (1) Section nineteen BB of the said Act, as enacted by chapter fifty of the statutes of 1921, is amended by striking out paragraphs *(c)* and *(d)* of subsection one and substituting therefor the following:—

Excise tax on wines.

"*(c)* A tax of seven and one-half cents per gallon on wines of all kinds, except sparkling wines, containing not more than forty per cent of proof spirit.

Sparkling wines.

"*(d)* A tax of one dollar and fifty cents per gallon on champagne and all other sparkling wines."

Comes into force on proclamation.

(2) This section shall come into force on a day to be fixed by proclamation of the Governor in Council, and such proclamation shall be published in the *Canada Gazette*.

6. (1) Subsection one of section nineteen BBB of the said Act, as enacted by said chapter forty-seven of the statutes of 1922, is amended by striking out the first three paragraphs of subsection one thereof and substituting therefor the following:—

Tax on sales.

"**19**BBB. (1) In addition to any duty or tax that may be payable under this Part, or any other statute or law, there shall be imposed, levied and collected a consumption or sales tax of six per cent on the sale price of all goods produced or manufactured in Canada, including the amount of excise duties when the goods are sold in bond, which tax shall be payable by the producer or manufacturer at the time of the sale thereof by him; and in the case of imported goods the like tax upon the duty paid value of

the goods imported payable by the importer or transferee who takes the goods out of bond for consumption at the time when the goods are imported or taken out of warehouse for consumption.

"Sale price" defined.

For the purpose of calculating the amount of the consumption or sales tax, "sale price" shall mean the price before any amount payable in respect of the consumption or sales tax is added thereto.

Proviso.

Provided that the consumption or sales tax specified in this section shall not be payable on goods exported; or on goods sold by a licensed manufacturer or producer to another licensed manufacturer or producer if the goods are to be used in, wrought into, or attached to articles to be manufactured or produced for sale and which are articles subject to the consumption or sales tax; or on goods imported by a licensed manufacturer or producer if the goods are to be used in, wrought into, or attached to articles to be manufactured or produced for sale and which are articles subject to the consumption or sales tax; or on goods imported by a licensed wholesaler or jobber whose sales are to be accounted for under the provisions of subsection seven; or on goods sold by a licensed manufacturer or producer to a licensed wholesaler or jobber whose sales are to be accounted for under the provisions of subsection seven of this section.

Sales tax on Canadian goods sold by licensed wholesaler or jobber.

"(2) A like tax shall be imposed, levied and collected on goods manufactured or produced in Canada sold by a licensed wholesaler or jobber to other than a licensed manufacturer or producer computed on the price for which the same are sold by the licensed manufacturer or producer to the said wholesaler or jobber, which price shall include the amount of the excise duties on goods sold in bond.

License for manufacturer or producer of goods under $10,000 per year.

"(3) If the Minister determines that any manufacturer or producer, who does not manufacture or produce goods to the value of ten thousand dollars a year, uses a substantial portion of goods which are exempt from the tax in the manufacture of goods which are liable to the tax, as to which the Minister's finding shall be conclusive, such manufacturer or producer shall take out a license as required by subsection six of this section and shall be subject to the same conditions as a licensed manufacturer or producer."

Paragraph made subsection.

(2) *(a)* Paragraph four of subsection one of said section nineteen BBB, being the list of excepted articles not liable to tax, is amended by striking out the words "provided also that" at the beginning of said paragraph, by adding at the beginning of the said paragraph as a subsection number the figure (4) and by striking out of the list of articles to which the tax specified in the said section shall not apply the following words:

Job printed matter where sales do not exceed $10,000 taken out of excepted articles.

"job printed matter produced and sold by printers or firms, whose sales of job printing do not exceed ten thousand dollars per annum;"

Manuscript and other goods added to excepted articles.

(b) The said paragraph four of subsection one of section nineteen BBB is further amended by adding thereto the following items:—

"manuscript; raw furs; wool not further prepared than washed; drain tiles for agricultural purposes;"

Syrups added to excepted articles.

(c) The said paragraph four of subsection one of section nineteen BBB is further amended by adding thereto the following item:

"syrups, enumerated in Customs Tariff item 140;"

(3) Subsection one of said section nineteen BBB is amended by striking out paragraph five immediately following the list of excepted articles not liable to tax, and the following is inserted as subsection five of said section:

Manufacturer or producer under $10,000 to pay tax on importations.

"(5) A manufacturer or producer, who does not manufacture or produce goods to the value of ten thousand dollars as provided in subsection six of this section, unless otherwise provided for in subsection three of this section, shall not pay the consumption or sales tax on goods manufactured or produced by him but shall pay the said tax on importations."

(4) Section nineteen BBB of the said Act is further amended by adding thereto the following as subsections six, seven, eight, nine, ten, eleven, twelve and thirteen:—

License to be taken out by manufacturer or producer of $10,000 or more.

Fee.

Penalty.

"(6) Every manufacturer or producer who manufactured or produced goods to the value of ten thousand dollars or more during the fiscal year ended 31st March, 1923 or during any fiscal year thereafter, shall take out an annual license for the purpose aforesaid, and the Minister may prescribe a fee therefor, not exceeding two dollars, and the penalty for neglect shall be a sum not exceeding one thousand dollars.

License to be taken out by wholesaler or jobber who sells not less than 50% to licensed manufacturer or producer.

Fee.

Bond.

"(7) A wholesaler or jobber who sells not less than fifty per cent of his total sales of goods to a licensed manufacturer or producer, to be used in, wrought into or attached to articles to be manufactured or produced for sale, may be granted an annual license and the Minister may prescribe a fee therefor not exceeding two dollars. The wholesaler or jobber applying for such license shall give security, by bond of an incorporated guarantee company authorized to do business in Canada, and whose bonds are acceptable to the Dominion Government, such bond to be in form approved by the Minister, or by a deposit of Dominion of Canada bonds, for an amount not less than double the amount of the consumption or sales tax on a three months period of total sales selected by the Minister, that the said wholesaler or jobber shall keep adequate books or accounts for the purposes of this Act, and shall render true statements of sales to licensed manufacturers or producers, and sales to others and pay any tax imposed by this Act.

Refunds or deductions to licensed manufacturer, producer, wholesaler, jobber or other dealer.

"(8) A deduction from the consumption or sales tax may be made in respect of goods imported by a licensed manufacturer or producer when such goods are further manufactured and liable to the consumption or sales tax, but the deduction shall not exceed the amount of such tax paid on the importation of the said goods; or a refund or deduction of the amount of the consumption or sales tax paid under this section may be granted to a licensed manufacturer or producer or to a wholesaler, jobber or other dealer, on goods sold to a licensed manufacturer or producer if such goods are to be used in, wrought into, or attached to articles manufactured or produced for sale, and which are articles subject to the consumption or sales tax; or a refund or deduction of the amount of the said tax may, with the consent of the wholesaler, jobber or dealer be granted to a licensed manufacturer or producer on goods purchased from a wholesaler, jobber or other dealer if such goods are to be used in, wrought into, or attached to articles manufactured or produced for sale by the licensed manufacturer, and which are articles subject to the consumption or sales tax; and a deduction of the amount of the sales tax may be granted to a licensed manufacturer or a licensed wholesaler or jobber in respect of goods which he has on hand on the first day of January, 1924, if such goods have been, are being, or are to be used in, wrought into, or attached to articles to be manufactured or produced for sale and which are articles subject to the consumption or sales tax, such deduction not to exceed the amount actually paid by the said manufacturer or producer or wholesaler or jobber, no deduction to be allowed in respect of such goods not accounted for prior to the thirty-first day of March, 1924, and claims for such deduction must be presented to the Department of Customs and Excise with complete evidence on or before the thirtieth day of June, 1924, otherwise the same shall be rejected.

Deduction on goods on hand on 1st January, 1924.

No deduction after 31st May, 1924.

Claims to be filed before 30th June, 1924.

Refund on goods imported free of duty.

"(9) When goods may be imported into Canada free of customs duty, there may be granted a refund or reduction of the consumption or sales tax on similar goods manufactured or produced in Canada, when evidence satisfactory to the Minister is produced that such Canadian goods are at a disadvantage with respect to similar imported goods. Such refund or reduction shall not exceed twenty-five per cent of the amount of the said tax paid or to be payable.

Refund on exportations.

"(10) A refund of the consumption or sales tax may be granted on imported goods on which customs duties have been refunded on exportation; and a refund of the said tax may be granted on domestic goods exported, under regulations prescribed by the Minister of Customs and Excise.

Deduction on price fixed by contract of sale made before 12th May, 1923.

"(11) A deduction from the consumption or sales tax may be granted in respect to goods sold at a price fixed by a *bona fide* contract of sale made before the twelfth day of May, 1923, and still in force at the time of delivery of the goods; provided that such deduction shall not exceed the difference between the amount of the sales tax calculated at the rate in force on the eleventh day of May, 1923, and the amount of the consumption or sales tax paid or to be payable under the provisions of this Part, and that no such deduction shall be made in respect of goods delivered after the thirty-first day of March, 1924, and claims for such deduction must be presented to the Department of Customs and Excise with complete evidence on or before the thirtieth day of June, 1924, otherwise the same shall be rejected.

No deduction after 31st March, 1924.

Claims to be filed before 30th June, 1924.

Invoice on sales to wholesaler or jobber not licensed.

"(12) *(a)* When goods are sold by a licensed manufacturer or producer or by a licensed wholesaler or jobber to a wholesaler or jobber not licensed under this Act, the purchaser shall be furnished with a written invoice of the goods sold, which invoice shall state separately the amount of the consumption or sales tax.

Invoice on sales by wholesaler or jobber not licensed.

(b) When goods are sold by a wholesaler or jobber not licensed under this Act to a licensed manufacturer or producer the purchaser shall be furnished with a written invoice of the goods sold, which invoice shall state separately the amount of the consumption or sales tax.

Minister may determine value for tax in difficult circumstances.

"(13) Whenever goods are manufactured or produced in Canada under such circumstances or conditions as render it difficult to determine the value thereof for the consumption or sales tax because,—

(a) a lease of such goods or the right of using the same but not the right of property therein is sold or given; or,

(b) such goods having a royalty imposed thereon, the royalty is uncertain, or is not from other causes a reliable means of estimating the value of the goods; or,

(c) such goods are manufactured by contract for labour only and not including the value of the goods that enter into the same, or under any other unusual or peculiar manner or conditions; or,

(d) such goods are for use by the manufacturer or producer and not for sale

the Minister may determine the value for the tax under this Act and all such transactions shall for the purposes of this Act be regarded as sales."

Paragraph made a subsection.

(5) Paragraph six of subsection one of said section nineteen BBB, respecting drawback, is amended by inserting before said paragraph the subsection number (14).

Licenses, recovery of tax, costs or penalties.

(6) Subsections two and three of said section nineteen BBB as enacted by chapter fifty of the statutes of 1921, are repealed.

7. (1) Section nineteen D of the said Act, as enacted by chapter forty-seven of the statutes of 1922, is repealed, and the following is substituted therefor:—

Penalty for neglecting or refusal to pay tax.

"**19D.** (1) Every person who, being thereto liable, neglects or refuses to pay any tax imposed by this Part, and any person who contravenes any requirement of this Part or any regulation of the Minister under this Part for which no other penalty is provided, shall be liable, on summary conviction, to a penalty of not less than fifty dollars and not exceeding one thousand dollars.

(2) Subsection five of section nineteen B of the said Act, as enacted by chapter forty-six of the statutes of 1918, is repealed, and the following is inserted as subsection two of section nineteen D:—

Records, books and accounts to be open to inspection by officers.

"**19D.** (2) The records, books, accounts and vouchers of all manufacturers, producers, wholesalers and jobbers and of importers and dealers which are required to be kept under the provisions of this Part shall be open at all reasonable hours to the inspection of the officers or other persons authorized by the Minister to inspect the same, and any person who in any way prevents or attempts to prevent any such officer or other person from having access to or inspecting the same, or refuses to produce the same or any of them, shall be liable, on summary conviction, to a penalty not exceeding one thousand dollars."

8. The said Act is amended by adding to Part IV thereof the following sections:—

Failure or refusal to keep books.

"**19E.** If a manufacturer or producer fails or refuses to keep adequate books or accounts, in English or French, for the purposes of this Act, the Minister may, by notice in writing, require the manufacturer or producer to keep such records and accounts as the Minister may prescribe. For every default in complying with the requirements of such notice the manufacturer or producer shall be liable, on summary conviction, to a penalty not exceeding one hundred dollars for each day during which the default continues.

Penalty.

Taxes to apply to goods sold to or imported by Dominion, Provinces, provincial railways or provincial commission, board or public utility.

"**19F.** The taxes imposed by sections 16A, 19B, 19BB and 19BBB of this Act shall apply to goods sold to, or imported by,—

(i) His Majesty in the right of His Majesty's Government of Canada;

(ii) His Majesty in the right of His Majesty's Government of any province of Canada, for the purpose of resale;

(iii) Any railway operated by or under the authority of the Legislature or the Lieutenant-Governor in Council of any province;

(iv) Any commission, board or public utility which is operated by or under the authority of the Legis-

lature or the Lieutenant Governor in Council of any province.

Refund on goods sold to Province if Province exempt from tax.

"**19G.** A refund of the amount of taxes paid under sections 16A, 19B, 19BB and 19BBB of this Act may be granted to a manufacturer, producer, wholesaler, jobber or other dealer on goods sold to His Majesty in the right of His Majesty's Government of any province in Canada, when His Majesty's Government of the province is exempt from taxes in respect of such goods."

9. Subsection three of section twenty of the said Act is repealed, and the following is substituted therefor:—

Prosecutions.

"(3) All penalties imposed by this Act, when no other procedure for the recovery thereof is by this Act provided, may be sued for, prosecuted and recovered with costs by His Majesty's Attorney General of Canada, or, in respect of penalties under Part One, in the name of the Minister of Finance, or, in respect of penalties under Part Two, Part Three and Part Four in the name of the Minister of Customs and Excise."

Government or provincial sales.

10. (1) Section fifteen of chapter forty-seven of the statutes of 1922 is repealed.

Use of postage stamps.

(2) Subsection three of section nineteen of the said Act is repealed.

Schedule I amended.

11. Schedule One to the said Act, as enacted by chapter forty-seven of the statutes of 1922, is amended by striking thereout all the words after "settlers' effects" in line ten down to the end of the said Schedule.

Schedule II amended.

12. Schedule Two to the said Act, as enacted by chapter forty-seven of the statutes of 1922, is amended by striking out the second item respecting beverages and by adding to the said Schedule the following item:—

"Carbonic acid gas, per pound.....one cent.

Provided that carbonic acid gas manufactured or produced in Canada and used in the manufacture of other products shall be deemed to be carbonic acid gas manufactured or produced in Canada and sold."

When secs. 1, 2, 3, come into force.

13. Sections one, two and three of this Act shall come into force on the first day of August, nineteen hundred and twenty-three.

When secs. 6 (2) *b*, 11 and 12 come into force.

14. Paragraph *(b)* of subsection two of section six and sections eleven and twelve of this Act shall be deemed to have come into force on the first day of June, one thousand nine hundred and twenty-three.

When sec. 10 (2) comes into force.

15. Subsection two of section ten of this Act shall come into force on the first day of October, one thousand nine hundred and twenty-three.

When secs. 4, 6 except (2) *b*, 7, 8, 9, and 10 come into force.

16. Section four, section six (except paragraph *(b)* of subsection two of said section six) and sections seven, eight, nine and subsection one of section ten of this Act shall come into force on the first day of January, one thousand nine hundred and twenty-four and shall apply to all goods imported or taken out of warehouse for consumption on and after that day, and shall apply to goods previously imported for which no entry for consumption was made before that date.

231.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 231.

An Act to amend the Quebec Savings Banks Act, 1913.

First reading, June 21, 1923.

The MINISTER OF FINANCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
62172 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 231.

An Act to amend The Quebec Savings Banks Act, 1913.

1913, c. 42.

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

Certain charters continued.

1. The charters of the Montreal City and District Savings Bank and of *La Caisse d'Economie de Notre-Dame de Quebec*, which expire on the first day of July in the year one thousand nine hundred and twenty-three by virtue of the operation of section four of *The Quebec Savings Banks Act*, being chapter forty-two of the statutes of 1913, are hereby continued and shall remain in force until the first day of July, one thousand nine hundred and thirty-three, except in so far as they, or either of them, are or become forfeited or void under the terms thereof or of the said chapter forty-two of the statutes of 1913, or of any other Act heretofore or hereafter passed relating to the said savings banks by non-performance of the conditions of such charters or Acts respectively, or by insolvency, or otherwise.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 231.

An Act to amend the Quebec Savings Banks Act, 1913.

AS PASSED BY THE HOUSE OF COMMONS,
26th JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
62178 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 231.

An Act to amend The Quebec Savings Banks Act, 1913.

1913, c. 42.

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

Certain charters continued.

1. The charters of the Montreal City and District Savings Bank and of *La Caisse d'Economie de Notre-Dame de Quebec*, which expire on the first day of July in the year one thousand nine hundred and twenty-three by virtue of the operation of section four of *The Quebec Savings Banks Act*, being chapter forty-two of the statutes of 1913, are hereby continued and shall remain in force until the first day of July, one thousand nine hundred and thirty-three, except in so far as they, or either of them, are or become forfeited or void under the terms thereof or of the said chapter forty-two of the statutes of 1913, or of any other Act heretofore or hereafter passed relating to the said savings banks by non-performance of the conditions of such charters or Acts respectively, or by insolvency, or otherwise.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 232.

An Act to amend the Senate and House of Commons Act.

First reading, June 21, 1923.

The MINISTER OF FINANCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
62168 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 232.

An Act to amend the Senate and House of Commons Act.

R.S. c. 10; 1912, c. 50; 1915, c. 7; 1917, c. 35; 1918, c. 41; 1920, c. 69; 1922, c. 44.

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

1. Sections thirty-two and thirty-three of the *Senate and House of Commons Act*, Revised Statutes of Canada, 1906, chapter ten, as enacted by chapter sixty-nine of the statutes of 1920, are repealed and the following are substituted therefor:—

Sessional allowance.

"**32.** For every session of Parliament which extends over a period of fifty days or more, there shall be payable to every member of the Senate and House of Commons attending at such session, a sessional allowance of four thousand dollars and no more."

Allowance where attendance less than fifty days.

"**33.** A member shall not be entitled to the said sessional allowance for less than fifty days' attendance; but the allowance for any less number of days shall be twenty-five dollars for each day's attendance."

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

How indemnity shall be payable.

"**34.** The said allowance may be paid on the last day of each month, to the extent of twenty dollars for each day's attendance, but the remainder shall be retained by the clerk or accountant of the proper House, until the close of the session, when the final payment shall be made."

3. Sections thirty-five and thirty-seven of the said Act, as enacted by chapter sixty-nine of the statutes of 1920, are repealed and the following are substituted therefor:—

Deductions for non-attendance.

"**35.** (1) A deduction at the rate of twenty-five dollars per day shall be made from such sessional allowance for every day beyond fifteen on which the member does not attend a sitting of the House of which he is a member, if the House sits on such day: Provided that in the case

of a member elected or appointed after the commencement of a session, no day of the session previous to such election or appointment shall be reckoned as one of such fifteen days.

(2) Each day during the session on which there has been no sitting of such House in consequence of its having adjourned over such day, and each day on which the member is in the place where the session is held but is by reason of his illness unable to attend any such sitting as aforesaid, shall be reckoned as a day of attendance at such session for the purpose of the indemnity; and a member shall, in the case of his being unable to attend any such sitting by reason of his illness, be held to be in the place where the session is held whenever he is within ten miles of such place."

Allowance where person is Member for only part of a session.

"**37.** (1) Whenever any person is a member of either House for fifty days or more during any session, though such person may be a member for a part only of such session, he shall be entitled to his sessional allowance, subject to the deduction aforesaid for non-attendance as a member, and subject also to a deduction of twenty-five dollars for each day of such session before he was elected or appointed, or after he ceased to be a member, as the case may be.

(2) If he is a member for less than fifty days, he shall be entitled only to twenty-five dollars for each day's attendance at such session, whatever may be the length thereof.

(3) A member of either House for a part only of a session, who becomes during the session a member of the other House, shall not be entitled to more than four thousand dollars for the session."

Application of this Act.

4. All the provisions of the said Act as enacted by the present Act shall apply to the present session of Parliament except the provisions of section thirty-four, which shall only apply to the sessions of Parliament held subsequent to the date of the passing of the present Act.

232.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 232.

An Act to amend the Senate and House of Commons Act.

AS PASSED BY THE HOUSE OF COMMONS,
21st JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
62177 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 232.

An Act to amend the Senate and House of Commons Act.

R.S. c. 10; 1912, c. 50; 1915, c. 7; 1917, c. 35; 1918, c. 41; 1920, c. 69; 1922, c. 44.

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

1. Sections thirty-two and thirty-three of the *Senate and House of Commons Act*, Revised Statutes of Canada, 1906, chapter ten, as enacted by chapter sixty-nine of the statutes of 1920, are repealed and the following are substituted therefor:—

Sessional allowance.

"**32.** For every session of Parliament which extends over a period of sixty-five days or more, there shall be payable to every member of the Senate and House of Commons attending at such session, a sessional allowance of four thousand dollars and no more."

Allowance where attendance less than fifty days.

"**33.** A member shall not be entitled to the said sessional allowance for less than fifty days' attendance; but the allowance for any less number of days shall be twenty-five dollars for each day's attendance."

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

How indemnity shall be payable.

"**34.** The said allowance may be paid on the last day of each month, to the extent of twenty dollars for each day's attendance, but the remainder shall be retained by the clerk or accountant of the proper House, until the close of the session, when the final payment shall be made."

3. Sections thirty-five, thirty-seven and thirty-eight of the said Act, as enacted by chapter sixty-nine of the statutes of 1920, are repealed and the following are substituted therefor:—

Deductions for non-attendance.

"**35.** (1) A deduction at the rate of twenty-five dollars per day shall be made from such sessional allowance for every day beyond fifteen on which the member does not attend a sitting of the House of which he is a member, if the House sits on such day: Provided that in the case

of a member elected or appointed after the commencement of a session, no day of the session previous to such election or appointment shall be reckoned as one of such fifteen days.

(2) Each day during the session on which there has been no sitting of such House in consequence of its having adjourned over such day, and each day on which the member is in the place where the session is held but is by reason of his illness unable to attend any such sitting as aforesaid, shall be reckoned as a day of attendance at such session for the purpose of the indemnity; and a member shall, in the case of his being unable to attend any such sitting by reason of his illness, be held to be in the place where the session is held whenever he is within ten miles of such place."

Allowance where person is Member for only part of a session.

"**37.** (1) Whenever any person is a member of either House for fifty days or more during any session, extending over a period of sixty-five days or more, though such person may be a member for a part only of such session, he shall be entitled to his sessional allowance, subject to the deduction aforesaid for non-attendance as a member, and subject also to a deduction of twenty-five dollars for each day of such session before he was elected or appointed, or after he ceased to be a member, as the case may be.

(2) If he is a member for less than fifty days, he shall be entitled only to twenty-five dollars for each day's attendance at such session, whatever may be the length thereof.

(3) A member of either House for a part only of a session, who becomes during the session a member of the other House, shall not be entitled to more than four thousand dollars for the session."

Allowance when session less than 65 days.

"**38.** In every session of Parliament covering a period of less than sixty-five days, there shall be payable to every member of the Senate and House of Commons attending at such session, twenty-five dollars for each day's attendance."

Application of this Act.

4. All the provisions of the said Act as enacted by the present Act shall apply to the present session of Parliament except the provisions of section thirty-four, which shall only apply to the sessions of Parliament held subsequent to the date of the passing of the present Act.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 234.

An Act respecting Construction of Canadian National Railway Lines.

First reading, June 21, 1923.

The MINISTER OF RAILWAYS AND CANALS.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
61851 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 234.

An Act respecting the Construction of Canadian National Railway Lines.

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

Short title.

1. This Act may be cited as the *Canadian National Railways Construction Act, 1923.*

Power to construct and complete lines described in schedule.

2. The Governor in Council may provide for the construction and completion by the Canadian National Railway Company (hereinafter called "the Company") of the lines of railway mentioned or referred to in the schedule to this Act, (hereinafter called "the said lines of railway.").

Lines to part of Canadian Government Railways and constructed by company.

3. Any of the said lines of railway connecting with the Canadian Government Railways may be declared by the Governor in Council to form part of the Canadian Government Railways. Lines of railway so declared (hereinafter called "Government Railway Lines") shall be constructed by the Company on behalf of His Majesty and the Company shall cause the title to the necessary lands or interests in lands to be acquired in the name of His Majesty.

Advances for Government Railway lines.

4. With respect to Government Railway Lines the Governor in Council may authorize advances to be made to the Company from the Consolidated Revenue Fund to cover the necessary expenditure in acquiring such lands or interests in lands and in constructing and completing such lines of railway.

Guarantee of securities of other lines up to $40,000 per mile.

5. With respect to the lines of railway mentioned or referred to in the said schedule other than Government Railway Lines (which other lines are hereinafter referred to as "National Railway Lines") the Governor in Council may authorize the guarantee of the principal and interest of the securities of the Company issued under the provisions (save as herein varied) of section twenty-six of chapter

thirteen of the statutes of Canada, 1919, to an amount approved by the Governor in Council but not exceeding forty thousand dollars per mile of such National Railway Lines.

Certificates of Minister as to mileage of National Railway lines.

6. The certificate of the Minister of Railways and Canals as to the mileage of the National Railway Lines shall for the purposes of this Act be conclusive, but the Minister may issue interim certificates from time to time based upon estimated mileage, a final certificate being ultimately issued by the Minister to accord with the miles and fractions of miles actually constructed, each line of railway being treated as a separate line.

Mileage and costs are estimates only for Parliament.

7. The mileage of the said lines of railway and the cost of construction thereof, as mentioned or referred to in the schedule to this Act, are merely estimated distances and costs for the information of Parliament, and shall not be taken to restrict the Minister in the issuance of such certificates nor the Company in the performance of the work of construction and completion nor in the issue of its securities.

Nature and form of securities to be approved by Governor in Council, and signed by Minister of Finance.

8. The kind of securities to be issued and guaranteed in respect of the National Railway Lines and the form and terms thereof, and the times, manner and amount of the issue from time to time made of such securities and the form and manner of the guarantee or guarantees shall be such as the Governor in Council may from time to time approve. The guarantee or guarantees shall be signed by the Minister of Finance or Acting Minister of Finance on behalf of His Majesty and such signature shall be conclusive evidence for all purposes that the provisions of this Act have been complied with. Should the Governor in Council decide that such securities shall be secured by

Mortgage a deed of trust.

mortgage or deed of trust the form and terms of such mortgage or deed of trust and the trustee or trustees thereof shall be such as the Governor in Council may approve or direct.

Advances pending issue of guaranteed securities.

9. To enable the work of construction and completion of the National Railway Lines to proceed forthwith the Governor in Council, pending the issue and disposal of such guaranteed securities, may authorize advances to be made to the Company from the Consolidated Revenue Fund, such advances to be reimbursed to His Majesty by the Company from the proceeds of the sale or other disposition of such guaranteed securities.

SCHEDULE.

Location	Mileage already graded	Estimated	
		Mileage including existing grading	Cost
			$
1. Lockport Station to Town of Lockeport, N.S.	0	4	150,000
2. Sunny Brae Branch to Guysboro, N.S.	0	67	3,500,000
3. Meductic, N.B., westerly to International Boundary	0	25	1,260,000
4. Grande Fresniere, Que., to Rinfret Junction	0	12	357,000
5. China Clay Branch, Que., to St. Remi d'Amherst	0	2	65,000
6. Long Lac to Nakina, Ont.	0	29	1,944,000
7. St. Rose du Lac Branch to Rorketown, Man.	22	22	378,000
8. Pine Falls Branch, Man., to Winnipeg River	0	19	450,000
9. Peebles southerly Branch to Mile 22, Sask.	20	22	300,000
10. Thunderhill Branch, northwesterly to Prince Albert Branch.	4	69	1,656,000
11. Melfort Branch, northeasterly to near Nipawan, Sask.	6	17	360,000
12. From Prince Albert Branch, northeasterly to near Paddockwood, Sask.	18	23	406,000
13. Bengough Branch, southwesterly past Fife Lake, Sask.	0	48	1,404,500
14. Gravelbourg Branch, westerly to Neidpath, Sask.	11	11	174,000
15. Eston Branch, southeasterly towards White Bear, Sask.	35	35	649,000
16. Turtleford Branch, southeasterly to near Hafford, Sask.	23	102	2,313,000
17. Jackfish Branch westerly to Glenbogie, Sask.	5	5	181,000
18. Vonda Branch northeasterly to near Wakaw, Sask.	23	31	581,000
19. Dunblane Branch to Mawer, Sask.	0	42	2,767,000
20. Willowbrook Branch westerly to Mile six (6) west of Willowbrook, Sask.	4	6	154,000
21. Acadia Valley Branch westerly to Mile 43 Sask. and Alta.	42	42	768,000
22. Alliance Branch to a point between Sibbald and Alsask, Alta.	0	70	1,034,000
23. Hanna Branch to Warden, Alta.	0	57	1,445,000
24. Loverna Branch westerly to connect with Hanna-Warden Branch, Alta.	0	50	1,362,000
25. St. Paul Branch easterly to 21st mile beyond St. Paul, Alta.	0	21	525,000
26. Joint Section with C.P.R. between Rosedale and Bullpound Creek, Alta.	Half cost	39	915,000
27. Okanagan Branches to Kelowna and to Lumby, B.C.	101	105	2,307,000
28. Vancouver Island Branch to complete to Mile 100	55	26	348,300
		track only	
29. Cowichan Bay Cut-off to Cowichan Bay, Vancouver Island.	0	10	554,100

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 234.

An Act respecting Construction of Canadian National Railway Lines.

AS PASSED BY THE HOUSE OF COMMONS, 27th JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
61917 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 234.

An Act respecting the Construction of Canadian National Railway Lines.

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

Short title.

1. This Act may be cited as the *Canadian National Railways Construction Act, 1923.*

Power to construct and complete lines described in schedule.

2. The Governor in Council may provide for the construction and completion prior to the thirty-first day of August, one thousand nine hundred and twenty-six, by the Canadian National Railway Company (hereinafter called "the Company") of the lines of railway mentioned or referred to in the schedule to this Act, (hereinafter called "the said lines of railway.").

Lines to part of Canadian Government Railways and constructed by company.

3. Any of the said lines of railway connecting with the Canadian Government Railways may be declared by the Governor in Council to form part of the Canadian Government Railways. Lines of railway so declared (hereinafter called "Government Railway Lines") shall be constructed by the Company on behalf of His Majesty and the Company shall cause the title to the necessary lands or interests in lands to be acquired in the name of His Majesty.

Advances for Government Railway lines.

4. With respect to Government Railway Lines the Governor in Council may authorize advances to be made to the Company from the Consolidated Revenue Fund to cover the necessary expenditure in acquiring such lands or interests in lands and in constructing and completing such lines of railway.

Guarantee of securities of other lines up to $40,000 per mile.

5. With respect to the lines of railway mentioned or referred to in the said schedule other than Government Railway Lines (which other lines are hereinafter referred to as "National Railway Lines") the Governor in Council may authorize the guarantee of the principal and interest of the securities of the Company issued under the provisions

(save as herein varied) of section twenty-six of chapter thirteen of the statutes of Canada, 1919, to an amount approved by the Governor in Council but not exceeding forty thousand dollars per mile of such National Railway Lines.

Certificates of Minister as to mileage of National Railway lines.

6. The certificate of the Minister of Railways and Canals as to the mileage of the National Railway Lines shall for the purposes of this Act be conclusive, but the Minister may issue interim certificates from time to time based upon estimated mileage, a final certificate being ultimately issued by the Minister to accord with the miles and fractions of miles actually constructed, each line of railway being treated as a separate line.

Mileage and costs are estimates only for Parliament.

7. The mileage of the said lines of railway and the cost of construction thereof, as mentioned or referred to in the schedule to this Act, are merely estimated distances and costs for the information of Parliament, and shall not be taken to restrict the Minister in the issuance of such certificates nor the Company in the performance of the work of construction and completion nor in the issue of its securities.

Nature and form of securities to be approved by Governor in Council, and signed by Minister of Finance.

8. The kind of securities to be issued and guaranteed in respect of the National Railway Lines and the form and terms thereof, and the times, manner and amount of the issue from time to time made of such securities and the form and manner of the guarantee or guarantees shall be such as the Governor in Council may from time to time approve. The guarantee or guarantees shall be signed by the Minister of Finance or Acting Minister of Finance on behalf of His Majesty and such signature shall be conclusive evidence for all purposes that the provisions of this Act have been complied with. Should the Governor in Council decide that such securities shall be secured by mortgage or deed of trust the form and terms of such mortgage or deed of trust and the trustee or trustees thereof shall be such as the Governor in Council may approve or direct.

Mortgage a deed of trust.

Advances pending issue of guaranteed securities.

9. To enable the work of construction and completion of the National Railway Lines to proceed forthwith the Governor in Council, pending the issue and disposal of such guaranteed securities, may authorize advances to be made to the Company from the Consolidated Revenue Fund, such advances to be reimbursed to His Majesty by the Company from the proceeds of the sale or other disposition of such guaranteed securities.

SCHEDULE

Location	Mileage already graded	Estimated	
		Mileage including existing grading	Cost
			$
1. Lockport Station to Town of Lockeport, N.S.	0	4	150,000
2. Sunny Brae Branch to Guysboro, N.S.	0	67	3,500,000
3. Meductic, N.B., westerly to International Boundary	0	25	1,260,000
4. Grande Fresnière, Que., to Rinfret Junction	0	12	357,000
5. China Clay Branch, Que., to St. Rémi d'Amherst	0	2	65,000
6. Long Lac to Nakina, Ont.	0	29	1,944,000
7. St. Rose du Lac Branch to Rorketown, Man.	22	22	378,000
8. Pine Falls Branch, Man., to Winnipeg River	0	19	450,000
9. Peebles southerly Branch to Mile 22, Sask.	20	22	300,000
10. Thunderhill Branch, northwesterly to Prince Albert Branch.	4	69	1,656,000
11. Melfort Branch, northeasterly to near Nipawan, Sask.	6	17	360,000
12. From Prince Albert Branch, northeasterly to near Paddockwood, Sask.	18	23	406,000
13. Bengough Branch, southwesterly past Fife Lake, Sask.	0	48	1,404,500
14. Gravelbourg Branch, westerly to Neidpath, Sask.	11	11	174,000
15. Eston Branch, southeasterly towards White Bear, Sask.	35	35	649,000
16. Turtleford Branch, southeasterly to near Hafford, Sask.	23	102	2,313,000
17. Jackfish Branch westerly to Glenbogie, Sask.	5	5	181,000
18. Vonda Branch northeasterly to near Wakaw, Sask.	23	31	581,000
19. Dunblane Branch to Mawer, Sask.	0	42	2,767,000
20. Willowbrook Branch westerly to Mile six (6) west of Willowbrook Sask.	4	6	154,000
21. Acadia Valley Branch westerly to Mile 43 Sask. and Alta.	42	42	768,000
22. Alliance Branch to a point between Sibbald and Alsask, Alta.	0	70	1,034,000
23. Hanna Branch to Warden, Alta.	0	57	1,445,000
24. Loverna Branch westerly to connect with Hanna-Warden Branch, Alta.	0	50	1,362,000
25. St. Paul Branch easterly to 21st mile beyond St. Paul, Alta.	0	21	525,000
26. Joint Section with C.P.R. between Rosedale and Bullpound Creek, Alta.	Half cost	39	915,000
27. Okanagan Branches to Kelowna and to Lumby, B.C.	101	105	2,307,000
28. Vancouver Island Branch to complete to Mile 100	55	26 track only	348,300
29. Cowichan Bay Cut-off to Cowichan Bay, Vancouver Island	0	10	554,100

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 235.

An Act with respect to Freight Rates for the Carriage of Grain by Lake and River Navigation.

First reading, June 21, 1923.

The MINISTER OF TRADE AND COMMERCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
61789 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 235.

An Act with respect to Freight Rates for the Carriage of Grain by Lake and River Navigation.

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

Short title.

1. This Act may be cited as *The Inland Water Freight Rates Act, 1923.*

Interpretation.

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

"Board."

(a) "Board of Grain Commissioners for Canada" means the Commission constituted by *The Canada Grain Act,* chapter twenty-seven of the statutes of 1912, and "Board" means the Board of Grain Commissioners for Canada as so constituted.

"Department."

(b) "Department" means the Department of Trade and Commerce.

"Grain."

(c) "Grain" means and includes all kinds and varieties of grain, the inspection of which is provided for by *The Canada Grain Act* and its amendments.

"Lake and river navigation."

(d) "Lake and river navigation" includes all the rivers, lakes and other navigable waters within Canada.

"Minister."

(e) "Minister" means the Minister of Trade and Commerce.

"Person."

(f) "Person" means any person, firm or corporation;

"Regulations."

(g) "Regulations" means regulations made by the Board under the authority of this Act;

"Shipping Company."

(h) "Shipping company" means any person, firm or company who carries, or offers, advertises or proposes to carry grain between any ports in Canada or between any ports in Canada and the United States;

"Shipowner."

(i) "Shipowner" means the registered owner of a ship or any share in a ship, and includes the lessee or charterer of any vessel having the control of the navigation thereof;

"Vessel Broker."

(j) "Vessel broker" means a person engaged or acting as agent in chartering any vessel or contracting for cargo space for the carriage of grain by water.

Filing with Board of Grain Commissioners of tariff of rates to be charged, as well as subsequent changes in that regard.

3. Any shipping company or any shipowner or person who carries or who offers, advertises or proposes to carry grain for hire between Fort William, or Port Arthur and any other port or place in Canada or the United States, by lake or river navigation, shall, within thirty days after the passing of this Act, or before entering into any contract for such carriage, file with the Board of Grain Commissioners for Canada a tariff of the rates which such company, owner or person charges or intends or proposes to charge for the carriage of grain as aforesaid, and thereafter from time to time if and when any such company, owner or person, changes, varies or proposes to change or vary the tariff or any item or charge thereof so filed, he shall, previously to the making of any such change or variation in the actual charges in respect of any shipment, file with the Board a copy of the tariff so changed, varied, or amended; and any such company, owner or person who fails or neglects so to file any such tariff within thirty days after the passing of this Act, or before entering into any such contract, or to file with the Board notice in writing of any variation or change in any tariff so filed or subsequently filed by him, or who charges, contracts or stipulates or receives for the carriage of grain between Fort William or Port Arthur and any other port or place in Canada or the United States by lake or river navigation, any toll, charge or rate in excess of that shown by a tariff which has been so filed by him with the Board, or in excess of the tariff last notified by him to the Board as aforesaid, shall be guilty of an offence and liable therefor to a penalty not exceeding two thousand dollars and not less than five hundred dollars, or to imprisonment for a term not exceeding six months, enforceable and recoverable upon indictment, or upon summary conviction before any stipendiary or police magistrate having the jurisdiction of two justices of the Peace, and moreover shall be disentitled to recover or to assert any remedy for the recovery of any freight for which he shall have stipulated at a rate in excess of that which shall have been notified to the Board in the manner aforesaid.

Penalty for infraction.

Receiving and tabulating of such charges.

4. It shall be the duty of the Board to receive and tabulate all such tariffs and rates as may be filed with the Board as aforesaid, and moreover, to ascertain by all available means, the rates of freight which prevail or are exacted or required for the carriage of grain from Fort William or Port Arthur to any of the ports or places afore-

said, and to consider and report to the Minister of Trade and Commerce from time to time any facts which may come to the knowledge of the Board and which tend to show that there is a deficiency of cargo space, excessive freight charges, or discrimination in rates with respect to the carriage of grain as aforesaid, and all shipowners and other persons engaged in the grain carrying trade in Canada shall, upon reasonable request, immediately furnish to the Board such information as they may possess relating to any of the matters aforesaid, and shall for any wilful refusal or neglect to furnish the same be guilty of an offence against this Act and be liable to a penalty recoverable upon summary conviction not exceeding one thousand dollars and not less than two hundred dollars for each such offence.

Penalty for contravention.

When Board may prescribe a maximum rate.

5. When in the opinion of the Board the toll, charge or rate which any company, owner or person charges or intends or proposes to charge for the carriage of grain as aforesaid is unreasonable or excessive, or amounts to an unjust discrimination against any person, company or class of persons as compared with the tolls or rates for similar traffic between Canadian and United States ports, or between one port and another in either of said countries, the Board may prescribe such maximum rates as it may consider reasonable; such maximum rates so prescribed may vary or be limited in their application according to the time or season of shipping, and the Board shall indicate in its order fixing such maximum rates whether the same are to prevail until further order or the period or periods during which they are respectively to prevail; the Board may also provide for the variation of such rates conditionally, having regard to conditions to be specified in its order, and the Board shall in like manner from time to time as it may consider necessary or advisable reconsider and vary or modify any order made by the Board in the premises. Any company, owner or person who charges, contracts or stipulates or receives any toll, charge or rate in excess of the maximum rates so fixed by the Board shall be guilty of an offence and liable therefor to a penalty not exceeding two thousand dollars and not less than five hundred dollars, or to imprisonment for a term not exceeding six months, enforceable and recoverable upon indictment or upon summary conviction before any stipendiary or police magistrate having the jurisdiction of two justices of the peace, and moreover shall be disentitled to recover or to assert any remedy for the recovery of any freight for which he shall have stipulated or charged at a rate in excess of the maximum rates so fixed as aforesaid.

Variations in maximum rates.

Receiving toll in excess of maximum rate; penalty therefor.

Vessel broker, etc., to post up before 10 a.m. statement as to details of cargo, etc.

6. Every one who is a vessel broker or person engaged or acting as agent or otherwise in the chartering of any vessel or in contracting for the hire or letting of cargo space for the carriage of grain from Fort William or Port Arthur to any port or place in Canada or in the United States by lake or river navigation shall post up, or cause to be posted up, at or before the hour of ten o'clock in the forenoon of each day during which the Winnipeg Grain Exchange and the office of The Board of Grain Commissioners, Fort William, are open for business, and shall keep posted during the day for general inspection in a conspicuous place in the said Exchange and in the office of the Board of Grain Commissioners at Fort William, a statement in print or writing showing in detail the cargo space, time for shipment and destination for carriage of all grain for the carriage of which from Fort William or Port Arthur to any other port or place in Canada or in the United States of America by lake or river navigation he has contracted or entered into any charter on the day last preceding, or, if the day last preceding be Sunday or a holiday, during the two days last preceding.

Prohibition to solicit risk, issue policy of insurance, collect any premium, or inspect any risk.

7. It shall be unlawful for any person who is a vessel broker or person engaged or acting as agent or otherwise in the chartering of any vessel or in contracting for the hire or letting of cargo space for the carriage of grain from Fort William or Port Arthur to any port or place in Canada or in the United States by lake or river navigation to solicit any risk, or to issue or deliver any receipt or policy of insurance, or to collect or receive any premium in whole or in part, or to inspect any risk, or to adjust any loss, upon, for or in connection with any consignment of grain so to be carried.

Contravention of sections 6 and 7.

Penalty.

If a corporation.

8. Every one who contravenes any provision of sections six and seven of this Act or who fails or neglects to comply with any of the provisions thereof to which he is subject, shall be guilty of an offence and liable therefor to a penalty not exceeding one thousand dollars and not less than one hundred dollars, or to imprisonment for a term not exceeding three months; or, if a corporation, shall be liable to a penalty not exceeding three thousand dollars, and not less than five hundred dollars; and any such offence may be prosecuted and the penalty therefor enforced or recovered either upon indictment or upon summary conviction before any police, stipendiary or other magistrate having the jurisdiction of two justices of the peace.

Intention of this Act.

9. This Act is intended to regulate the shipping rates of grain transported for interprovincial, foreign or

export trade, and accordingly shall not apply to grain carried locally to be ground or consumed in the province in which the shipment originates, but the burden of proof that any shipment of grain is within this exception shall rest upon the carrier.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 235.

An Act with respect to Freight Rates for the Carriage of Grain by Lake and River Navigation.

AS PASSED BY THE HOUSE OF COMMONS, 22nd JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
61858 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 235.

An Act with respect to Freight Rates for the Carriage Grain by Lake and River Navigation.

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

Short title.

1. This Act may be cited as *The Inland Water Freight Rates Act, 1923.*

Interpretation.

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

"Board."

(a) "Board of Grain Commissioners for Canada" means the Commission constituted by *The Canada Grain Act*, chapter twenty-seven of the statutes of 1912, and "Board" means the Board of Grain Commissioners for Canada as so constituted.

"Department."

(b) "Department" means the Department of Trade and Commerce.

"Grain."

(c) "Grain" means and includes all kinds and varieties of grain, the inspection of which is provided for by *The Canada Grain Act* and its amendments.

"Lake and river navigation."

(d) "Lake and river navigation" includes all the rivers, lakes and other navigable waters within Canada.

"Minister."

(e) "Minister" means the Minister of Trade and Commerce.

"Person."

(f) "Person" means any person, firm or corporation;

"Regulations."

(g) "Regulations" means regulations made by the Board under the authority of this Act;

"Shipping Company."

(h) "Shipping company" means any person, firm or company who carries, or offers, advertises or proposes to carry grain between any ports in Canada or between any ports in Canada and the United States;

"Shipowner."

(i) "Shipowner" means the registered owner of a ship or any share in a ship, and includes the lessee or charterer of any vessel having the control of the navigation thereof;

"Vessel Broker."

(j) "Vessel broker" means a person engaged or acting as agent in chartering any vessel or contracting for cargo space for the carriage of grain by water.

Filing with Board of Grain Commissioners of tariff of rates to be charged, as well as subsequent changes in that regard.

3. Any shipping company or any shipowner or person who carries or who offers, advertises or proposes to carry grain for hire between Fort William, or Port Arthur and any other port or place in Canada or the United States, by lake or river navigation, shall, within thirty days after the passing of this Act, or before entering into any contract for such carriage, file with the Board of Grain Commissioners for Canada a tariff of the rates which such company, owner or person charges or intends or proposes to charge for the carriage of grain as aforesaid, and thereafter from time to time if and when any such company, owner or person, changes, varies or proposes to change or vary the tariff or any item or charge thereof so filed, he shall, previously to the making of any such change or variation in the actual charges in respect of any shipment, file with the Board a copy of the tariff so changed, varied, or amended; and any such company, owner or person who fails or neglects so to file any such tariff within thirty days after the passing of this Act, or before entering into any such contract, or to file with the Board notice in writing of any variation or change in any tariff so filed or subsequently filed by him, or who charges, contracts or stipulates or receives for the carriage of grain between Fort William or Port Arthur and any other port or place in Canada or the United States by lake or river navigation, any toll, charge or rate in excess of that shown by a tariff which has been so filed by him with the Board, or in excess of the tariff last notified by him to the Board as aforesaid, shall be guilty of an offence and liable therefor to a penalty not exceeding two thousand dollars and not less than five hundred dollars, or to imprisonment for a term not exceeding six months, enforceable and recoverable upon indictment, or upon summary conviction before any stipendiary or police magistrate having the jurisdiction of two justices of the Peace, and moreover shall be disentitled to recover or to assert any remedy for the recovery of any freight for which he shall have stipulated at a rate in excess of that which shall have been notified to the Board in the manner aforesaid.

Penalty for infraction.

Receiving and tabulating of such charges.

4. It shall be the duty of the Board to receive and tabulate all such tariffs and rates as may be filed with the Board as aforesaid, and moreover, to ascertain by all available means, the rates of freight which prevail or are exacted or required for the carriage of grain from Fort William or Port Arthur to any of the ports or places afore-

said, and to consider and report to the Minister of Trade and Commerce from time to time any facts which may come to the knowledge of the Board and which tend to show that there is a deficiency of cargo space, excessive freight charges, or discrimination in rates with respect to the carriage of grain as aforesaid, and all shipowners and other persons engaged in the grain carrying trade in Canada shall, upon reasonable request, immediately furnish to the Board such information as they may possess relating to any of the matters aforesaid, and shall for any wilful refusal or neglect to furnish the same be guilty of an offence against this Act and be liable to a penalty recoverable upon summary conviction not exceeding one thousand dollars and not less than two hundred dollars for each such offence.

Penalty for contravention.

When Board may prescribe a maximum rate.

5. When in the opinion of the Board the toll, charge or rate which any company, owner or person charges or intends or proposes to charge for the carriage of grain as aforesaid is unreasonable or excessive, or amounts to an unjust discrimination against any person, company or class of persons as compared with the tolls or rates for similar traffic between Canadian and United States ports, or between one port and another in either of said countries, the Board may prescribe such maximum rates as it may consider reasonable; such maximum rates so prescribed may vary or be limited in their application according to the time or season of shipping, and the Board shall indicate in its order fixing such maximum rates whether the same are to prevail until further order or the period or periods during which they are respectively to prevail; the Board may also provide for the variation of such rates conditionally, having regard to conditions to be specified in its order, and the Board shall in like manner from time to time as it may consider necessary or advisable reconsider and vary or modify any order made by the Board in the premises. Any company, owner or person who charges, contracts or stipulates or receives any toll, charge or rate in excess of the maximum rates so fixed by the Board shall be guilty of an offence and liable therefor to a penalty not exceeding two thousand dollars and not less than five hundred dollars, or to imprisonment for a term not exceeding six months, enforceable and recoverable upon indictment or upon summary conviction before any stipendiary or police magistrate having the jurisdiction of two justices of the peace, and moreover shall be disentitled to recover or to assert any remedy for the recovery of any freight for which he shall have stipulated or charged at a rate in excess of the maximum rates so fixed as aforesaid.

Variations in maximum rates.

Receiving toll in excess of maximum rate; penalty therefor.

Vessel broker, etc., to post up before 10 a.m. statement as to details of cargo, etc.

6. Every one who is a vessel broker or person engaged or acting as agent or otherwise in the chartering of any vessel or in contracting for the hire or letting of cargo space for the carriage of grain from Fort William or Port Arthur to any port or place in Canada or in the United States by lake or river navigation shall post up, or cause to be posted up, at or before the hour of ten o'clock in the forenoon of each day during which the Winnipeg Grain Exchange and the office of The Board of Grain Commissioners, Fort William, are open for business, and shall keep posted during the day for general inspection in a conspicuous place in the said Exchange and in the office of the Board of Grain Commissioners at Fort William, a statement in print or writing showing in detail the cargo space, time for shipment and destination for carriage of all grain for the carriage of which from Fort William or Port Arthur to any other port or place in Canada or in the United States of America by lake or river navigation he has contracted or entered into any charter on the day last preceding, or, if the day last preceding be Sunday or a holiday, during the two days last preceding.

Prohibition to solicit risk, issue policy of insurance, collect any premium, or inspect any risk.

7. It shall be unlawful for any person who is a vessel broker or person engaged or acting as agent or otherwise in the chartering of any vessel or in contracting for the hire or letting of cargo space for the carriage of grain from Fort William or Port Arthur to any port or place in Canada or in the United States by lake or river navigation to solicit any risk, or to issue or deliver any receipt or policy of insurance, or to collect or receive any premium in whole or in part, or to inspect any risk, or to adjust any loss, upon, for or in connection with any consignment of grain so to be carried.

Contravention of sections 6 and 7.

Penalty.

If a corporation.

8. Every one who contravenes any provision of sections six and seven of this Act or who fails or neglects to comply with any of the provisions thereof to which he is subject, shall be guilty of an offence and liable therefor to a penalty not exceeding one thousand dollars and not less than one hundred dollars, or to imprisonment for a term not exceeding three months; or, if a corporation, shall be liable to a penalty not exceeding three thousand dollars, and not less than five hundred dollars; and any such offence may be prosecuted and the penalty therefor enforced or recovered either upon indictment or upon summary conviction before any police, stipendiary or other magistrate having the jurisdiction of two justices of the peace.

Intention of this Act.

9. This Act is intended to regulate the shipping rates of grain transported for interprovincial, foreign or

export trade, and accordingly shall not apply to grain carried locally to be ground or consumed in the province in which the shipment originates, but the burden of proof that any shipment of grain is within this exception shall rest upon the carrier.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 236.

An Act to amend the Canada Shipping Act.

First reading, June 21, 1923.

The MINISTER OF MARINE AND FISHERIES.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
61790 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 236.

An Act to amend the Canada Shipping Act.

R.S. c. 113; 1908, c. 64.

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

1. Section nine hundred and fifty-eight of the *Canada Shipping Act*, as enacted by chapter sixty-four of the statutes of 1908, is repealed, and the following is substituted therefor:—

Power to suspend coasting laws.

"**958.** The Governor in Council may, from time to time, by Order in Council declare that the foregoing provisions of this Part shall not, for the period specified in such Order in Council, apply, either throughout Canada or in any specified waters of Canada, to the ships or vessels, or to any specified, ascertained or ascertainable class or number of the ships or vessels, of any foreign country."

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 236.

An Act to amend the Canada Shipping Act.

AS PASSED BY THE HOUSE OF COMMONS,
22nd JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
56307 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 236.

An Act to amend the Canada Shipping Act.

R.S. c. 113; 1908, c. 64.

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

1. Section nine hundred and fifty-eight of the *Canada Shipping Act*, as enacted by chapter sixty-four of the statutes of 1908, is repealed, and the following is substituted therefor:—

Power to suspend coasting laws.

"**958.** The Governor in Council may, from time to time, by Order in Council declare that the foregoing provisions of this Part shall not, for the period specified in such Order in Council, apply, either throughout Canada or in any specified waters of Canada, to the ships or vessels, or to any specified, ascertained or ascertainable class or number of the ships or vessels, of any foreign country."

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 237.

An Act to amend the Petroleum and Naphtha Inspection Act.

First reading, June 22, 1923.

The MINISTER OF CUSTOMS AND EXCISE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
61547 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 237.

An Act to amend the Petroleum and Naphtha Inspection Act.

R.S., c. 86; 1913, c. 27; 1920, c. 17.

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

Regulations for sale and use of naphtha for illuminating purposes.

1. Section three of the *Petroleum and Naphtha Inspection Act*, chapter eighty-six of the Revised Statutes of Canada, 1906, is amended by inserting after the word "naphtha", in the fifth line thereof, the following words: "and as to the sale thereof and use for illuminating purposes."

Sale of naphtha.

2. Section fourteen of the said Act is amended by inserting before the word "naphtha," in the first line thereof, the following words: "Subject to regulations made by the Governor in Council under authority of section three of this Act."

Explanatory Note—

The proposed changes are indicated by the words in italics which are to be inserted in the original sections.

3. The Governor in Council may, from time to time, make such regulations respecting the storage and possession of petroleum and naphtha as he deems necessary for the public safety, and may make special regulations as to the importation or possession of naphtha *and as to the sale thereof and use for illuminating purposes;* and no person shall have in his possession any such article without having first obtained a permit to that effect from the Minister of Inland Revenue, under such restrictions and regulations as are made, from time to time, by the Governor in Council, for the storage and possession of such articles; and such permit shall be produced to the proper officer of the Customs before the importation of any such articles is permitted.

14. *Subject to regulations made by the Governor in Council under authority of section three of this Act,* naphtha shall not be sold or offered for sale in Canada for illuminating purposes except,—

(*a*) for use in street lamps in which only the vapour is burned; or

(*b*) for use in dwellings, factories and other places of business when vapourized in secure underground tanks outside the buildings in which the vapour so generated is used for lighting;

or for any other purpose except,—

(*a*) for use for mechanical or chemical purposes in buildings not inhabited as residences for family purposes; or

(*b*) for use in stoves constructed in such manner as to consume only the gas produced from the naphtha.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 237.

An Act to amend the Petroleum and Naphtha Inspection Act.

AS PASSED BY THE HOUSE OF COMMONS, 22nd JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
61553 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 237.

An Act to amend the Petroleum and Naphtha Inspection Act.

R.S., c. 86; 1913, c. 27; 1920, c. 17.

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

Regulations for sale and use of naphtha for illuminating purposes.

1. Section three of the *Petroleum and Naphtha Inspection Act*, chapter eighty-six of the Revised Statutes of Canada, 1906, is amended by inserting after the word "naphtha", in the fifth line thereof, the following words: "and as to the sale thereof and use for illuminating purposes."

Sale of naphtha.

2. Section fourteen of the said Act is amended by inserting before the word "naphtha," in the first line thereof, the following words: "Subject to regulations made by the Governor in Council under authority of section three of this Act."

Explanatory Note—

The proposed changes are indicated by the words in italics which are to be inserted in the original sections.

3. The Governor in Council may, from time to time, make such regulations respecting the storage and possession of petroleum and naphtha as he deems necessary for the public safety, and may make special regulations as to the importation or possession of naphtha *and as to the sale thereof and use for illuminating purposes;* and no person shall have in his possession any such article without having first obtained a permit to that effect from the Minister of Inland Revenue, under such restrictions and regulations as are made, from time to time, by the Governor in Council, for the storage and possession of such articles; and such permit shall be produced to the proper officer of the Customs before the importation of any such articles is permitted.

14. *Subject to regulations made by the Governor in Council under authority of section three of this Act,* naphtha shall not be sold or offered for sale in Canada for illuminating purposes except,—

(*a*) for use in street lamps in which only the vapour is burned; or

(*b*) for use in dwellings, factories and other places of business when vapourized in secure underground tanks outside the buildings in which the vapour so generated is used for lighting;

or for any other purpose except,—

(*a*) for use for mechanical or chemical purposes in buildings not inhabited as residences for family purposes; or

(*b*) for use in stoves constructed in such manner as to consume only the gas produced from the naphtha.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 238.

An Act to amend The Feeding Stuffs Act.

First reading, June 22, 1923.

The MINISTER OF AGRICULTURE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
61791 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 238.

An Act to amend The Feeding Stuffs Act.

1909, c. 15; 1919 (2 Sess.) c. 4; 1920, c. 47.

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

Definition.

1. Paragraph *(d)* of subsection one of section two of *"The Feeding Stuffs Act"*, chapter forty-seven of the statutes of 1920, is repealed, and the following is substituted therefor:—

Bran, pure shorts, etc.

"(d) bran, pure shorts, middlings and feed flour, the products of wheat, when sold separately and unmixed with other materials;"

By-products resulting from cleaning, etc. of wheat forbidden.

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

"**6.** No person shall import into, manufacture, sell offer, expose or have in possession for sale in Canada any flour mill by-product resulting from the cleaning and milling of wheat for the production of flour by the usual commercial processes, unless,—

Except when properly tagged, etc.

"(a) every container containing such by-product, or a tag or label durably attached in a conspicuous place on the outside thereof, is branded or marked, in such form and manner as may be prescribed by regulation, with one only of the following names, namely, bran, pure shorts, shorts and mill screenings, middlings, feed flour, mill screenings, together with the name of the manufacturer or the name and address of the importer, and the place where the by-product was manufactured;

When free from certain admixture.

"(b) any bran, pure shorts, middlings, or feed flour is free from any admixture of any foreign materials, including the screenings or scourings that may have been removed in preparing the wheat for the processes employed in flour extraction;

Percentage by weight in each case.

"*(c)* any bran, pure shorts, shorts and mill screenings, middlings, or feed flour meets the requirements as to protein and fat contents, fineness and quality established for such product by regulation under this Act, and contains no crude fibre in excess of the percentage by weight stated opposite the name of such product hereunder, namely,

Bran	11·50	per cent
Pure shorts	8·00	"
Shorts and mill screenings	8·00	"
Middlings	4·50	"
Feed flour	2·00	"

Registration and contents.

"*(d)* any shorts and mill screenings is first registered as a commercial feeding stuff and contains not more than the mill run of screenings and scourings removed from the wheat from which the shorts was obtained;

No two by-products at same mill.

and no person shall manufacture pure shorts and shorts and mill screenings at the same mill".

Importation of adulterated, etc. feeding stuff may be prohibited by Minister.

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

"**9.** Any person who sells or offers, exposes or holds in possession for sale in Canada, or who imports into Canada any feeding stuff found to be adulterated or incorrectly or misleadingly tagged, labelled or named, shall be guilty of a violation of this Act, and the Minister shall have power to cancel any registration and prohibit the further sale or importation of any such feeding stuff."

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 238.

An Act to amend The Feeding Stuffs Act.

AS PASSED BY THE HOUSE OF COMMONS, 28th JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
61857 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 238.

An Act to amend The Feeding Stuffs Act.

1909, c. 15; 1919 (2 Sess.) c. 4; 1920, c. 47.

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

Definition.

1. Paragraph *(d)* of subsection one of section two of *"The Feeding Stuffs Act"*, chapter forty-seven of the statutes of 1920, is repealed, and the following is substituted therefor:—

Bran, shorts, etc.

"*(d)* bran, shorts, middlings, feed flour, and screenings, the products of wheat."

By-products resulting from cleaning, etc. of wheat forbidden.

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

"**6.** No person shall import into, manufacture, sell offer, expose or have in possession for sale in Canada any flour mill by-product resulting from the cleaning and milling of wheat for the production of flour by the usual commercial processes, unless,—

Except when properly tagged, etc.

"*(a)* every container containing such by-product, or a tag or label durably attached in a conspicuous place on the outside thereof, is branded or marked, in such form and manner as may be prescribed by regulation, with one only of the following names, namely, bran, shorts, middlings, feed flour, mill screenings, together with the name of the manufacturer or the name and address of the importer, and the place where the by-product was manufactured;

When free from certain admixture.

"*(b)* any bran, shorts, middlings, or feed flour is free from any admixture of any foreign materials, including the screenings or scourings that may have been removed in preparing the wheat for the processes employed in flour extraction;

Percentage by weight in each case.

"*(c)* any bran, shorts, mill screenings, middlings, or feed flour meets the requirements as to protein and fat contents, fineness and quality established for such product by regulation under this Act, and contains no crude fibre in excess of the percentage by weight stated opposite the name of such product hereunder, namely,

Bran	11·50	per cent
Shorts	8·00	"
Mill screenings	8·00	"
Middlings	4·50	"
Feed flour	2·00	"

Importation of adulterated, etc. feeding stuff may be prohibited by Minister.

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

"**9.** Any person who sells or offers, exposes or holds in possession for sale in Canada, or who imports into Canada any feeding stuff found to be adulterated or incorrectly or misleadingly tagged, labelled or named, shall be guilty of a violation of this Act, and the Minister shall have power to cancel any registration and prohibit the further sale or importation of any such feeding stuff."

Date of coming into force.

4. This Act shall come into force on the first day of October, 1923.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 241.

An Act to amend the Dairy Industry Act, 1914.

First reading, June 25, 1923.

The MINISTER OF AGRICULTURE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
61788 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 241.

An Act to amend the Dairy Industry Act, 1914.

1914, c. 7.

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

Definitions.

1. Section three of the *Dairy Industry Act, 1914*, chapter seven of the statutes of 1914, is amended by adding the following paragraphs thereto:—

"Inspector".

"*(m)* 'inspector' means any person duly authorized by the Minister for the purpose of enforcing the provisions of this Act and the regulations made thereunder;

"Provincial analyst".

"*(n)* 'provincial analyst' means any analyst appointed by the Government of any province and having authority to make analyses for any public purpose."

Minimum standard of fat in butter.

2. (1) Paragraph *(b)* of section five of the said Act is amended by adding the following words at the end thereof: "or less than eighty per centum of milk fat".

(2) The said section five is further amended by adding the following paragraph thereto:—

Milk or cream to contain no fat or oil other than of milk.

"*(d)* no person shall manufacture, import into Canada, or sell, offer, expose or have in possession for sale, any milk or cream which contains any fat or oil other than that of milk."

Minimum standard of fat in butter imported or sold.

3. (1) Paragraph *(a)* of subsection one of section six of the said Act is amended by adding the following words at the end thereof,—"or less than eighty per centum of milk fat".

Fat in manufactured butter.

(2) Subsection two of the said section six is amended by adding the following words at the end thereof,—"or less than eighty per centum of milk fat".

Weight of butter in prints, blocks, etc.

(3) Paragraph *(a)* of subsection three of the said section six is amended by striking out the words "at the time they are moulded or cut" in the fourth and fifth lines thereof.

Penalties increased for violation of regulations.

4. (1) Paragraph *(g)* of section sixteen of the said Act is amended by striking out the word "thirty" in the second line thereof and substituting the word "fifty" therefor.

Regulations.

(2) Section sixteen of the said Act is further amended by adding the following paragraphs immediately after paragraph *(g)* thereof:—

"*(h)* the keeping of records by manufacturers of and dealers in butter, and cheese, and the examination of such records by inspectors;

"*(i)* the registration of all cheese factories and creameries in Canada and the compulsory use of an assigned number on the product of each factory or on the packages containing said product."

5. Subsections one and two of section twenty of the said Act are repealed and the following subsections are substituted therefor:—

Establishment of guilt for violation of Act.

"**20.** (1) For the purpose of establishing the guilt of any person charged with the violation of any of the provisions of this Act,—

(a) butter shall be deemed to be manufactured when it is packed or placed in any package as defined in this Act;

(b) butter, which contains over sixteen per centum of water or less than eighty per centum milk fat, and which has been rechurned, reworked or otherwise treated as described in paragraph *(b)* of section five shall be deemed to have been so treated to cause such butter to contain over sixteen per centum of water or less than eighty per centum of milk fat;

(c) the having in possession by any manufacturer of or dealer in dairy products of any article the manufacture or sale of which is prohibited by this Act shall be deemed to be *prima facie* evidence of intent to sell or use the same in violation of the law.

Procedure to be followed; samples, analysis and certificates.

"(2) For the purpose of establishing proof as to the composition of any suspected product or material an inspector may submit a sample or samples of the same to a Dominion or provincial analyst, who shall issue a certificate stating the result of his examination of such sample or samples, and the certificate so given shall be received as evidence in any proceedings taken against any person in pursuance of this Act or regulations made thereunder, subject to the right of such person to require the attendance of the analyst for the purpose of cross examination."

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 241.

An Act to amend the Dairy Industry Act, 1914.

AS PASSED BY THE HOUSE OF COMMONS,
27th JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
59733 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 241.

An Act to amend the Dairy Industry Act, 1914.

1914, c. 7.

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

Renovated butter.

1. Paragraph *(k)* of section three of *The Dairy Industry Act, 1914*, chapter seven of the statutes of 1914, is amended by striking out the word "or" the second to the last word thereof and substituting the word "and" therefor.

Definitions.

2. Section three of the said Act is amended by adding the following paragraphs thereto:—

"Inspector".

"*(m)* 'inspector' means any person duly authorized by the Minister for the purpose of enforcing the provisions of this Act and the regulations made thereunder;

"Provincial analyst".

"*(n)* 'provincial analyst' means any analyst appointed by the Government of any province and having authority to make analyses for any public purpose."

Minimum standard of fat in butter.

3. (1) Paragraph *(b)* of section five of the said Act is amended by adding the following words at the end thereof: "or less than eighty per centum of milk fat".

(2) The said section five is further amended by adding the following paragraph thereto:—

Milk or cream to contain no fat or oil other than of milk.

"*(d)* no person shall manufacture, import into Canada, or sell, offer, expose or have in possession for sale, any milk or cream or substitute therefor which contains any fat or oil other than that of milk."

Minimum standard of fat in butter imported or sold.

4. (1) Paragraph *(a)* of subsection one of section six of the said Act is amended by adding the following words at the end thereof,—"or less than eighty per centum of milk fat".

Fat in manufactured butter.

(2) Subsection two of the said section six is amended by adding the following words at the end thereof,—"or less than eighty per centum of milk fat".

Weight of butter in prints, blocks, etc.

(3) Paragraph *(a)* of subsection three of the said section six is amended by striking out the words "at the time they are moulded or cut" in the fourth and fifth lines thereof.

Penalties increased for violation of regulations.

5. (1) Paragraph *(g)* of section sixteen of the said Act is amended by striking out the word "thirty" in the second line thereof and substituting the word "fifty" therefor.

Regulations.

(2) Section sixteen of the said Act is further amended by adding the following paragraphs immediately after paragraph *(g)* thereof:—

"*(h)* the keeping of records by manufacturers of and dealers in butter, and cheese, and the examination of such records by inspectors;

"*(i)* the registration of all cheese factories and creameries in Canada and the compulsory use of an assigned number on the product of each factory or on the packages containing said product."

6. Subsections one and two of section twenty of the said Act are repealed and the following subsections are substituted therefor:—

Establishment of guilt for violation of Act.

"**20.** (1) For the purpose of establishing the guilt of any person charged with the violation of any of the provisions of this Act,—

(a) butter shall be deemed to be manufactured when it is packed or placed in any package as defined in this Act;

(b) butter, which contains over sixteen per centum of water or less than eighty per centum milk fat, and which has been rechurned, reworked or otherwise treated as described in paragraph *(b)* of section five shall be deemed to have been so treated to cause such butter to contain over sixteen per centum of water or less than eighty per centum of milk fat;

(c) the having in possession by any manufacturer of or dealer in dairy products of any article the manufacture or sale of which is prohibited by this Act shall be deemed to be *prima facie* evidence of intent to sell or use the same in violation of the law.

Procedure to be followed; samples, analysis and certificates.

"(2) For the purpose of establishing proof as to the composition of any suspected product or material an inspector may submit a sample or samples of the same to a Dominion or provincial analyst, who shall issue a certificate stating the result of his examination of such sample or samples, and the certificate so given shall be received as evidence in any proceedings taken against any person in pursuance of this Act or regulations made thereunder, subject to the right of such person to require the attendance of the analyst for the purpose of cross examination."

Date when section 3 comes into force.

7. Section three of this Act shall not come into effect until the first day of October, 1923.

Second Session, Fourteenth Parliament, 13-14 George V., 1923

THE HOUSE OF COMMONS OF CANADA

BILL 242.

An Act to amend the Export Act.

First reading, June 25, 1923.

The MINISTER OF FINANCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
61983 1923

2nd Session, 14th Parliament, 13-14 George V., 1923

THE HOUSE OF COMMONS OF CANADA

BILL 242.

An Act to amend the Export Act.

R.S., c. 50; 1914, c. 30.

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

Governor in Council may by regulation prohibit export of pulpwood.

1. Section seven of the *Export Act*, chapter fifty of the Revised Statutes of Canada, 1906, as enacted by chapter thirty of the statutes of 1914, first session, is amended by adding to the first subsection thereof the following:—

"and pulpwood of the variety, kind, place of origin or having the particulars of identification or ownership or production described in the regulation."

Second Session, Fourteenth Parliament, 13-14 George V., 1923

THE HOUSE OF COMMONS OF CANADA

BILL 242.

An Act to amend the Export Act.

AS PASSED BY THE HOUSE OF COMMONS,
26th JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
62002 1923

2nd Session, 14th Parliament, 13-14 George V., 1923

THE HOUSE OF COMMONS OF CANADA

BILL 242.

An Act to amend the Export Act.

R.S., c. 50; 1914, c. 30.

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

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1. Section seven of the *Export Act*, chapter fifty of the Revised Statutes of Canada, 1906, as enacted by chapter thirty of the statutes of 1914, first session, is amended by adding to the first subsection thereof the following:—

"and pulpwood of the variety, kind, place of origin or having the particulars of identification or ownership or production described in the regulation."

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 243.

An Act to constitute a Board of Audit.

First reading, June 25, 1923.

The MINISTER OF FINANCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
62227 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 243.

An Act to constitute a Board of Audit.

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

Short title.

1. This Act may be cited as *The Board of Audit Act, 1923.*

Board of Audit.

2. The Governor in Council may appoint a Board of Audit to hold office as such until the first day of July, 1925.

Composition.

3. The Board shall be composed of four persons.

Auditor General, Chairman.

4. The Auditor General of Canada shall be a member of the Board and Chairman of the Board.

Deputy Minister of Finance, Vice-Chairman.

5. The Deputy Minister of Finance shall be a member of the Board and Vice-Chairman of the Board.

Two other members, public accountants.

6. There shall be two other members of the Board who shall be public accountants, members in good standing of an institute or organization of accountants incorporated under the authority of the Legislature of a Province of Canada.

Remuneration of Public Accountant members.

7. Each of such two members shall devote to the public service such portion of his time as may be found reasonably necessary for the purpose of discharging the duties of his office, and shall be paid such sum for his services as the Treasury Board shall allow, but not exceeding the sum of three thousand dollars in any year.

Board to investigate Audit system.

8. The Board shall inquire into, and report upon, the present system of audit as respects the public accounts of the various Departments of the Dominion of Canada, and shall make such recommendations as may be deemed

necessary or useful for the more effective control of the public revenue and expenditure.

Board to investigate accounting of C.N.R. Co.

9. The Board shall inquire into the systems of accounting employed by the Canadian National Railway Company and the subsidiaries thereof, and shall make such recommendations with respect thereto as may be deemed necessary in the public interest.

Board may investigate finances of Commission or public body.

10. The Board may inquire into the financial affairs of any Commission or other public body the operations of which are carried on by appropriations from the Treasury of Canada or which are aided by grants or loans from the said Treasury, and shall make any recommendations which in their judgment will tend to a more effective control of the expenditure.

Board may investigate undertakings receiving aid from Government.

11. The Minister of Finance may extend the powers of the Board to include inquiry into any other undertaking or service belonging to or receiving aid from the Government of Canada as he may deem to be in the public interest.

Power of enquiry.

12. Each member of the Board shall, for the purposes of inquiry under this Act, have all the power and authority given to the Auditor General of Canada as respects the various departments of the Dominion Government.

Board may engage skilled assistants.

13. The Board may with the consent of the Minister of Finance, engage from time to time, such skilled assistants as may be required to facilitate the work of the Board, and such assistants may be paid out of any available appropriation such compensation as the Treasury Board may allow.

Clerical duties.

14. Any clerical duties that may be necessary for the purposes of the Board shall be performed by such member or members of the staff of the Auditor General of Canada, as he may designate for such purpose.

Report to the Minister.

15. The Board shall from time to time report to the Minister of Finance the results of their inquiry and any recommendations they may desire to make.

Act not to impair authority of Auditor General.

16. Nothing herein contained shall in any way impair the authority given by the *Consolidated Revenue and Audit Act* to the Auditor General of Canada.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 243.

An Act to constitute a Board of Audit.

AS PASSED BY THE HOUSE OF COMMONS,
26th JUNE 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
62241 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 243.

An Act to constitute a Board of Audit.

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

Short title.

1. This Act may be cited as *The Board of Audit Act, 1923.*

Board of Audit.

2. The Governor in Council may appoint a Board of Audit to hold office as such until the first day of July, 1925.

Composition.

3. The Board shall be composed of four persons.

Auditor General, Chairman.

4. The Auditor General of Canada shall be a member of the Board and Chairman of the Board.

Deputy Minister of Finance, Vice-Chairman.

5. The Deputy Minister of Finance shall be a member of the Board and Vice-Chairman of the Board.

Two other members, public accountants.

6. There shall be two other members of the Board who shall be public accountants, members in good standing of an institute or organization of accountants incorporated under the authority of the Legislature of a Province of Canada.

Remuneration of Public Accountant members.

7. Each of such two members shall devote to the public service such portion of his time as may be found reasonably necessary for the purpose of discharging the duties of his office, and shall be paid such sum for his services as the Treasury Board shall allow, but not exceeding the sum of three thousand dollars in any year.

Board to investigate Audit system.

8. The Board shall inquire into, and report upon, the present system of audit as respects the public accounts of the various Departments of the Dominion of Canada, and shall make such recommendations as may be deemed

necessary or useful for the more effective control of the public revenue and expenditure.

Board to investigate accounting of C.N.R. Co.

9. The Board shall inquire into the systems of accounting employed by the Canadian National Railway Company and the subsidiaries thereof, and shall make such recommendations with respect thereto as may be deemed necessary in the public interest.

Board may investigate finances of Commission or public body.

10. The Board may inquire into the financial affairs of any Commission or other public body the operations of which are carried on by appropriations from the Treasury of Canada or which are aided by grants or loans from the said Treasury, and shall make any recommendations which in their judgment will tend to a more effective control of the expenditure.

Board may investigate undertakings receiving aid from Government.

11. The Minister of Finance may extend the powers of the Board to include inquiry into any other undertaking or service belonging to or receiving aid from the Government of Canada as he may deem to be in the public interest.

Power of enquiry.

12. Each member of the Board shall, for the purposes of inquiry under this Act, have all the power and authority given to the Auditor General of Canada as respects the various departments of the Dominion Government.

Board may engage skilled assistants.

13. The Board may with the consent of the Minister of Finance, engage from time to time, such skilled assistants as may be required to facilitate the work of the Board, and such assistants may be paid out of any available appropriation such compensation as the Treasury Board may allow.

Clerical duties.

14. Any clerical duties that may be necessary for the purposes of the Board shall be performed by such member or members of the staff of the Auditor General of Canada, as he may designate for such purpose.

Report to the Minister.

15. The Board shall from time to time report to the Minister of Finance the results of their inquiry and any recommendations they may desire to make.

Act not to impair authority of Auditor General.

16. Nothing herein contained shall in any way impair the authority given by the *Consolidated Revenue and Audit Act* to the Auditor General of Canada.

Expenditure to be made out of Con. Revenue Fund.

17. Any expenditure necessary to carry out the provisions of this Act shall be made out of any unappropriated moneys forming part of the Consolidated Revenue Fund of Canada.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 244.

An Act to amend the Canadian National Railways Act, 1919.

First reading, June 26, 1923.

The MINISTER OF FINANCE.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
61982 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 244.

1919, c. 13; 1920, c. 13.

An Act to amend the Canadian National Railways Act, 1919.

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

Short title.

1. This Act may be cited as *The Canadian National Railways Guarantee Act, 1923.*

2. Section twenty-six of the *Canadian National Railways Act, 1919*, chapter thirteen of the statutes of 1919, is amended by adding thereto the following as subsections two and three:—

Form, term and amount of securities to be approved.

"(2) No securities, as defined in this section including in such definition equipment certificates or obligations in any form intended to be issued to the public, shall be issued for the purposes of or by the Company or any of the companies designated in the schedule hereto except those approved as to form, terms and amount by the Governor in Council.

Guarantee of securities.

"(3) The said securities so approved may be guaranteed by His Majesty and any such guarantee may be in such form and on such terms and conditions as the Governor in Council may determine, and may be signed by the Minister or Acting Minister of Finance on behalf of His Majesty."

SCHEDULE.

Any company mentioned or referred to in the following statutes:—

Chapter 13 of the Statutes of Canada, 1919.

Chapter 13 of the Statutes of Canada, 1920.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 244.

An Act to amend the Canadian National Railways Act, 1919.

AS PASSED BY THE HOUSE OF COMMONS, 29th JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
62001 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 244.

1919, c. 13; 1920, c. 13.

An Act to amend the Canadian National Railways Act, 1919.

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

Short title.

1. This Act may be cited as *The Canadian National Railways Guarantee Act, 1923.*

2. Section twenty-six of the *Canadian National Railways Act, 1919*, chapter thirteen of the statutes of 1919, is amended by adding thereto the following as subsections two and three:—

Form, term and amount of securities to be approved.

"(2) No securities, as defined in this section including in such definition equipment certificates or obligations in any form intended to be issued to the public, shall be issued for the purposes of or by the Company or any of the companies designated in the schedule hereto except those approved as to form, terms and amount by the Governor in Council.

Guarantee of securities.

"(3) The said securities so approved may be guaranteed by His Majesty and any such guarantee may be in such form and on such terms and conditions as the Governor in Council may determine, and may be signed by the Minister or Acting Minister of Finance on behalf of His Majesty."

SCHEDULE.

Any company mentioned or referred to in the following statutes:—

Chapter 13 of the Statutes of Canada, 1919.

Chapter 13 of the Statutes of Canada, 1920.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 245.

An Act to supplement The Finance Act, 1914.

AS PASSED BY THE HOUSE OF COMMONS, 26th JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
62239 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 245.

An Act to supplement The Finance Act, 1914.

1914, 2nd Sess., c. 3, 1919, c. 21.

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

Short title.

1. This Act may be cited as *The Finance Act, 1923.*

Advances by issue of Dominion notes on pledge of securities.

2. At any time when there is no proclamation in force under the authority of paragraph *(a)* of section four of *The Finance Act, 1914*, the Minister of Finance (hereinafter called "the Minister") may make advances to the chartered banks and to the savings banks to which *The Quebec Savings Bank Act, 1913*, applies by the issue of Dominion notes upon the pledge of the securities hereinafter mentioned:—

(a) Treasury bills, bonds, debentures or stocks of the Dominion of Canada, the United Kingdom, any province of Canada, and of any British possession;

(b) Public securities of the Government of the United States;

(c) Canadian municipal securities;

(d) Promissory notes and bills of exchange secured by documentary title to wheat, oats, rye, barley, corn, buckwheat, flax or other commodity;

(e) Promissory notes and bills of exchange issued or drawn for agricultural, industrial, or commercial purposes and which have been used or are to be used for such purposes.

Minister may request central gold reserve trustees to value securities.

3. Such securities shall be deposited with the Minister or with an Assistant Receiver General. The Minister may request the trustees of the Central Gold Reserves to make a valuation of and recommendation as to the amount which in the judgment of the trustees may properly be advanced on any securities offered in pledge under this Act.

Documents may be forwarded with commodities.

4. The Minister may permit bills of lading or other documents of title, covering such grain or other commodity while in transit, to go forward under the control of the bank to the point at which delivery is made and payment therefor is received, and the bank shall be a trustee for the Minister, to the extend of the advances, of the proceeds received for such grain or commodity.

Maturity of promissory notes pledged.

5. All promissory notes or bills of exchange when pledged pursuant to this Act shall have a maturity, exclusive of days of grace, not later than six months from the time at which they are pledged.

Term of advances and interest.

6. Advances made hereunder shall be for a period not exceeding one year and interest thereon shall be payable at such rate as may from time to time be fixed by the Treasury Board.

Repayments in Dominion notes.

7. All repayments of advances shall be in Dominion notes and such repayments shall be made to the Minister or to an Assistant Receiver General.

Payment of interest.

8. All interest received on account of such advances shall be paid to the Minister for Consolidated Revenue Fund.

Advances are a second charge upon Bank assets.

9. All advances of Dominion notes made hereunder shall be deemed to be an amount due by the bank to the Government of Canada and shall be a second charge (payment of a bank's own notes, issued by the bank, in circulation, being the first charge) upon the assets of the bank.

Bank to furnish evidence of disposition of proceeds of promissory notes pledged.

10. The bank shall satisfy the said trustees before an advance is made by the Minister that any promissory notes or bills of exchange described in paragraph *(e)* of section two of this Act, offered in pledge, have in fact been issued or drawn, or the proceeds have been used or are to be used in the first instance, in producing, purchasing, carrying or marketing grain or goods, wares and merchandise within the meaning of these words in *The Bank Act.*

No advances on promissory notes for trading in stocks, etc.

11. No advances shall be made against the pledge of promissory notes or bills of exchange issued or drawn for the purpose of carrying or trading in stocks, bonds, or other securities, and no advance shall be made against promissory notes or bills of exchange, the proceeds of which, when issued or drawn, were employed on capital expenditures of any kind, and the Minister may direct the trustees to make enquiry and report as to whether any notes or bills offered in pledge fall within the prohibition of this section.

Treasury Board may make regulations.

12. The Treasury Board may make regulations, not inconsistent with this Act, with regard to advances made hereunder, the terms and conditions affecting the deposit of securities and all other matters necessary to give effect to the provisions of this Act.

Paragraphs (*b*) and (*d*) of Proclamation of 3rd September, 1914, continued in force for three years.

13. Notwithstanding anything contained in *The Bank Act* or in any other statute the proclamation dated the third day of September, one thousand nine hundred and fourteen, made under the authority of the provisions of *The Finance Act, 1914*, chapter three of the statutes of 1914 (second session), which proclamation was published in the issue of the *Canada Gazette* dated the fifth day of September, one thousand nine hundred and fourteen, except paragraphs *(a)* and *(c)* thereof, shall continue in force and effect until the end of three years after the date of the coming into force of this Act. Provided, however, that the Governor in Council by proclamation, which shall be published in the *Canada Gazette*, may declare and proclaim an earlier date for the termination of the operation thereof.

Power to terminate operation of proclamation sooner.

The export of gold may be prohibited by the Governor in Council.

14. (1) The Governor in Council, by proclamation, which shall be published in the *Canada Gazette*, may, during the continuance in force of this section, from time to time and for any period or periods declare and proclaim that the export of gold coin, gold bullion and fine gold bars from the Dominion of Canada shall be prohibited, except in such cases as may be deemed desirable by the Minister of Finance and under licenses to be issued by him.

Termination of operation of section.

(2) This section shall continue in operation for three years after the date of the coming into force of this Act; provided, however, that the Governor in Council by proclamation, which shall be published in the *Canada Gazette*, may declare and proclaim an earlier date for the termination of the operation of this section.

Repeal.

15. Chapter twenty-one of the statutes of 1919, entitled *An Act to provide for the Continuance in force of a certain Proclamation made under the Finance Act, 1914, and to authorize the prohibition of the export of Gold*, is repealed.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 246.

An Act to amend the Post Office Act.

First reading, June 27, 1923.

The Postmaster General.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
56286 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 246.

An Act to amend the Post Office Act.

R. S., c. 66; 1908, c. 53; 1920, c. 64.

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

Postage rates on certain newspapers and periodicals reduced from 1½ cents to 1¼ cents.

1. Subsection three of section fifty-three of the *Post Office Act*, chapter sixty-six of the Revised Statutes of Canada, 1906, as enacted by section three of chapter sixty-four of the statutes of 1920, is amended by striking out the words "three-quarters of a cent on and after the first day of "January, one thousand nine hundred and twenty-one, "and until the first day of January, one thousand nine "hundred and twenty-two, and one and one-half cents "thereafter" where they occur in the ninth to the thirteenth lines thereof inclusive, and substituting therefor the words "one and one quarter cents".

Date of coming into force.

2. This Act shall come into force on the sixteenth day of July, one thousand nine hundred and twenty-three.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 246.

An Act to amend the Post Office Act.

AS PASSED BY THE HOUSE OF COMMONS, 28th JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
61484 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 246.

An Act to amend the Post Office Act.

R. S., c. 66; 1908, c. 53; 1920, c. 64.

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

Postage rates on certain newspapers and periodicals reduced from 1½ cents to 1¼ cents.

1. Subsection three of section fifty-three of the *Post Office Act*, chapter sixty-six of the Revised Statutes of Canada, 1906, as enacted by section three of chapter sixty-four of the statutes of 1920, is amended by striking out the words "three-quarters of a cent on and after the first day of "January, one thousand nine hundred and twenty-one, "and until the first day of January, one thousand nine "hundred and twenty-two, and one and one-half cents "thereafter" where they occur in the ninth to the thirteenth lines thereof inclusive, and substituting therefor the words "one and one quarter cents".

Date of coming into force.

2. This Act shall come into force on the sixteenth day of July, one thousand nine hundred and twenty-three.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 247.

An Act for the Protection of the Northern Pacific Halibut Fishery.

AS PASSED BY THE HOUSE OF COMMONS, 27th JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
62493 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 247.

An Act for the Protection of the Northern Pacific Halibut Fishery.

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

Short title.

1. This Act may be cited as *The Northern Pacific Halibut Fishery Protection Act.*

Interpretation. "Close season."

2. In this Act, unless the contrary intention appears,—

(a) "close season" means the period from the sixteenth day of November in any year to the fifteenth day of February in the next following year, both days inclusive, while this Act is in force, or any other period which may be substituted therefor by the authority of the Governor in Council;

"Territorial waters of Canada."

(b) "Territorial waters of Canada" means the territorial waters of Canada contiguous to the Western coast of Canada;

"Territorial waters of United States."

(c) "Territorial waters of the United States" means the territorial waters of the United States of America contiguous to the Western coast of the United States of America;

"Prohibited waters."

(d) "Prohibited waters" comprises and means the territorial waters of Canada, the territorial waters of the United States, the high seas extending westerly from the limit of the territorial waters of Canada, and of the United States of America, also Behring Sea.

Fishing for halibut in territorial or prohibited waters in close season forbidden.

3. *(a)* Every person who at any time in the close season fishes for or catches, or attempts to catch halibut *(hippoglossus)* in the territorial waters of Canada; and

(b) Every national or inhabitant of Canada who at any time in the close season fishes for or catches or attempts to catch halibut *(hippoglossus)* in prohibited waters; is guilty of an offence against this Act: Provided that

Exception as to incidental catching if used for food by crew or delivered to officer.

the catching of halibut unintentionally or incidentally while fishing during any close season in any of the waters aforesaid for any species of fish other than halibut, which the person fishing is at the time by law permitted there to fish for or to catch, shall not be an offence against this Act, if the halibut so caught be used for food by the crew of the vessel by which they are taken, or, if not so used, be landed and immediately delivered to any officer of the Department of Marine and Fisheries authorized to receive the same.

Making use of Canadian port to outfit vessel to engage in prohibited fishing.

Permitting departure of vessel with intention to engage in such fishing.

Entry in Canada while on voyage to fish, or with halibut on board.

4. The owner or master of every vessel, and every other person who in the close season or at any time within three days next preceding the beginning of the close season makes use of any port or place in Canada for the purpose of furnishing, providing, preparing or outfitting in any manner, whether in whole or in part, any vessel for the purpose of engaging in the halibut fishery or for the purpose of fishing for halibut in the close season in the prohibited waters or any part thereof; or who causes or permits any vessel to depart from any such port or place with the intention of fishing for halibut in any of the prohibited waters in the close season, or with the intention that such vessel shall fish or be used in fishing for halibut in any of the prohibited waters in the close season, shall be guilty of an offence against this Act; and in like manner the owner or master of any vessel shall, if the said vessel enter or come to any port or place in Canada while upon or in the prosecution of any voyage at any time during which the said vessel fished or was used in fishing for halibut in prohibited waters in the close season, or having on board the said vessel any halibut intentionally caught during the close season in prohibited waters, be guilty of an offence against this Act.

Vessel, cargo and outfit liable to seizure and forfeiture.

R.S., c. 47.

5. Every ship, vessel or boat, including all furniture, apparel, appliances, gear, tackle and rigging thereof, which is in any manner operated or used for the purpose of committing an offence against this Act, or for aiding or facilitating the commission of any such offence, may be seized by any officer authorized by the *Customs and Fisheries Protection Act* to board and search, and shall be forfeited; and moreover all the cargo and stores found on board any such ship, vessel or boat at the time of the seizure shall also be forfeited.

Nationals or inhabitants of Canada or United States and ships registered therein or belonging to them, liable to seizure.

6. Every national or inhabitant of Canada or of the United States, and every ship, vessel or boat registered in Canada or the United States, or belonging to a national or inhabitant of Canada or of the United States, together with all furniture, apparel, appliances, gear, tackle and rigging thereof, engaged in or used in connection with fishing for

halibut in prohibited waters or aiding or facilitating, or used for the purpose of aiding or facilitating such fishing, may be seized by any officer authorized by the *Customs and Fisheries Protection Act* to board and search. In case any such ship, vessel or boat or other property be registered in Canada or belong to a national or inhabitant of Canada, the same shall be forfeited, and moreover all the cargo and stores on board any such ship, vessel or boat at the time of the seizure shall also be forfeited. In case any such person, ship, vessel, or boat or other property be a national or inhabitant of the United States, or be registered in the United States or belong to a national or inhabitant of the United States, the same shall be delivered as soon as practicable to an authorized official of the United States to be dealt with in accordance with the law of the United States.

R.S., c. 47.

Canadian vessels may be forfeited.

U.S. vessels to be delivered to U.S. officials.

Knowingly in possession of halibut unlawfully caught.

7. Every person who knowingly has in possession any halibut unlawfully caught within any of the waters aforesaid during any close season shall be guilty of an offence against this Act.

Penalty for violation.

8. Every person guilty of an offence against this Act shall be liable upon summary conviction to a penalty of not less than one hundred dollars and not more than one thousand dollars, or to imprisonment for a term not exceeding one year, or to both such fine and imprisonment.

Foreign ships fishing in territorial waters, or entering waters for prohibited purpose may be seized and forfeited.

9. Every ship, vessel or boat which is foreign, or not navigated according to the laws of the United Kingdom or of Canada, which

(a) has been found fishing or preparing to fish or to have been fishing for halibut in the territorial waters of the Western Coast of Canada in any close season; or

(b) has entered such waters for any purpose of which the execution is prohibited by this Act;

may be seized by any of the officers aforesaid, and shall, together with the furniture, apparel, appliances, gear, tackle, rigging, cargo and stores thereof, be forfeited.

Customs and Fisheries Protection Act to apply.

R.S., c. 47.

10. Section five and all the following sections except sections ten and twenty-nine of the *Customs and Fisheries Protection Act*, shall be deemed to apply in so far as applicable for all the purposes of this Act, and shall have effect as if enacted in this Act.

International Fisheries Commission.

11. (1) It shall be lawful for the Governor in Council to join with the Government of the United States in appointing a commission to be known as the International Fisheries Commission, consisting of four members, two to be appointed by the Governor in Council and two to be appointed by the Government of the United States, and

such Commission shall continue to exist for a period of five years, and thereafter until two years from the day when either of the constituting governments shall give notice to the other of its desire to terminate it.

Salaries and expenses of Commission.

(2) Canada shall pay the salaries and expenses of the members of the Commission appointed by the Governor in Council and one-half of the joint expenses incurred by the Commission.

Powers of Commission.

(3) The Commission shall be empowered to make a thorough investigation into the life history of the Pacific halibut, and to report the result of its investigation to the Government of Canada and to the Government of the United States and may make recommendations for the regulation of the halibut fishery of the Northern Pacific Ocean, including Behring Sea, as may seem desirable for the preservation and development of the said fishery.

Regulations by Governor in Council.

Power to create offences and impose penalties.

12. The Governor in Council is authorized to make regulations for giving effect to the recommendations of the Commission and otherwise as may be deemed necessary or expedient for the purpose of giving full effect to the provisions of this Act, and such regulations may provide for the creation of offences and for imposing not only pecuniary penalties and forfeitures but also imprisonment for the commission of any such offences.

Commencement of Act.

Power to repeal.

13. This Act shall come into force on a day to be named by the Governor in Council, and may be repealed by the Governor in Council, provided that it shall not be repealed by the Governor in Council at any time during the existence of the International Fisheries Commission hereinbefore authorized.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 248.

An Act to amend The Business Profits War Tax Act, 1916.

AS PASSED BY THE HOUSE OF COMMONS,
27th JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
62488 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 248.

1916, c. 11; 1917, c. 6; 1918, c. 10; 1919, c. 39; 1920, c. 36.

An Act to amend The Business Profits War Tax Act, 1916.

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

Period of liability to pay tax extended.

1. Subsection three of section thirteen of *The Business Profits War Tax Act, 1916*, is amended by striking out all the words after the word "liable" in the second line thereof down to and including the word "payable" in the third line thereof and the words "within the said three years" in the seventh line thereof. The said Act shall be construed as if the words struck out by this amendment had never been contained therein.

Retroactive effect.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 249.

An Act to amend The Income War Tax Act, 1917.

AS PASSED BY THE HOUSE OF COMMONS, 27th JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
62489 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 249.

An Act to amend The Income War Tax Act, 1917.

1917, c. 28; 1918, c. 25; 1919, c. 55; 1920, c. 49; 1921, c. 33; 1922, c. 25.

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

1. Paragraph *(f)* of subsection one of section three of *The Income War Tax Act, 1917*, is repealed and the following is substituted therefor:—

Income to be not less than income from chief occupation.

"*(f)* In any case the income of a taxpayer shall be deemed to be not less than the income derived from his chief position, occupation, trade, business or calling, and for the purpose of this Act the Minister shall have full power to determine the chief position, occupation, trade, business or calling of the taxpayer. Where a taxpayer has income from more than one source by virtue of filling or exercising more than one position, occupation, trade, business or calling, then the Minister shall have full power to determine which one or more, or which combination thereof shall, for the purpose of this Act, constitute the taxpayer's chief position, occupation, trade, business or calling, and the income therefrom shall be taxed accordingly and the determination of the Minister exercised pursuant hereto shall be final and conclusive."

2. Subsection one of section three of the said Act is amended by adding thereto the following:—

Interest on borrowed capital as a deduction.

"*(h)* Such reasonable rate of interest on borrowed capital used in the business to earn the income as the Minister in his discretion may allow notwithstanding the rate of interest payable by the taxpayer. To the extent that the interest payable by the taxpayer is in excess of the amount allowed by the Minister hereunder, it shall not be allowed as a deduction. The rate of interest allowed shall not in any case exceed the rate stipulated for in the bond, debenture, mortgage, note, agreement or other

similar document, whether with or without security, by virtue of which the interest is payable."

3. Section three of the said Act is amended by adding thereto the following subsection:—

Restriction on deductions.

"(8) In computing the amount of the profits or gains to be assessed, a deduction shall not be allowed in respect of—

(a) disbursements or expenses not wholly, exclusively and necessarily laid out or expended for the purpose of earning the income, or

Outlay of a capital nature not allowed.

(b) any outlay, loss or replacement of capital or any payment on account of capital or any depreciation, depletion or obsolescence, except as otherwise provided in this Act."

4. Paragraph *(b)* of section 5 of the said Act is repealed and the following is substituted therefor:—

Income of Consuls and Consuls General non-taxable.

"*(b)* (i) The income of Consuls and Consuls General and of officials or officers of a foreign country whose duties require of them to reside in Canada, if and only if they are citizens of the country they represent and are not engaged in any business or calling other than the duties appertaining to their official position and provided that the Country they represent grants a similar exemption to officials of the Government of Canada.

(ii) The income of officials of Great Britain or any of its self-governing colonies whose duties require of them to reside in Canada, and who are not engaged in any business or calling other than the duties appertaining to their official position."

5. Paragraph *(l)* of section five of the said Act is amended by inserting after the word "forces" in the second line thereof the following words:—

Pensions.

"or to any member of the military, naval or air forces of His Majesty's allies"

and by inserting after the word "forces" in the fourth line thereof the following words:—

"or in the forces of His Majesty's Allies".

6. Subsection six of section seven of the said Act, as amended by section one of chapter thirty-three of the statutes of 1921, is amended by adding thereto after the word "dollars" in the eleventh line thereof the following:—

Modification of penalty.

"And further provided that in the case of a return by an employer as above required the penalty shall be further limited to an amount equal to ten per centum of the aggregate amount of the tax payable by the employees who should be reported on such return, subject however that in any case should the penalty be less than two dollars then in lieu thereof the penalty shall be two dollars."

7. Sections twelve to twenty-one of the said Act, both inclusive, are repealed and the following are substituted therefor:—

Notice of appeal.

"**12.** Any person who objects to the amount at which he is assessed, or who considers that he is not liable to taxation under this Act, may personally or by his solicitor, within one month after the date of mailing of the notice of assessment provided for in section ten of this Act, serve a notice of appeal upon the Minister. Such notice of appeal shall be in writing and shall be served by mailing the same by registered post addressed to the Minister of Finance at Ottawa.

Form of notice of appeal.

"**13.** Every such notice shall, as closely as may be, follow form numbered V. contained in the schedule to this Act and shall set out clearly the reasons for appeal and all facts relative thereto.

Decision of Minister to affirm or amend assessment.

"**14.** Upon receipt of the said notice of appeal the Minister shall duly consider the same and shall affirm or amend the assessment appealed against and shall notify the appellant of his decision by registered post.

Notice of dissatisfaction respecting the decision of the Minister.

"**15.** (1) If the appellant, after receipt of the said decision, is dissatisfied therewith, he may, within one month from the date of the mailing of the said decision, mail to the Minister by registered post, a notice entitled—

The Income War Tax Act, 1917.

NOTICE OF DISSATISFACTION

In *re* the appeal of of the of in the Province of .—

stating that he desires his appeal to be set down for trial and shall forward therewith a final statement of such further facts, statutory provisions and reasons which he intends to submit to the said Court in support of the appeal as were not included in the aforesaid notice of appeal, or in the alternative, a recapitulation of all facts, statutory provisions and reasons included in the aforesaid notice of appeal, together with such further facts, provisions and reasons as the appellant intends to submit to the Court in support of the appeal.

Security.

The party appealing shall thereupon give security to the satisfaction of the Minister in a sum not less than four hundred dollars for the security of the costs of the appeal. Unless such security is furnished by the party appealing within one month after the mailing of the notice of dissatisfaction the appeal and all proceedings thereunder shall become null and void.

Decision of the Minister upon receipt of statement of facts.

(2) Upon receipt of the said notice of dissatisfaction and statement of facts the Minister shall reply thereto by registered post admitting or denying the facts alleged and

confirming or amending the assessment or any amended, additional or subsequent assessment.

(3) Within two months from the date of the mailing of the said reply, the Minister shall cause to be transmitted to the registrar of the Exchequer Court of Canada, to be filed in the said Court, typewritten copies of the following documents:—

(i) The Income Tax Return of the appellant (if any) for the period under review,

(ii) The Notice of Assessment appealed,

(iii) The Notice of Appeal referred to in this section,

(iv) The decision of the Minister referred to in this section,

(v) The Notice of Dissatisfaction referred to in this section,

(vi) The reply of the Minister referred to in this section and

(vii) All other documents and papers relative to the assessment under appeal, and

the matter shall thereupon be deemed to be an action in the said Court ready for trial or hearing: Provided, however, that should it be deemed advisable by the Court or a Judge thereof that pleadings be filed, then in such case an order may issue directing the parties to file pleadings.

(4) All subsequent proceedings shall be entitled

In Re The Income War Tax Act, 1917,
and the appeal of.....of.....in the Province of.....

and all process thereafter shall be served upon the Commissioner of Taxation personally or other responsible officer of Taxation Branch of the Department of Finance at Ottawa.

Conditional limitation of evidence.

"**16.** In the event of the said appeal being set down for trial or hearing as above provided, any fact or statutory provision not set out in the said notice of appeal or notice of dissatisfaction shall be admitted in such manner and upon such terms as the Court or a Judge thereof may direct, or the Court may refer the matter back to the Minister for further consideration.

Right of appeal barred.

"**17.** If an appeal is not served or a notice of dissatisfaction is not mailed within the time limited therefor, the right of the person assessed to appeal shall cease and the assessment shall be valid and binding notwithstanding any error, defect or omission therein or in any proceedings required by this Act.

Exclusive jurisdiction of Exchequer Court.

"**18.** (1) Subject to the provisions of this Act the Exchequer Court shall have exclusive jurisdiction to hear and determine all questions that may arise in connection with any assessment made under this Act and in delivering judgment may make any order as to payment of any tax, interest or penalty or as to costs as to the said Court may seem right and proper.

Irregularities etc. not to affect validity of assessment.

(2) An assessment shall not be varied or disallowed because of any irregularity, informality, omission or error on the part of any person in the observation of any directory provision up to the date of the issuing of the notice of assessment.

Proceedings in camera.

"**19.** Proceedings before the Exchequer Court hereunder shall be held in camera upon request made to the Court by any party to the proceedings.

Taxes, etc., a debt due the Crown.

"**20.** All taxes, interest, penalty and costs assessed or imposed or ordered to be paid under the provisions of this Act, shall be deemed to be a debt due to His Majesty and shall be recoverable as such in the Exchequer Court of Canada or in any other Court of competent jurisdiction in the name of His Majesty or in such other manner as is in this Act provided."

Form V.

8. The said Act is amended by adding to the Schedule thereto the following form numbered V.

In *re* The Income War Tax Act, 1917
and.....
(Name of Taxpayer)
of the.....of.....(address)
Province of.....
Appellant.

Notice of Appeal is hereby given from the assessment bearing date the day of 19 wherein a tax in the sum of $ levied in respect of income for the taxation year 19 .

Then follow with,—

1. Full statement of facts,
2. Full statement of reasons for appeal.

Dated this day of 19 .

.....
(signature)

Previous Appeal, procedure and security.

9. Any notice of objection to an assessment given heretofore to the Minister within the time limited by the said Act and not withdrawn or disposed of shall be deemed to be a notice of appeal filed under and in accordance with the foregoing provisions, provided upon request by the Minister a notice of dissatisfaction containing a recapitulation of all facts, statutory provisions and reasons which the appellant intends to submit to the Court in support of the appeal is filed within one month from the date of the mailing of the request and further provided that the security hereinbefore set forth is furnished within the said one month, otherwise the appeal shall become null and void.

10. The said Act is amended by adding thereto the following sections:—

Taxes to be a lien.

"**25.** All taxes, interest and penalties payable under this Act shall constitute a lien upon the assets of the taxpayer both real and personal. This lien shall be deemed to attach or to have attached on the first day of May, immediately succeeding the taxation year in respect of which the tax is payable or to which the interest and penalty relate and notwithstanding lack of notice, registration or publication, shall have priority over any mortgage, charge, lien or hypothec or any assignment or conveyance, including any security taken under section eighty-eight of *The Bank Act* executed or created after the said first day of May, save and except the liability to the Crown of any person, firm or corporation for payment of the excise taxes specified in *The Special War Revenue Act, 1915*, and amendments thereto; provided always, however, that the lien or charge hereby created shall not follow or attach to personal property sold *bona fide* to a purchaser for value without notice unless such property is disposed of in such a manner as to bring the sale within the provisions of any *Bulk Sales Act* or similar statute.

Collection of tax from third party.

"**26.** When the Minister has knowledge or suspects that any person is or is about to become indebted to a taxpayer he may, by registered letter, demand of such person that the moneys otherwise payable to the taxpayer be in whole or in part, paid over to the Receiver General of Canada on account of said taxpayer's liability under the provisions of this Act. The receipt of the Minister therefor shall constitute a good and sufficient discharge of the liability of such person to said taxpayer to the extent of the amount referred to in the receipt. Any person discharging any liability to a taxpayer after receipt of the registered letter herein referred to shall be personally liable to the Receiver General of Canada to the extent of the liability discharged as between him and the taxpayer or to the extent of the liability of the taxpayer for taxes, interest and penalties, whichever is the lesser amount."

Distress in default of payment.

"**27.** If any person not having given notice of appeal neglects or refuses to pay any tax, interest or penalty or instalment of tax due under this Act, the Minister, on giving ten days notice by registered mail addressed to the last known place of residence of the taxpayer, may issue a certificate declaring said person to be in default and may authorize any person whom he deems proper upon receipt of such certificate to distrain the person in default by his goods and chattels. The distress levied in accordance with this subsection shall be kept for ten days at the cost and charges of the person neglecting or refusing to pay and if the person aforesaid does not pay the sum due, together with the costs and charges within the said ten days the

goods and chattels distrained shall be sold by public auction. Except in the case of perishable goods, notice of such sale setting forth the time and place thereof, together with a general description of the goods to be sold shall be published at least once in one or more of the local newspapers of general local circulation. Any over-plus coming by the distress after deduction of the amount owing by the taxpayer and of all costs and charges shall be restored to the owner of the goods distrained. Such goods and chattels of any person in default as would be exempt from seizure under a writ of execution issued out of the Superior Court of the Province in which the seizure is made shall be exempt from distress under this section.

"**28.** All taxes, interest and penalties payable under this Act may be recovered in the Exchequer Court of Canada and any such amount payable remaining unpaid whether in whole or in part after two months from the date of mailing of the notice of assessment, may be certified by the Commissioner of Taxation and on the production to the said Court or Judge or such officer as the Court or Judge thereof may direct, the certificate shall be registered in the said Court and shall, from the date of such registration, be of the same force and effect, and all proceedings may be taken thereon, as if the certificate were a judgment obtained in the said Court for the recovery of a debt of the amount specified in the certificate, including interest to date of payment as provided for in the said Act, and entered upon the date of such registration and all reasonable costs and charges attendant upon the registration of such certificate shall be recoverable in like manner as if they were part of such judgment."

Certificate of default to be registered as judgment.

11. (1) Section one of this Act shall be deemed to have come into force at the commencement of the 1917 taxation period and to be applicable thereto and to subsequent periods.

(2) Sections two and three of this Act shall be deemed to have come into force at the commencement of the 1921 taxation period and to be applicable thereto and to subsequent periods.

(3) Sections five, six and seven of this Act shall be deemed to have come into force at the commencement of the 1922 taxation period and to be applicable thereto and to subsequent periods.

(4) Section twenty-five of the said Act as enacted by section ten of this Act shall be deemed to have come into force at the commencement of the 1924 taxation period and to be applicable thereto and to subsequent periods.

(5) All other provisions of this Act shall be deemed to have come into force on the passing of this Act.

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 250.

An Act to provide for further advances to The Harbour Commissioners of Montreal.

AS PASSED BY THE HOUSE OF COMMONS, 27th JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
62492 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 250.

An Act to provide for further advances to The Harbour Commissioners of Montreal.

1907, c. 30; 1909, c. 25; 1910, c. 40; 1912, c. 36; 1914, c. 41; 1918, c. 5; 1919, c. 53; 1921, c. 11; 1922, c. 33.

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

Short title.

1. This Act may be cited as *The Montreal Harbour Advances Act, 1923.*

An additional $10,000,000 may be advanced to Corporation.

2. The Governor in Council may, from time to time, advance and pay to the Corporation of the Harbour Commissioners of Montreal, hereinafter called "the Corporation," in addition to the moneys, if any, heretofore authorized to be advanced to the Corporation by the Governor in Council by any Act, and which have not at the date of the passing of this Act been so advanced, such sums of money, not exceeding in the whole the sum of ten million dollars, as are required to enable the Corporation to carry on the construction of terminal facilities in the harbour of Montreal for which plans, specifications and estimates have been approved by the Governor in Council before the passing of this Act; and to construct such additional terminal facilities as are necessary to properly equip the said port.

For construction of terminal facilities.

No advance till plans approved.

3. No such advance shall be paid in respect of the construction of terminal facilities, unless such detailed plans, specifications and estimates, for the works to be performed by the Corporation and on which the money so to be advanced is to be expended, as are satisfactory to the Minister of Marine and Fisheries, have been submitted to and approved by the Governor in Council before any work on the same has been commenced.

Monthly applications for advances

4. The Corporation shall submit to the Minister of Marine and Fisheries for approval, monthly applications

accompanied by certain statements.

for advances on account of the different items of construction of terminal facilities, accompanied by statements showing the total expenditure on these different items in detail, for the month which the advance is to cover, and any other statements required in such form as the Minister shall direct; and upon approval of the application, authority for the payment of the amount so applied for may be granted by the Governor in Council.

Deposit debentures with Receiver General to cover advances.

5. The Corporation shall, upon any advance being made, deposit with the Minister of Finance and Receiver General debentures of the Corporation equal in par value to the advance so made (which debentures the Corporation is hereby authorized to issue), and such debentures so issued shall be of such amounts as the Minister of Finance and Receiver General determines, and shall bear date on the day when such advance is made, and shall be repayable within twenty-five years from the date of their issue, and in the meantime shall bear interest at the rate of five per centum per annum, such interest to be payable half yearly, on the first day of July and the first day of January in each year.

Repayment of advances.

6. The principal and interest of the sums advanced to the Corporation under the authority of this Act shall be paid by the Corporation out of all its property and assets, and out of all its tolls, rates, dues, penalties and other sources of revenue and income whatsoever, and shall rank as a charge thereon, and have precedence in regard to payment next after the payments provided for in section eight of chapter ten of the statutes of 1896 (First Session).

Second Session, Fourteenth Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA

BILL 252.

An Act for granting to His Majesty certain sums of money for the public service of the financial years ending respectively the 31st March, 1923, and the 31st March, 1924.

AS PASSED BY THE HOUSE OF COMMONS, 29th JUNE, 1923.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
62099 1923

2nd Session, 14th Parliament, 13-14 George V, 1923

THE HOUSE OF COMMONS OF CANADA.

BILL 252.

An Act for granting to His Majesty certain sums of money for the public service of the financial years ending respectively the 31st March, 1923, and the 31st March, 1924.

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS it appears by messages from His Excellency the Right Honourable Julian Hedworth George, Baron Byng of Vimy, etc., etc., Governor General of Canada, and the estimates accompanying the said messages, that the sums hereinafter mentioned are required to defray certain expenses of the public service of Canada, not otherwise provided for, for the financial years ending the thirty-first day of March, one thousand nine hundred and twenty-three, and the thirty-first day of March, one thousand nine hundred and twenty-four, and for other purposes connected with the public service: May it therefore please Your Majesty that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:—

Short title.

1. This Act may be cited as *The Appropriation Act, No. 3, 1923.*

$178,477,323.03 granted for 1923–24.

2. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole one hundred and seventy-eight million, four hundred and seventy-seven thousand three hundred and twenty-three dollars and three cents towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and twenty-three, to the thirty-first day of March, one thousand nine hundred and twenty-four, not otherwise provided

for, and being two-thirds of the amount of each of the several items, less deductions, set forth in Schedule A to this Act.

$18,202,105 66 granted for 1922–23.

3. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole eighteen million, two hundred and two thousand, one hundred and five dollars and sixty-six cents towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and twenty-two, to the thirty-first day of March, one thousand nine hundred and twenty-three, not otherwise provided for and set forth in Schedule B to this Act.

$ granted for 1923–24.

4. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole three million, six hundred and sixty-six thousand, six hundred and sixty-six dollars and sixty-seven cents, towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and twenty-three, to the thirty-first day of March, one thousand nine hundred and twenty-four, not otherwise provided for and being two-thirds of the amount of the item set forth in Schedule C to this Act.

$14,726,241.09 granted for 1923-24.

5. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole fourteen million, seven hundred and twenty-six thousand, two hundred and forty-one dollars and nine cents towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and twenty three, to the thirty-first day of March, one thousand nine hundred and twenty-four, not otherwise provided for, and set forth in Schedule D to this Act.

Declaratory as to certain loans authorized but not raised.

6. And whereas there remained on the thirty-first day of March, one thousand nine hundred and twenty-three, unborrowed and negotiable of the loans authorized by Parliament for the construction of public works and for general purposes, the following sum:—

For public works and general purposes $152,466,779.26;

And whereas it is necessary to make provision for retiring maturing loans raised for war or demobilization purposes and other maturing loans and obligations of Canada;

Such sums may be raised under R.S., c. 24.

Therefore it is declared and enacted, that the Governor in Council may authorize the raising of the sum above mentioned as required for the purpose of retiring maturing

loans raised for war or demobilization purposes and other maturing loans and obligations of Canada, and for public works and general purposes aforesaid, respectively, under the provisions of the Consolidated Revenue and Audit Act, and the sum so raised shall form part of the Consolidated Revenue Fund, out of which like sums shall be applicable to the several purposes aforesaid, under the Acts and provisions thereunto relating respectively.

Account to be rendered in detail.

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

SCHEDULE A.

Based on the Main Estimates, 1923-24. The amount hereby granted is $178,477,323.03, being two-thirds of the amount of each item in the Estimates as contained in this Schedule, less deductions of $500 in the last item of Resolution No. 1; of $50,000 in Resolution No. 53; of $350,000 in the last item of Resolution No. 141; and of $22,410 in Resolution No. 227.

SUMS granted to His Majesty by this Act for the financial year ending 31st March, 1924, and the purposes for which they are granted.

No. of Vote.	Service.	Amount.	Total.
		$ cts.	$ cts.
	CHARGES OF MANAGEMENT.		
	Offices of the Assistant Receivers General and Country Savings Banks—		
	Salaries	110,000 00	
	Contingencies	15,000 00	
	Printing, signing, sealing and macerating Dominion Notes	515,000 00	
	Printing, Advertising, Inspection, Express, etc	150,000 00	
	Commission for payment of interest on Public Debt, purchase of Sinking Funds, Auditing	100,000 00	
	Brokerage on purchase of Sinking Funds	7,000 00	
	English Bill Stamps, postage, etc	3,000 00	
1	Clerical Assistance in connection with transfer and registration of bonds, etc., and with flotation of loans, appointments for the purpose may be made without reference to and notwithstanding anything to the contrary in the *Civil Service Act*	180,000 00	
	To appoint Walter Duncan at a salary of $2,550 per annum, as a special investigating officer under the direction of the Department of Finance, with the power to administer oaths in the performance of his duties; and also to provide for the contingent expenses of this service, a further sum of $2,500	*5,550 00	
			1,085,550 00
	CIVIL GOVERNMENT.		
2	Governor General's Secretary's Office—		
	Salaries, including Governor General's Secretary, additional to salary authorized by R.S. c. 4, $3,600	31,915 00	
	Contingencies	66,000 00	
3	Privy Council—		
	Salaries	44,295 00	
	Contingencies	9,000 00	
4	Justice—		
	Salaries	210,870 00	
	Contingencies, including $2,000 for Solicitor General's office	32,500 00	
5	National Defence—		
	Salaries	712,681 00	
	Contingencies	50,000 00	
6	Secretary of State—		
	Salaries	127,837 50	
	Contingencies	29,620 00	
7	Interior—		
	Salaries	1,502,982 00	
	Contingencies	115,000 00	
8	Immigration and Colonization—		
	Salaries	272,325 00	
	Contingencies	60,000 00	

* Deduction $500.00

SCHEDULE A—*Continued*

No. of Vote.	Service.	Amount.	Total.
	CIVIL GOVERNMENT—*Concluded.*	$ cts.	$ cts.
9	Indian Affairs—		
	Salaries	149,380 00	
	Contingencies	19,000 00	
10	Royal Canadian Mounted Police—		
	Salaries	37,225 00	
	Contingencies	9,000 00	
11	Auditor General's Office—		
	Salaries including Auditor General at $1,000 additional to 7-8 Edward VII, chap. 6	257,790 00	
	Contingencies	54,000 00	
12	Finance—		
	Salaries	402,947 50	
	Contingencies	50,000 00	
13	Customs and Excise—		
	Salaries	577,375 00	
	Contingencies	48,000 00	
14	Agriculture—		
	Salaries	717,925 00	
	Contingencies	135,000 00	
15	Marine and Fisheries—		
	Salaries	523,840 00	
	Contingencies	100,500 00	
16	Railways and Canals—		
	Salaries, including the Deputy Minister of Railways and Canals and Government Director of Canadian National Railways at $10,000	208,970 00	
	Contingencies	38,000 00	
17	Public Works—		
	Salaries	639,300 00	
	Contingencies	75,000 00	
18	Mines—		
	Salaries	533,190 00	
	Contingencies	6,700 00	
19	Post Office—		
	Salaries including the Superintendent of Mail Contracts at $5,400	1,116,448 00	
	Contingencies	155,000 00	
20	Trade and Commerce—		
	Salaries	476,490 00	
	Contingencies	22,000 00	
21	Patent and Copyright—		
	Salaries	175,865 00	
	Contingencies	35,000 00	
22	Labour—		
	Salaries	231,735 00	
	Contingencies	45,500 00	
23	High Commissioner's Office—		
	Salaries	25,370 00	
	Contingencies	86,563 00	
24	Insurance—		
	Salaries, including Superintendent of Insurance, $1,000 additional to salary authorized by 7-8 Edward VII, chap. 69	67,745 00	
	Contingencies	61,000 00	
25	External Affairs—		
	Salaries	77,740 00	
	Contingencies	37,000 00	
26	Public Archives—		
	Salaries	69,360 00	
	Contingencies	12,000 00	
27	Soldiers' Civil Re-establishment—		
	Salaries	29,200 00	
	Contingencies	10,000 00	
28	Civil Service Commission—		
	Salaries	188,305 00	
	Contingencies	80,000 00	
29	Health—		
	Salaries	152,950 00	
	Contingencies	70,400 00	
			11,073,839 00

SCHEDULE A—*Continued*

No. of Vote.	Service.	Amount.	Total.
		$ cts.	$ cts.
	ADMINISTRATION OF JUSTICE.		
30	Miscellaneous expenditure	5,000 00	
	Living allowance for judge of Atlin District, B.C.	1,200 00	
	Supreme Court of Canada.		
31	Contingencies and disbursements, including books, magazines, etc., for judges, not exceeding $300	7,500 00	
	Law Books and books of reference for Library and binding of same	10,000 00	
	Printing, binding and distributing Court Reports	8,000 00	
	Exchequer Court of Canada.		
32	Contingencies—Judges' and Court officers' travelling expenses, remuneration to sheriffs, etc., printing, stationery, etc., and $150 for judges' books	6,000 00	
	Miscellaneous expenses, Exchequer Court in Admiralty	500 00	
	Salary of Marshal in Admiralty, Quebec	333 34	
	Printing, binding and distributing Court Reports	2,000 00	
	Yukon Territory.		
33	Travelling allowance of judge	200 00	
	Living allowance of judge	5,000 00	
	Salaries, Sheriff and Clerk of Territorial Court, $4,000 each, stenographer, $2,100	10,100 00	
	Living allowances of court officers and police magistrate	5,300 00	
	Miscellaneous expenditure	10,000 00	
			71,133 34
	PENITENTIARIES.		
34	Kingston	423,500 00	
	St. Vincent de Paul	387,500 00	
	Dorchester	272,500 00	
	Manitoba	193,600 00	
	British Columbia	141,000 00	
	Alberta	3,000 00	
	Saskatchewan	248,000 00	
	General	1,400 00	
			1,670,500 00
	LEGISLATION.		
	SENATE.		
35	Salaries and contingent expenses	162,040 00	
	HOUSE OF COMMONS		
36	Salaries (including H. P. Arsenault as Chief Translator—Blue-books—at an initial salary of $3,480.00 from 1 April, 1923, notwithstanding anything to the contrary in the Civil Service Act or amendments thereto)	236,545 00	
	Expenses of Committees, extra Sessional Clerks, etc.	77,950 00	
	Contingencies	46,385 00	
	Publishing Debates	60,000 00	
	Estimates of Sergeant-at-Arms	177,442 50	
	LIBRARY OF PARLIAMENT		
37	Salaries	43,660 00	
	Books for the General Library, including binding	18,000 00	
	Books for the Library of American History	1,000 00	
	Contingencies	12,500 00	
	To provide for the cost of printing reports	1,000 00	

SCHEDULE A—*Continued*

No. of Vote.	Service.	Amount.	Total.
	LEGISLATION—*Concluded*	$ cts.	$ cts.
	GENERAL		
38	Printing, printing paper and binding	125,000 00	
	Printing, binding and distributing the annual statutes	16,000 00	
			977,522 50
	AGRICULTURE.		
39	Experimental Farms	1,525,000 00	
40	Entomology	30,000 00	
41	Administration and Enforcement of *Destructive Insect and Pest Act*	310,000 00	
42	Dairying	230,000 00	
43	Cold Storage Warehouses, including grants to New Westminster Cold Storage, $10,000, and Grimsby Cold Storage, $30,000	50,000 00	
44	Fruit	182,000 00	
45	Health of Animals (Administration and enforcement of *Animal Contagious Diseases Act* and *Meat and Canned Foods Act*) including grant of $1,000 to National Veterinary Association	1,500,000 00	
46	Publications	28,500 00	
47	International Institute of Agriculture	15,000 00	
48	Live Stock, including grant of $6,000 to Stock Growers' Protective Association	1,230,000 00	
49	Seed, Feed and Fertilizer Control	295,000 00	
50	Administration of the *Agricultural Instruction Grant*	20,000 00	
51	Grant to the Provinces of Canada for the purpose of assisting and encouraging agricultural instruction, grants to be made on a proportionate basis	900,000 00	
			6,315,500 00
	IMMIGRATION AND COLONIZATION		
52	Immigration Outside Service—Salaries	700,000 00	
53	Immigration Contingencies and General Expenses, including grants to Immigration or Colonization Societies or Associations, as may be authorized by the Governor General in Council	*1,850,000 00	
54	Chinese Immigration—Salaries and Contingencies	60,000 00	
55	Exhibitions—Salaries and Expenses	140,000 00	
56	Imperial Institute	3,190 00	
57	Relief of Distressed Canadians abroad	10,000 00	
58	St. John Immigration Buildings	23,000 00	
59	To provide assistance by advances or grants to immigrants under agreement to be made with the Imperial Government under the Empire Settlement Act 1922, and to hereby authorize the Governor in Council to make such agreement as he may deem expedient thereunder, and to expend the monies hereby voted in such manner and subject to such regulations as he may prescribe	600,000 00	
			3,386,190 00
	DEPARTMENT OF HEALTH		
60	The administration of the Acts respecting Food and Drugs, Honey and Maple Products, and Opium and Narcotic Drugs	90,800 00	
61	Proprietary or Patent Medicines	5,000 00	
62	Pollution of Boundary Waters	2,500 00	
63	Marine Hospitals, including grants to institutions assisting sailors	110,000 00	
64	Quarantine:—Salaries and contingencies of organized districts: Public Health in other districts; Tracadie & D'Arcy Island Lazarettos, and Public Works Health Act	250,000 00	
65	Immigration Medical Inspection	50,000 00	
66	Medical Research Standardizing and Testing Laboratory	15,000 00	
67	Grants to the Provinces of Canada, on condition that the Provinces receiving grants will expend at least an equal amount in combating venereal diseases	200,000 00	
			723,300 00

* Deduction $50,000.00

SCHEDULE A—*Continued*

No. of Vote.	Service.	Amount.	Total.
		$ cts.	$ cts.
	PENSIONS.		
68	Mrs. Wm. McDougall	1,200 00	
69	Pensions on account of the Fenian Raid, 1866-1870	1,000 00	
70	Pensions payable to Mounted Police, Prince Albert Volunteers and Police Scouts on account of the Rebellion of 1885	973 56	
71	Pensions payable to militiamen and on active service North West Rebellion, 1885, and general pensions	40,000 00	
72	Pensions to families of members of the force who lost their lives while on duty—		
	Mrs. Margaret Johnson Brooke	823 50	
	Mrs. Elizabeth Willmett	54 90	
	Mrs. Elizabeth Fitzgerald	525 00	
	Mrs. Mary Emma Bossange	457 50	
	Mrs. Myrtle L. Richards	756 00	
	Mrs. Mabel Forbes	411 75	
	Mrs. Amy Lillian Searle	408 09	
73	Pension to J. B. Allan	450 00	
74	Pension to Mary E. Fuller	600 00	
75	Pension to Madame Fabre	1,000 00	
76	Pension to Mrs. Mary L. Campbell	500 00	
77	Pensions to the unmarried sisters of the late Col. Harry Baker, M.P.	700 00	
78	Pension to Nellie Hopkinson	720 00	
79	Pension to Jas. Elliott	672 00	
80	Pensions—		
	European war and active militia	32,500,000 00	
81	Salaries and contingent expenses of the Board of Pension Commissioners for Canada	83,700 00	
			32,634,952 30
	SUPERANNUATION		
82	To provide for retiring allowances to former employees of the Department of Public Printing and Stationery	.....	55,000 00
	NATIONAL DEFENCE		
	MILITIA SERVICES		
83	Allowances, Active Militia	100,000 00	
84	Annual Drill	1,050,000 00	
85	Cadet Services	450,000 00	
86	Clothing & Necessaries	300,000 00	
87	Contingencies	25,000 00	
88	Customs Dues	12,000 00	
89	Departmental Library	2,000 00	
90	Dominion Arsenal, Lindsay	9,000 00	
91	Dominion Arsenal, Quebec	390,000 00	
92	Engineer Services & Works	560,000 00	
93	Grants to Associations, etc	100,000 00	
94	Maintenance, Military Properties	250,000 00	
95	Ordnance Arms, Lands, etc	66,000 00	
96	Pay of Staff	255,000 00	
97	Permanent Force	5,290,000 00	
98	Printing and Stationery	70,000 00	
99	Royal Military College	345,000 00	
100	Salaries and Wages	250,000 00	
101	Schools of Instruction	115,000 00	
102	Topographic Survey	45,000 00	
103	Training Areas	5,000 00	
104	Transport and Freight	185,000 00	
105	Warlike Stores	160,000 00	
106	Compassionate grant to J. Dymond	27 00	
107	Compassionate grant to P. McKnight	500 00	
108	Compassionate grant to W. Rogers	500 00	
109	Compassionate grant to Miss H. M. May	94 67	
110	Civil Pensions:—		
	Life Pension to Robert Allen	269 52	
	Life Pension to Ronald Morrison	330 00	
	Life Pension to Walter Pettipas	515 90	

SCHEDULE A—*Continued*

No. of Vote.	Service.	Amount.	Total.
		$ cts.	$ cts.
	NATIONAL DEFENCE—*Concluded*		
	NAVAL SERVICES		
111	Naval Service—To provide for the maintenance of the Royal Canadian Navy	1,500,000 00	
112	Pay of temporary Clerks	15,000 00	
113	Customs dues	500 00	
	AIR SERVICES		
114	Canadian Air Force—Operation, maintenance, repairs, etc.	1,000,000 00	
115	Purchase of new flying equipment	250,000 00	
			12,801,737 09
	RAILWAYS AND CANALS		
	(*Chargeable to Capital.*)		
	RAILWAYS.		
	Canadian Government Railways.		
116	To provide for the purchase of Branch Lines—Moncton and Buctouche Railway—Revote	$70,000 00	
	Interest estimated, from date of taking possession to March 31, 1924, not exceeding (including Revote—$21,125)	23,625 00	
117	To pay claim of Fortin & Moffat (National Transcontinental Railway)	5,390 00	
	CANALS.		
118	Welland Ship Canal: Construction	11,800,000 00	
119	Trent Canal: Construction and Betterments	210,000 00	
120	St. Anne's Lock: Highway Bridge at Isle Perrot	100,000 00	
121	St. Lawrence Ship Canal: Surveys and Investigations	50,000 00	
	MISCELLANEOUS.		
122	Hudson Bay Railway—Port Nelson Terminals	40,000 00	
			12,299,015 00
	RAILWAYS AND CANALS.		
	(*Chargeable to Income.*)		
	CANALS.		
123	Chambly Canal—Improvements	25,000 00	
124	St. Anne's Lock—Improvements	20,000 00	
125	Lachine Canal—Improvements	56,000 00	
126	Soulanges Canal—Improvements	162,000 00	
127	Trent Canal—Improvements	255,000 00	
128	Welland Canal—Improvements	100,000 00	
129	Sault Ste. Marie Canal—New Steel Gate Lifter	5,000 00	
	RAILWAYS.		
130	To supplement pension allowances payable under the provisions of the Intercolonial and Prince Edward Island Railway Employees' Provident Fund Act so as to make the minimum payment, during the current fiscal year, the sum of $30.00 per month, instead of $20.00, as fixed by the said Act	50,000 00	

SCHEDULE A—*Continued.*

No. of Vote.	Service.	Amount.	Total.
		$ cts.	$ cts.
	RAILWAYS AND CANALS—*Continued.*		
	(*Chargeable to Income*)—Continued.		
	MISCELLANEOUS.		
131	Arbitration and awards and Costs of Litigation	2,000 00	
132	Board of Railway Commissioners for Canada—Maintenance and Operation of	228,969 00	
133	Canada Highways Commission—To provide for the organization and payment of staff of the Canada Highways Commission, including A. W. Campbell, C.E., Chief Commissioner of Highways, at $5,000 per annum, and W. R. Smythe, Commissioner of Highways, at $4,000 per annum	70,000 00	
134	Governor General's Cars—Attendance, repairs and alterations.	10,000 00	
135	Miscellaneous works not provided for	2,000 00	
136	Printing and Stationery—Outside Service	7,000 00	
137	Surveys and Inspections, Canals—Including salaries and expenses of experts employed temporarily	25,000 00	
138	Surveys and Inspections, Railways—Including salaries and expenses of experts employed temporarily	55,000 00	
139	Amount not exceeding $73,000,000 to meet expenditures made or indebtedness incurred (where amounts available from net operating earnings may be insufficient) by or on behalf of the Canadian National Railway Company, hereinafter called "the Company", or any Company specified in the First Schedule to the Act incorporating the Canadian National Railway Company, being Chapter 13 of the Statutes of Canada, 1919, or by the Company in respect of any railways, properties or works entrusted to the Company from time to time under the provisions of section 11 of the said chapter 13 of the Statutes of Canada, 1919, or by or on behalf of any Company specified or referred to in chapter 13 of the Statutes of Canada, 1920; or any one or more of them, on any of the following accounts:— (*a*) Operating deficits whenever incurred or ascertained. (*b*) Acquisition of property, materials and supplies. (*c*) Interest and sinking funds on notes, securities or obligations. (*d*) Principal and interest of maturing or matured loans secured or unsecured. (*e*) Construction and betterments. (*f*) Co-ordination or consolidation of railway lines and facilities. (*g*) Guarantees of securities. The amount herein authorized may be applied from time to time, in the discretion of the Governor in Council:— (*a*) To meet expenditures made or indebtedness incurred by the Company in respect of railways, properties and works entrusted to the Company as aforesaid. (*b*) By way of loans in cash, or by way of guarantee, or partly one way and partly the other, subject, however, as follows:— If by way of loans, the amount or amounts advanced shall be repayable on demand, with interest at the rate fixed by the Governor in Council, from time to time, payable half-yearly, secured if and when directed by the Governor in Council by mortgage or mortgages upon such properties, in such form and containing such terms and conditions not inconsistent herewith, as the Governor in Council may approve. If by way of guarantee, any such guarantee may be of the principal and interest of the notes and obligations or securities of one or more of the said Companies specified by the Governor in Council, and may be signed by the Minister of Finance, on behalf of His Majesty, in such form and on such terms and conditions as the Governor in Council may determine to be appropriate and applicable thereto	73,000,000 00	

SCHEDULE A—*Continued*

No. of Vote.	Service.	Amount.	Total.
	RAILWAYS AND CANALS—*Concluded.*	$ cts.	$ cts.
	(*Chargeable to Income*)—Concluded.		
	MISCELLANEOUS—*Concluded.*		
140	Loan to the Canadian Government Merchant Marine Limited, repayable on demand with interest at a rate to be fixed by the Governor in Council, upon such terms and conditions as the Governor in Council may determine, and to be applied in the payment of deficits in operation of the Company and the vessels under the Company's control during the year ending March 31, 1924	1,500,000 00	
			75,572,969 00
	PUBLIC WORKS.		
	(*Chargeable to Capital*).		
	PUBLIC BUILDINGS.		
141	Ottawa Parliament Buildings	700,000 00	
	Ottawa, Addition to Dominion Archives Building	150,000 00	
	Ottawa, Printing Bureau—New Building	*500,000 00	
	HARBOURS AND RIVERS.		
142	Esquimalt, B.C.—Dry dock under construction	1,500,000 00	
	Port Arthur and Fort William—Harbour improvements	135,000 00	
	Quebec Harbour—Champlain Dock—To complete	96,000 00	
	St. John Harbour—Improvements	860,000 00	
	Toronto Harbour—Improvements	250,000 00	
			4,191,000 00
	PUBLIC WORKS		
	(*Chargeable to Income*)		
	PUBLIC BUILDINGS		
	Nova Scotia		
143	Halifax—Quarantine Station—Repairs and improvements	1,000 00	
	North Sydney—Quarantine Station—Alterations and repairs	2,600 00	
	New Brunswick		
144	St. John—Quarantine Station—Partridge Island—Repairs and improvements	3,000 00	
	St. John Quarantine Station—Partridge Island—Water supply	1,000 00	
	Maritime Provinces Generally		
145	Dominion Public Buildings—Improvements, repairs, etc	38,000 00	
	Quebec		
146	Dominion Public Buildings—Improvements, repairs, etc	80,000 00	
	Grosse Isle Quarantine Station—Repairs	5,500 00	
	Montreal—Ordnance Stores Building	26,000 00	
	Montreal—Towards purchase of Lavut Building for Postal Station "G"	26,500 00	
	Ontario		
147	Dominion Public Buildings—Improvements, repairs, etc	100,000 00	
	Hamilton Post Office—Repairs	11,000 00	
	Kitchener—Government's share of cost of local improvements	1,750 36	
	Ottawa—Departmental Buildings—Fittings, etc	50,000 00	
	Ottawa—Printing Bureau—Improvements	1,000 00	
	Ottawa—Towards purchase of Daly Building	148,000 00	

* Deduction $350,000.00

SCHEDULE A—*Continued.*

No. of Vote.	Service.	Amount.	Total.
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	(Chargeable to Income)—Continued		
	PUBLIC BUILDINGS—*Continued*		
	Manitoba		
148	Dominion Public Buildings—Improvements, repairs, etc.	35,000 00	
	Portage la Prairie—Public Building—Improvements to plumbing	850 00	
	Winnipeg—Immigration building—Improvements to heating	14,000 00	
	Saskatchewan		
149	Dominion Public Buildings—Improvements, repairs, etc.	17,000 00	
	Moose Jaw—Public Building—Improvements to heating	12,000 00	
	Prince Albert—Public building—Improvements to heating	5,200 00	
	Alberta		
150	Calgary—Customs Examining Warehouse—Alterations	5,000 00	
	Calgary—Customs Examining Warehouse—Local improvement taxes	3,737 10	
	Dominion Public Buildings—Improvements, repairs, etc.	17,000 00	
	Grande Prairie—Enlargement of public building for telegraph office	11,000 00	
	British Columbia.		
151	Bamfield—Public Building	1,500 00	
	Dominion Public Buildings—Improvements, repairs, etc.	35,000 00	
	Victoria—Old Post Office—Taxes due City for 1922	1,482 62	
	Williams Head Quarantine Station—Repairs and improvements to existing buildings, fittings, etc.	6,000 00	
	Generally.		
152	Armouries—Fittings and alterations	37,000 00	
	Dominion Public Buildings—Generally	30,000 00	
	Experimental Farms—Replacements, repairs and improvements	70,000 00	
	Flags for Dominion public buildings	5,000 00	
	Military Hospitals—Repairs and improvements	50,000 00	
	Rents, Repairs, Furniture, Heating, etc.		
153	Ottawa Public Buildings—		
	Dominion Observatory and Geodetic Survey Building—Repairs, maintenance of grounds, etc.	4,500 00	
	Ottawa Public Buildings—Water	39,000 00	
	Elevator attendants	72,000 00	
	Lighting, including roads and bridges	82,000 00	
	Heating, including salaries of engineers, firemen and watchmen	380,000 00	
	Departments generally—Char service, including $100 to E. Snowdon for firing noon gun	385,000 00	
	Repairs, furniture, grounds, street cleaning and maintenance	700,000 00	
	Rideau Hall (including grounds)—Improvements, furniture, maintenance, etc.	60,000 00	
	Rideau Hall—Allowance for fuel and light	19,000 00	
	Telephone service	93,000 00	
	Dominion Public Buildings—		
	Dominion Immigration Buildings—Repairs, furniture, etc.	18,000 00	
	Dominion Quarantine Stations-Maintenance	5,000 00	
	Fittings and general supplies and furniture	150,000 00	
	Heating	420,000 00	
	Lighting	200,000 00	
	Power for running elevators, stamp cancelling machines, etc.	76,000 00	

SCHEDULE A—*Continued*

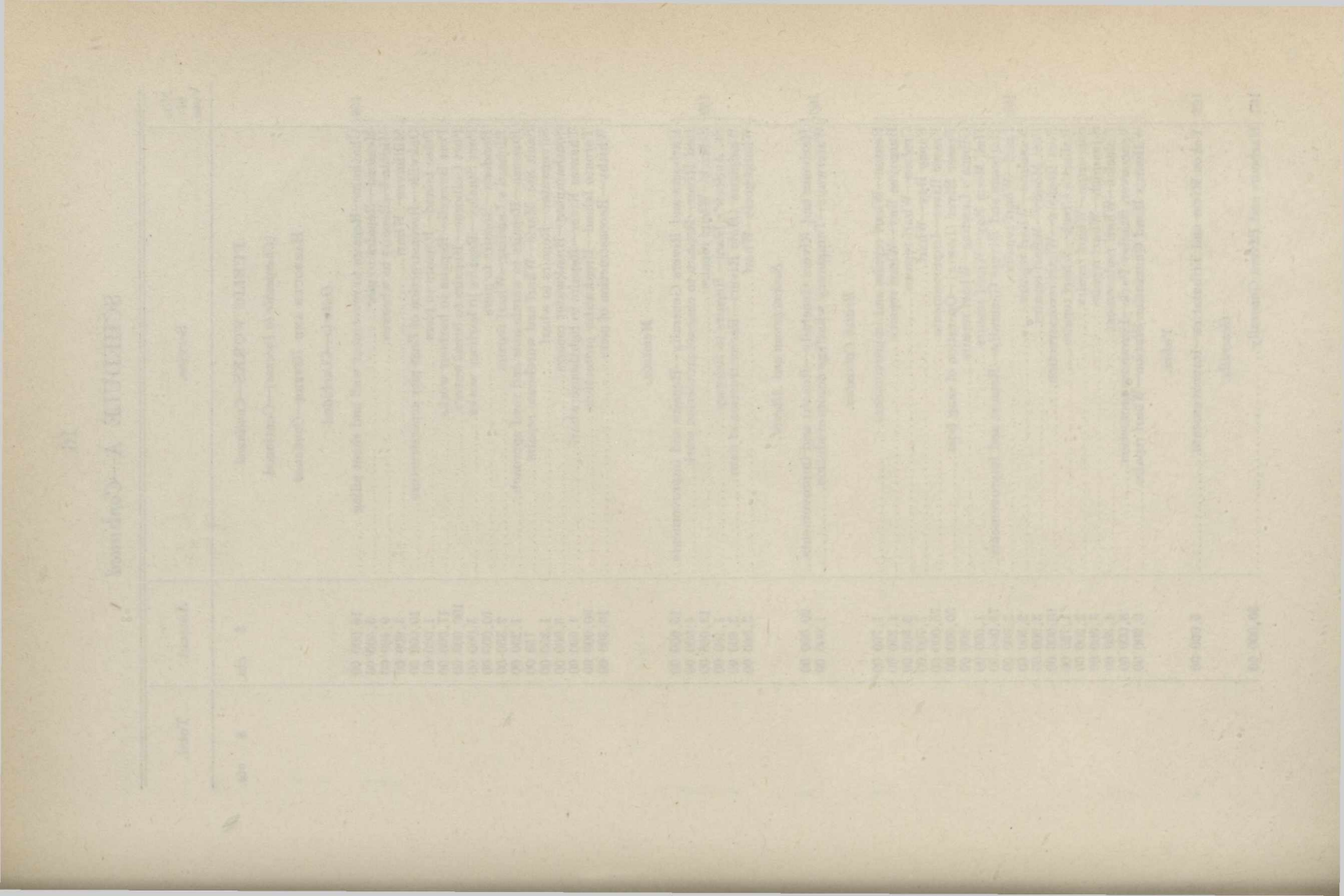
No. of Vote.	Service.	Amount.	Total.
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	(Chargeable to Income)—Continued		
	PUBLIC BUILDINGS—*Concluded*		
	Rents, Repairs, Furniture, Heating, etc.—Concluded		
	Rents	1,450,000 00	
	Salaries of caretakers, engineers, firemen, etc	840,000 00	
	Supplies for caretakers, etc	40,000 00	
	Water	68,000 00	
	Yukon Public Buildings—Rents, repairs, fuel, light, water service and caretakers' salaries	27,000 00	
	Victoria, B.C.—Astrophysical Observatory (Little Saanich Mountain)—Maintenance, repairs, etc	7,000 00	
	HARBOURS AND RIVERS		
	Nova Scotia.		
	Annapolis Royal—Wharf repairs	1,000 00	
	Barrington Cove (Sydney Mines)—Wharf repairs	5,300 00	
	Bayfield—Wharf repairs	1,550 00	
	Bear River—Rebuilding warping piers	13,350 00	
	Big Bras D'Or—Wharf reconstruction	2,000 00	
	Black Point—Breakwater repairs	1,150 00	
	Canso—Wharf	7,700 00	
	Cape St. Marys—Breakwater repairs and renewals	3,000 00	
	Chapel Cove (West L'Ardoise)—Breakwater extension	7,500 00	
	Chimney Corner—Completion of wharf	13,400 00	
	Devil's Island—Breakwater repairs and extension	9,000 00	
	Digby—General repairs and renewals to pier	3,000 00	
	Englishtown—Wharf repairs	800 00	
	Friars' Head—Breakwater extension and repairs	4,200 00	
	Half Island Cove—Rebuilding breakwater	4,350 00	
	Harbours and Rivers Generally—Repairs and Improvements	60,000 00	
	Head East Bay—Wharf repairs	700 00	
	Haulover—Repairs to channel protection walls	4,000 00	
	Joggins—Breakwater repairs	3,000 00	
	Judique (Baxter's)—Wharf repairs	2,700 00	
154	Leitches Creek—Wharf repairs	2,200 00	
	Liscomb—Wharf repairs	750 00	
	Little Bras D'Or—Breakwater repairs	1,000 00	
	Lockeport—Wharf	5,800 00	
	Moose Harbour—Breakwater repairs	900 00	
	New Haven—Breakwater repairs	500 00	
	North River—Wharf repairs	3,000 00	
	Ostrea Lake—Wharf repairs	2,700 00	
	Port Greville—Breakwater repairs	6,000 00	
	Port Hood—Wharf repairs	8,600 00	
	Port La Tour—Breakwater reconstruction	6,800 00	
	Pugwash—Wharf repairs	4,500 00	
	Red Island—Repairs to breakwater	5,250 00	
	Salmon River—Wharf reconstruction	1,300 00	
	Smiley's Point—Breakwater repairs	1,400 00	
	Turner's Island—Wharf repairs	1,500 00	
	Walton—Wharf repairs	800 00	
	West Green Harbour—Breakwater and wharf	2,500 00	
	West Arichat—Wharf repairs	900 00	
	Yarmouth Bar—Repairs and improvements	4,000 00	
	Yarmouth Harbour—Dredging	85,000 00	
	Prince Edward Island.		
	Bay Fortune—Renewal of approach	750 00	
	Cape Traverse—To repair and strengthen wharf	1,900 00	
	China Point—Wharf repairs	800 00	
	Graham's Pond—Repairs to breakwaters	2,100 00	
	Haggerty's Wharf—Repairs	900 00	

SCHEDULE A—*Continued*

No. of Vote.	Service.	Amount.	Total.
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued.*		
	(Chargeable to Income)—Continued.		
	HARBOURS AND RIVERS—*Continued.*		
	Prince Edward Island—Concluded.		
	Harbours and Rivers Generally—Repairs and improvements..	14,000 00	
155	Hickey's Wharf—Repairs	1,200 00	
	Hurd's Point—Wharf repairs and reconstruction	800 00	
	Kier's Shore—Wharf repairs	1,900 00	
	Miminigash Harbour—Breakwater reconstruction	2,900 00	
	North River—Wharf repairs	750 00	
	Southport—Wharf repairs	3,000 00	
	Tignish Harbour—Breakwater repairs	2,700 00	
	New Brunswick.		
	Campbellton—Deep water wharf repairs	1,200 00	
	Cumming's Cove—Wharf repairs	2,000 00	
	Dalhousie—Ferry wharf repairs	2,000 00	
	Dipper Harbour—Breakwater repairs	3,000 00	
	Harbours and Rivers Generally—Repairs and improvements..	40,000 00	
156	Lameque—Wharf repairs	6,000 00	
	Leonardville—Wharf repairs	900 00	
	Miscou Harbour—Wharf repairs	2,400 00	
	Oak Point (Northumberland)—Wharf repairs	2,000 00	
	Petit Rocher—Breakwater repairs	4,500 00	
	Portage River—Repairs to breakwaters	600 00	
	Shippegan Gully—Repairs to breakwaters	1,000 00	
	Quebec.		
	Batiscan—Wharf improvements	925 00	
	Beloeil Village—Wharf repairs	700 00	
	Bersimis (Betsiamites)—Wharf extension and repairs	8,600 00	
	Berthierville—Wharf improvements	6,000 00	
	Bryant's Landing—Wharf repairs and reconstruction	2,700 00	
	Cap Chat —Wharf repairs	1,100 00	
	Carleton—Wharf repairs	1,950 00	
	Cap de la Madeleine—Wharf repairs	3,325 00	
	Cap St. Ignace—Wharf repairs	2,500 00	
	Caughnawaga—Shelter and Wharf repairs	875 00	
	Chicoutimi—Wharf repairs and rebuilding shed	29,500 00	
	Contrecoeur—Reconstruction of wharf headblock	5,500 00	
	Cross Point—Wharf repairs	3,030 00	
	Descente des Femmes—Wharf repairs	2,700 00	
	Desjardins—Wharf repairs	765 00	
	Douglastown—Wharf repairs	1,500 00	
	East Templeton—Wharf repairs	1,420 00	
	Fabre—Wharf repairs	600 00	
	Father Point—Wharf improvements	5,500 00	
	Fassett—Wharf repairs	2,000 00	
	Fort William—Wharf repairs	950 00	
	Fox River—Wharf repairs	1,900 00	
	Georgeville—Wharf improvements	2,100 00	
	Grand River—Wharf extension	29,000 00	
	Grindstone, Magdalen Islands—Wharf and shed repairs and breastwork extension	2,050 00	
	Grand Mechins—Wharf repairs	1,350 00	
	Grondines—Wharf	50,000 00	
	Grosse Isle Quarantine Station—Wharf repairs	1,250 00	
	Grosse Roche—Wharf repairs	3,500 00	
	Harbours and Rivers Generally—Repairs and improvements..	75,000 00	
	Iberville—Wharf repairs	850 00	
	La Malbaie—Wharf	12,000 00	
	Lavaltrie—Reconstruction of wharf and approach	2,300 00	
157	Lanoraie—Wharf reconstruction	5,500 00	
	Les Eboulements—Wharf repairs	1,200 00	

SCHEDULE A—*Continued.*

No. of Vote.	Service.	Amount.	Total.
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	(*Chargeable to Income*)—Continued		
	HARBOURS AND RIVERS—*Continued*		
	Quebec—Concluded		
	L'Islet—Wharf repairs	23,500 00	
	Matane—Harbour improvements	100,000 00	
	Mille Vaches—Wharf repairs	2,500 00	
	Montebello—Wharf repairs	850 00	
	Montmagny—Repairs to wharves	1,250 00	
	New Carlisle—Wharf repairs	1,200 00	
	Newport—Wharf repairs	700 00	
	Peribonka—Wharf repairs	4,650 00	
	Perkins Landing—Wharf repairs	800 00	
	Piche Point—Wharf repairs and improvements	1,500 00	
	Pointe aux Esquimaux—Wharf repairs	2,850 00	
	Point au Pic (Murray Bay)—Wharf repairs	18,000 00	
	Pointe a Elie—Magdalen Islands—Wharf repairs and improvements	5,850 00	
	Pointe aux Trembles—Wharf repairs	15,200 00	
	Pointe Shea—Amherst—Magdalen Islands—Repairs to pier	5,000 00	
	Repentigny—Wharf improvements	3,400 00	
	Rimouski—Wharf reconstruction	20,000 00	
	Riviere du Lievre—Lock and dam—Reconstruction of protection walls	10,000 00	
	Riviere Ouelle—Wharf repairs	5,600 00	
	Roberval—Wharf repairs	4,000 00	
	Ste. Anne de Beaupre—Repairs to wharf	2,350 00	
	Ste. Anne de Chicoutimi—Repairs to wharf	8,500 00	
	Ste. Anne des Monts—Reconstruction of training pier	11,000 00	
	Ste. Anne de la Pocatiere—Wharf repairs	2,150 00	
	St. Antoine—River Richelieu—Repairs to wharf and approach	1,000 00	
	St. Alexis—Wharf repairs	8,000 00	
	St. Andre—Wharf repairs	870 00	
	St. Charles—Wharf reconstruction	1,300 00	
	St. Charles de Caplan—Wharf repairs	1,775 00	
	St. Godfroy—Wharf repairs	3,100 00	
	St. Jean d'Orleans—Repairs to wharf	2,250 00	
	St. Jean Port Joli—Wharf repairs	1,150 00	
	St. Laurent d'Orleans—Repairs to wharf—to complete	1,500 00	
	St. Michel de Bellechasse—Repairs to wharf	16,000 00	
	St. Nicholas—Wharf repairs	900 00	
	St. Omer—Wharf reconstruction	6,600 00	
	St. Sulpice—Reconstruction of wharf approach	2,100 00	
	Seven Islands—Repairs to wharf	3,000 00	
	Trois Pistoles—Repairs to wharves	800 00	
	Ville Marie—Wharf repairs	1,450 00	
	Ontario.		
	Bayfield—Repairs to piers	4,750 00	
	Big Bay Point—Wharf repairs	2,500 00	
	Blind River—Wharf reconstruction	21,000 00	
	Bronte—Repairs to piers	5,700 00	
	Burk's Falls—Wharf repairs	3,900 00	
	Cobourg—Breakwater reconstruction	25,000 00	
	Callander—Wharf repairs	1,000 00	
	Goderich Harbour—Repairs and improvements	11,800 00	
	Haileybury—Wharf reconstruction	26,400 00	
	Harbours and Rivers Generally—Repairs and improvements	65,000 00	
	Kenora—Wharf repairs	1,130 00	
	Kincardine—Repairs to piers	10,000 00	
	Kingsville—Repairs and renewals to piers	4,500 00	
	Leamington—Repairs to pier	1,000 00	
	Little Current—Dredging	38,000 00	
	L'Orignal—Wharf repairs and improvements	2,000 00	



SCHEDULE A—*Continued*

No. of Vote.	Service.	Amount.	Total.
	PUBLIC WORKS—*Continued*	$ cts.	$ cts.
	(*Chargeable to Income*)—Continued		
	HARBOURS AND RIVERS—*Continued*		
	Ontario—Concluded		
158	Chatham—Repairs to revetment wall and sheet piling	16,000 00	
	Meaford—Repairs to pier	5,400 00	
	Midland—Repairs to wharves	9,400 00	
	Millhaven—Wharf	3,900 00	
	Oakville—Reconstruction of East pier superstructure	10,000 00	
	Pelee Island—Repairs to piers	1,000 00	
	Port Burwell—Repairs to harbour works	17,000 00	
	Port Colborne—Repairs to breakwaters	100,000 00	
	Port Stanley—Repairs to harbour works	5,000 00	
	Rondeau—Repairs to piers	10,000 00	
	Richard's Landing—Wharf repairs	2,350 00	
	Rosseau—Repairs to warehouses and road approach	1,200 00	
	Sault Ste. Marie—Wharf and warehouse repairs	750 00	
	Silverwater—Repairs to wharf	1,350 00	
	Southampton—Breakwater repairs	6,000 00	
	Thames River—Repairs to lighthouse wharf	1,000 00	
	Toronto Island—Breakwater protection	30,000 00	
	Whitby—Reconstruction of piers	19,500 00	
	Manitoba.		
159	Harbours and Rivers Generally—Repairs and improvements	15,000 00	
	Red River—Repairs to channel protection work	4,000 00	
	Selkirk—Wharf repairs	13,665 00	
	St. Andrew's Dam—Repairs to fishway	1,100 00	
	Wanipigow (Hole River)—Reconstruction of dam	3,600 00	
	Winnipegosis—Wharf	3,900 00	
	Saskatchewan and Alberta.		
160	Harbours and Rivers Generally—Repairs and improvements	20,000 00	
	Waterways—Temporary wharfage accommodation	1,000 00	
	British Columbia.		
161	Beaton—Wharf repairs and improvements	1,760 00	
	Burgoyne Bay—Wharf repairs	1,250 00	
	Crofton—Wharf repairs	2,500 00	
	Fanny Bay—Wharf	7,700 00	
	Fraser River—Improvements	75,000 00	
	Fraser River (Lower)—Operation of snag boat	30,000 00	
	Gibson's Landing—Wharf repairs	900 00	
	Half Moon Bay—Wharf repairs	1,000 00	
	Harbours and Rivers Generally—Repairs and improvements	75,000 00	
	Lund—Wharf repairs	2,000 00	
	Nanaimo—Wharf repairs	2,500 00	
	Port Moody—Wharf repairs	3,900 00	
	Port Renfrew—Wharf reconstruction	10,000 00	
	Robert's Creek—Wharf repairs	1,725 00	
	Sapperton—Wharf repairs	2,200 00	
	Squamish—Wharf repairs	3,600 00	
	Ucluelet—Wharf replacement	4,300 00	
	Vancouver, Stanley Park—Foreshore protection	8,000 00	
	William's Head Quarantine Station—Wharf repairs	3,900 00	
	Yukon.		
162	Yukon River and Tributaries—Improvements	5,000 00	
	Generally.		
163	Harbours and Rivers Generally	30,000 00	

SCHEDULE A—*Continued.*

No. of Vote.	Service.	Amount.	Total.
	PUBLIC WORKS—*Concluded.*	$ cts.	$ cts.
	(*Chargeable to Income*)—Concluded.		
	HARBOURS AND RIVERS—*Concluded.*		
	DREDGING.		
164	Dredging—Maritime Provinces	600,000 00	
	Dredging—Ontario and Quebec	625,000 00	
	Dredging—Manitoba, Saskatchewan and Alberta	100,000 00	
	Dredging—British Columbia	400,000 00	
	ROADS AND BRIDGES.		
	Dominion Roads and Bridges Generally	5,000 00	
	Paspebiac—Contribution towards reconstruction of bridge	5,000 00	
	Interprovincial Bridge over Restigouche River at Metapedia—Repairs	4,250 00	
165	International bridge across St. John River at Edmundston, N.B.—Revote of lapsed amount	14,100 00	
	Red River, Man.—Repairs to river bank and road at St. Andrews	600 00	
	Calumet—Bryson Bridge—Reconstruction	4,000 00	
	Ottawa—Maintenance and repairs of bridge and approaches	7,000 00	
	TELEGRAPH AND TELEPHONE LINES		
	Saskatchewan and Alberta		
	Edmonton to Hudson's Hope—General Repairs, etc	9,000 00	
	Battleford—Isle la Crosse Telegraph line—General repairs and improvements	5,000 00	
166	Telegraph Lines Generally—Repairs to office buildings	1,725 00	
	Athabasca—Fort McMurray Telegraph Line—General repairs, etc	2,500 00	
	Edmonton—Onion Lake Telegraph Line—General repairs, etc.	3,500 00	
	British Columbia.		
	Vancouver Island Telegraph and Telephone Lines Generally—Purchase of cable	5,500 00	
167	Vancouver Island District—General repairs and improvements	2,000 00	
	Mainland Telegraph and Telephone Lines—General repairs and improvements	8,200 00	
	MISCELLANEOUS.		
	Accounts Branch—Salaries of agents and clerks, travelling and contingent expenses of Outside Service	21,000 00	
	Architectural Branch—Salaries of architects, clerks of works, inspectors, draftsmen, clerks and messengers of Outside Service	81,000 00	
	Engineering Branch—Salaries of engineers, inspectors, superintendents, draftsmen, clerks and messengers of Outside Service	465,000 00	
	For operation and maintenance of Inspection boats	15,850 00	
	Maintenance and operation of water storage dams on Ottawa River and tributaries, surveys in connection therewith and settlement of land damages	55,000 00	
	Monument to Sir Wilfrid Laurier	25,000 00	
168	National Gallery of Canada	100,000 00	
	Ottawa Parliament Building—Tablet to the memory of the late Bowman B. Law, who lost his life in the fire which destroyed the old Parliament Building	5,000 00	
	River gauging and metering	33,100 00	
	Surveys and inspections	110,000 00	
	Towards completing monument to his late Majesty King Edward VII	6,000 00	
	To cover balance of expenditure for works already authorized for which the appropriation may be insufficient, provided the amount for any one work does not exceed $200	5,000 00	
	National Monument on Connaught Place	10,000 00	
			10,485,160 08

SCHEDULE A—*Continued*

No. of Vote.	Service.	Amount.	Total.
		$ cts.	$ cts.
	MAIL SUBSIDIES AND STEAMSHIP SUBVENTIONS.		
	ATLANTIC OCEAN.		
169	Canada and Newfoundland, steam service or services between	35,000 00	
170	Canada and the West Indies and South America, or both, steam service or services between	340,666 66	
171	Canada and South Africa, steam service between	146,000 00	
	PACIFIC OCEAN.		
172	Canada and New Zealand on the Pacific ocean, steam service between	130,509 00	
173	Prince Rupert, B.C., and Queen Charlotte Islands, steam service between	21,000 00	
174	Victoria and San Francisco, steam service between	3,000 00	
175	Victoria, Vancouver, wayports and Skagway, steam service between	25,000 00	
176	Victoria and West Coast Vancouver Island, steam service between	15,000 00	
177	Vancouver and Northern ports of B.C., steam service between	24,800 00	
178	Vancouver and ports on Howe Sound, steam service between	5,000 00	
	LOCAL SERVICES		
179	Baddeck and Iona, steam service between	9,000 00	
180	Charlottetown and Pictou, steam service between	8,000 00	
181	Charlottetown, Victoria and Holliday's Wharf, steam service between	4,000 00	
182	Grand Manan and the mainland, steam service between	15,000 00	
183	Halifax, Canso and Guysboro, steam service between	9,000 00	
184	Halifax, LaHave and LaHave River ports, steam service between	6,000 00	
185	Halifax and Newfoundland, *via* Cape Breton ports, steam service between	5,000 00	
186	Halifax and Spry Bay, and ports in Cape Breton, steam service between	6,000 00	
187	Halifax, South Cape Breton, & Bras d'Or Lake ports, steam service between	6,000 00	
188	Halifax and West Coast of Cape Breton, calling at wayports, steam service between	6,000 00	
189	Mainland and Islands of Miscou and Shippegan, service between	3,300 00	
190	Mulgrave and Canso, steam service between	13,500 00	
191	Mulgrave and Guysboro, calling at intermediate ports, steam service between	9,500 00	
192	Newcastle, Neguac, and Escuminac, calling at intermediate points on the Miramichi River and Bay, steam service between	5,000 00	
193	Pelee Island and the mainland, steam service between	11,000 00	
194	Mulgrave, Arichat and Petit de Grat, steam service between	10,000 00	
195	Pictou, Montague, Murray Harbour and Georgetown, steam service between	6,000 00	
196	Pictou, Mulgrave, and Cheticamp, steam service between	11,000 00	
197	Pictou, New Glasgow & Antigonish County ports, schooner service between	1,500 00	
198	Port Mulgrave, St. Peter's, Irish Cove and Marble Mountain, and other ports on the Bras d'Or Lakes, steam service between	8,000 00	
199	Pictou, Souris and the Magdalen Islands, steam service between	24,000 00	
200	Quebec, Natashquan and Harrington, and other ports on the North Shore of the Gulf of St. Lawrence, steam service between	85,000 00	
201	Quebec or Montreal, and Gaspe and ports on the South Shore of the Gulf of St. Lawrence, steam service between	30,000 00	
202	St. Catherine's Bay and Tadoussac, winter steam service between	2,000 00	
203	St. John and St. Andrews, calling at intermediate points, steam service between	4,000 00	

SCHEDULE A—*Continued*

No. of Vote.	Service.	Amount.	Total.
		$ cts.	$ cts.
	MAIL SUBSIDIES AND STEAMSHIP SUBVENTIONS—*Concluded*		
	LOCAL SERVICES—*Concluded.*		
204	St. John, and Bear River, and other wayports, steam service between	2,000 00	
205	St. John and Bridgetown, steam service between	1,500 00	
206	St. John and Digby, steam service between	15,000 00	
207	St. John, Digby, Annapolis and Granville, along the West Coast of Annapolis Basin, steam service between	2,000 00	
208	St. John and ports on the Bay of Fundy and Minas Basin, steam service between	8,500 00	
209	St. John and Wedgeport, steam service between	5,000 00	
210	St. John, Westport and Yarmouth and other wayports, steam service between	10,000 00	
211	Sydney and Bay St. Lawrence, calling at wayports, steam service between	9,000 00	
212	Sydney and Whycocomagh, steam service between	13,000 00	
213	Sydney and Bras d'Or Lake ports, and ports on the West Coast of Cape Breton	14,000 00	
214	Inspection of subsidized steamship services	4,500 00	
			1,128,275 66
	OCEAN AND RIVER SERVICE		
215	Maintenance and repairs to Dominion Steamers and Icebreakers	1,500 000,00	
216	Examination of Masters and Mates	20,000 00	
217	Investigation into wrecks	12,300 00	
218	Navigation Schools	8,000 00	
219	To provide for the temporary relief of distressed seamen, pay legal expenses and the cost of shipping books and forms	5,000 00	
220	Registration of Shipping	5,000 00	
221	Removal of obstructions in navigable waters	5,000 00	
222	Inspection of live stock shipments	3,500 00	
223	To continue subsidies for wrecking plants—Quebec and British Columbia	35,000 00	
224	Unforeseen expenses	5,000 00	
225	Life Saving Service, including rewards for saving life	90,000 00	
226	Hydrographic Survey and to provide for the maintenance and repairs of Hydrographic steamers	364,080 00	
227	Radiotelegraph Service and to provide for the building and maintenance of wireless stations and the general administration of Radiotelegraphy throughout the Dominion	*454,900 00	
228	Tidal and Current Survey	35,000 00	
			2,542,780 00
	PUBLIC WORKS.		
	(*Chargeable to Capital.*)		
	MARINE DEPARTMENT.		
229	River St. Lawrence Ship Channel—Maintenance and operating dredging fleet	613,000 00	
230	To provide for the maintenance and operating of Sorel Shipyard	125,000 00	
231	Amount required for the construction of one self-propelling Hopper Barge (revote)	54,800 00	
			792,800 00
	LIGHTHOUSE AND COAST SERVICE.		
232	Agencies, rents and contingencies	212,000 00	
233	Salaries and allowances to lightkeepers	650,000 00	
234	Maintenance and repairs to lighthouses	850,000 00	
235	Construction of lights and aids to navigation, including regulation of traffic in the Detroit River and such other places as may be found necessary	500,000 00	

* Deduction $22,410.00

SCHEDULE A—*Continued*

No. of Vote.	Service.	Amount.	Total.
	LIGHTHOUSE AND COAST SERVICE—*Concluded*	$ cts.	$ cts.
236	Marine Signal Service	104,000 00	
237	Administration of Pilotage	250,000 00	
238	Maintenance and repairs to wharves	10,000 00	
239	To provide for breaking ice in Thunder Bay, Lake Superior and other points deemed advisable for the good of navigation	40,000 00	
240	Amount required to pay pensions to pilots—Louis Rob. Demers, Joseph Lapointe, Bartholemi Lachance, Alphonse Asselin, Elzéar Desrosiers, Hubert Raymond, Arbel Bernier, Adelme Pouliot, Edmond LaRochelle, L. E. Morin, A. T. Simard, Joseph Plante, Victor Vézina, Raymond Baquet, Alfred LaRochelle, Théophile Corriveau, Alphonse Pouliot, Emilio Couillard, Trefflé Delisle, David Dumas, Alfred Gaudreau, F. X. Demeules, Adjutor Baillargeon, Joseph Pouliot, Arthur Baillargeon, John A. Irvine, Camille Bernier, Joseph Eugène Lachance, Elzear Normand, Philéas Lachance	9,475 00	
241	Allowance to Harbour Master at Amherstburg, for supervision of lights and buoys on the St. Clair river, the Detroit river and Lake Erie, and other services in connection with the lighthouse service for the season of navigation, 1923	600 00	
242	Patrol of the Northern Waters of Canada	15,000 00	
			2,641,075 00
	SCIENTIFIC INSTITUTIONS.		
	DEPARTMENT OF THE INTERIOR		
	Scientific Institutions.		
243	Expenses connected with the Dominion Observatory at Ottawa	58,420 00	
243	Expenses connected with the Dominion Astrophysical Observatory at Victoria, B.C.	18,500 00	
	Topographical Surveys		
244	Topographical and general surveys, traverse of northern rivers and lakes, classification of lands for the settlement and development of Canada, plotting and printing of plans, etc.	520,000 00	
	Geodetic Survey of Canada		
245	Investigations, reconnaissance, triangulations, precise levelling, geodetic astronomy, etc.	325,000 00	
	International Boundaries		
246	Expenses connected with the survey and demarcation of International Boundaries, including $1,000 to J. J. McArthur, as International Boundary Commissioner	42,940 00	
	DEPARTMENT OF MARINE.		
247	Meteorological Service, including Magnetic Observatory, grants of $500 each to Kingston and Montreal Observatories, and allowance of $400 to L. F. Gorman, Observer at Ottawa	287,629 00	
			1,252,489 00
	STEAMBOAT INSPECTION		
248	Steamboat Inspection		119,210 00
	FISHERIES.		
249	Salaries and Disbursements of Fishery Officers and Guardians, Fisheries Patrol and Fisheries Protection Services	880,000 00	
250	Building Fishways and Clearing Rivers	40,000 00	
251	Legal and Incidental	4,000 00	

SCHEDULE A—*Continued.*

No. of Vote.	Service.	Amount.	Total.
		$ cts.	$ cts.
	FISHERIES—*Concluded*		
252	To assist in the Conservation and Development of the Deep-sea Fisheries, and the demand for fish	25,000 00	
253	To provide for the maintenance of a Fisheries Intelligence Bureau	2,000 00	
254	To provide for the inspection of pickled fish	25,000 00	
255	Fish culture	370,000 00	
256	To provide for investigation into practical and economic problems connected with the fisheries	15,000 00	
257	Marine Biological Board of Canada	42,000 00	
			1,403,000 00
	MINES AND GEOLOGICAL SURVEY.		
	Department.		
258	For organization and equipment of the Explosives Division under the Explosives Act, chap. 31, 4-5 George V	12,000 00	
	Mines Branch.		
259	For investigation of mineral resources or deposits, of the mining and metallurgical industries, and of mineral technology; wages, expenses of testing and research laboratories. Investigations by, including salaries and all other expenses of, Dominion Fuel Board	200,000 00	
	For publications; English and French. Purchase of books, laboratory supplies, instruments, miscellaneous assistance and contingencies	40,000 00	
	Dominion of Canada Assay Office.		
260	For maintenance of Assay Office, Vancouver, B.C	26,000 00	
	Geological Survey.		
261	For explorations, surveys and investigations, wages of explorers, topographers and others	202,000 00	
	For publication of English and French editions of reports, maps, illustrations, etc	60,000 00	
	For maintenance of offices and museum, instruments, chemicals, books of reference, miscellaneous assistance, and contingencies	50,000 00	
	For museum equipment	15,000 00	
	For purchase of specimens	5,000 00	
			610,000 00
	LABOUR.		
262	Conciliation and Labour Act, including publication, printing, binding and distribution of Labour Gazette, and allowance to correspondents	50,000 00	
263	*Industrial Disputes Investigation Act*	35,000 00	
264	Fair Wages and Inspection Officers	5,000 00	
265	Administration, *Employment Offices Co-ordination Act*	30,000 00	
266	To supplement amount provided by Statute 8-9 Geo. V, Chap. 21, *Employment Offices Co-ordination Act*	50,000 00	
267	Administration, *Technical Education Act*	3,000 00	
268	Administration of the Act respecting Annuities for Old Age	25,000 00	
269	International Labour Conference	15,000 00	
270	Joint Industrial Councils	10,000 00	
			223,000 00
	INDIANS.		
271	Nova Scotia	50,140 00	
272	New Brunswick	29,334 00	
273	Prince Edward Island	3,935 00	
274	Ontario and Quebec	196,635 00	

SCHEDULE A—*Continued*

No. of Vote.	Service.	Amount.	Total.
	INDIANS—*Concluded*	$ cts.	$ cts.
275	Manitoba, Saskatchewan, Alberta and N.W.T.	714,223 00	
276	British Columbia	269,850 00	
277	Yukon	15,000 00	
278	General	147,500 00	
279	Indian Education	1,943,702 00	
			3,370,319 00
	ROYAL CANADIAN MOUNTED POLICE.		
	Pay of Force	1,195,503 50	
	Subsistence, billeting and travelling expenses, forage, fuel and light, clothing, repairs and renewals, horses, ammunition, stationery, etc., hospital, etc., transport, and freight, building repairs, contingencies and criminal investigations	1,287,495 61	
280	To compensate members of the Royal Canadian Mounted Police for injuries received while in the performance of duty	5,000 00	
	To assist in enforcement of Federal Statutes—Expenditure chargeable to this Vote shall be in connection with such Federal Police Duties as may be defined by the Governor in Council upon recommendation of the Minister of Justice.	100,000 00	
			2,587,999 11
	GOVERNMENT OF THE NORTHWEST TERRITORIES.		
	Salaries and expenses in connection with the administration of the Territories, including the erection of buildings and investigation work, etc.	114,000 00	
281	Establishing and operating wireless stations, including buildings, etc.	55,000 00	
	Administration, N.W. Game Act, etc.	33,500 00	
	North West Territories, Explorations	80,000 00	
	Purchase and maintenance of new ship	40,000 00	
			322,500 00
	GOVERNMENT OF THE YUKON TERRITORY.		
	Salaries and expenses connected with the administration of the		
282	Territory	65,000 00	
	Grant to Local Council	45,000 00	
	Grant for maintenance and construction of roads	80,000 00	
			190,000 00
	DOMINION LANDS AND PARKS.		
	Salaries of the Dominion Lands Outside Service	561,380 00	
	Dominon Lands Contingencies, etc.	250,000 00	
	Amount required to pay the fees of the Board of Examiners for D.L.S., of the Secretary and of the Sub-examiners and for travelling expenses, stationery, printing, rent of rooms and furniture, etc. (The fees of Messrs. E. Deville, Otto Klotz and W. M. Tobey, members of the Board, and J. A. Cote, Secretary, are to be paid out of this sum)	2,400 00	
	To assist in publishing the transactions of the Association of Dominion Land Surveyors	125 00	
	Protection of Timber in Manitoba, Saskatchewan, Alberta, the N.W.T. and the Railway Belt in B.C.; tree culture in Manitoba, Saskatchewan, Alberta and Inspection and Management of Forest Reserves	1,088,400 00	
	Grant to Canadian Forestry Association	4,000 00	
	Empire Forestry Conference	30,000 00	
	For surveys and investigations of water and power resources and for administration of Water-Powers, etc.	330,000 00	
	For the investigation of the fuel and power resources of the Dominion and for the expenses of the Dominion Power Board	10,000 00	
	For surveys and inspections in connection with the administration of the Irrigation Act, etc.	200,000 00	

SCHEDULE A—*Continued.*

No. of Vote.	Service.	Amount.	Total.
		$ cts.	$ cts.
	DOMINION LANDS AND PARKS—*Concluded*		
	Reclamation of Dominion Lands by drainage (including revote of $36,000)	129,000 00	
	Grant to Western Canada Irrigation Association	1,000 00	
283	Grant to Cypress Hills Water Users' Association	250 00	
	Canadian National Parks and Historic sites	1,250,980 00	
	Administration of the Migratory Birds Convention Act	55,000 00	
	Engraving, lithographing, printing, and preparation of maps, plans, reports and kindred publications of the Dominion, including salaries and necessary materials for same, etc	120,700 00	
	Costs of litigation and legal expenses	10,000 00	
	Ordnance Lands—Salaries and expenses	14,505 00	
	Grant to Alpine Club of Canada	1,000 00	
	To pay Mrs. E. S. Forbes a compassionate allowance equal to one-half of the salary of her husband, payable monthly	1,050 00	
	To satisfy the claims of the half-breeds of the Mackenzie River District, N.W.T	42,240 00	
	Seed Grain Advances—Amount required to meet uncollected portions of advances of Seed Grain made in the Western Provinces by the chartered banks to holders of unpatented Dominion Lands under the guarantee of the Dominion Government, also including commission payable to banks for collections, fees to Secretary Treasurers of Municipalities and officers of the Provincial Departments of Agriculture, clerical assistance, travelling expenses, etc	160,000 00	
	Amount required to provide relief by way of necessary supplies of food, clothing, fuel, etc., also fodder for animals, to needy settlers of the Provinces of Alberta and Saskatchewan by co-operation and agreement with the Provincial Governments or otherwise, and under regulations to be made by the Governor-in-Council	125,000 00	
			4,387,030 00
	SOLDIERS' LAND SETTLEMENT.		
284	Advances to soldiers settling upon the land, and cost of administering the Soldier Settlement Act, including salaries		8,400,000 00
	SOLDIERS' CIVIL RE-ESTABLISHMENT.		
285	Capital	30,000 00	
286	Care of patients and medical examination of pensioners	3,500,000 00	
287	Vocational expense	50,000 00	
288	Salaries	4,425,000 00	
289	Pay and Allowances—		
	Treatment	3,000,000 00	
	Training	200,000 00	
290	Vocational loans	15,000 00	
291	Interest on War Service Gratuity and Administration Funds	22,000 00	
292	Unemployment relief	500,000 00	
293	Operating expenses and working capital	600,000 00	
294	Employers' Liability Compensation (Revote)	75,000 00	
295	Sheltered employment, after care, transportation of the blind, burial expenses of the destitute, etc	375,000 00	
296	Special Publicity (Revote)	20,000 00	
297	Medical Advisory and Appeal Boards (Revote)	50,000 00	
			12,862,000 00
	MISCELLANEOUS.		
298	*Canada Gazette*	45,000 00	
299	Printing Bureau—Plant, repairs and renewals	30,000 00	
300	Printing Bureau—Plant, new	45,000 00	
301	Distribution of Parliamentary documents and other Government publications	40,000 00	
302	Miscellaneous printing	20,000 00	
303	Contribution towards publication of International Catalogue of Scientific Literature	665 00	

SCHEDULE A—*Continued*

No. of Vote.	Service.	Amount.	Total.
	MISCELLANEOUS—*Continued.*	$ cts.	$ cts.
304	Expenses under the Canada Temperance Act	12,000 00	
305	For supply of Canadian publications to Library of the High Commissioner's Office	1,000 00	
306	To provide for the purchase of 650 copies of the Parliamentary Guide	1,950 00	
307	To provide for the administration of the Bankruptcy Act	4,000 00	
308	Expenses under the Naturalization Acts 1914 and 1920	18,000 00	
309	Unforeseen expenses, expenditure thereof to be under Order in Council, and a detailed statement to be laid before Parliament within fifteen days of next session	75,000 00	
310	Expenses in connection with the negotiation of treaties	20,000 00	
311	Grant to the National Battlefields Commission:—		
	(a) For expenses of administration	6,000 00	
	(b) For maintenance of the National Battlefields Park	35,000 00	
	(c) For maintenance of Martello Towers	600 00	
312	Canadian Press Limited—Canadian telegraph service	50,000 00	
313	Canadian Press Limited—British cable service	8,000 00	
314	To provide for the administration of the Business Profits War Tax Act, 1916, and the Income War Tax Act, 1917, and amendments. Appointments for the purpose and an additional salary of $4,000 for the Commissioner of Taxation may be made without reference to, and notwithstanding, the provisions of the Civil Service Act	2,200,000 00	
315	Grant to the Victorian Order of Nurses	5,000 00	
316	Grant in aid of the Canadian General Council of the Boy Scouts Association	15,000 00	
317	Contribution to aid in carrying on the work of the Royal Astronomical Society	2,000 00	
318	Grant to the Royal Society of Canada	8,000 00	
319	Royal Canadian Academy of Arts	7,500 00	
320	Grant in aid of the Dominion Council of the Girl Guides	3,000 00	
321	Grant to the Canadian National Institute for the Blind under agreement with the Department of Soldiers Civil Re-establishment, authorized by Order-in-Council of April 2, 1919	10,000 00	
322	Grant to the Inter-parliamentary Union for Peace	200 00	
323	Subscription to publications of the Empire Parliamentary Association to be distributed to members of the House of Commons	2,000 00	
324	Chief Electoral Officer—Salaries and Contingencies of office	16,300 00	
325	Expenses of litigated matters—Department of Justice	33,000 00	
326	Annual contribution to the Canadian Law Library, London, England	500 00	
327	Expenses under Pecuniary Claims Convention with U.S.A.	10,000 00	
328	Grant to assist the Canadian Association for the Prevention of Tuberculosis	15,000 00	
329	Grant towards defraying the expenses of the Canadian National Committee for Mental Hygiene	5,000 00	
330	Grant to Canadian National Council of Child Welfare	5,000 00	
331	Grant to the Canadian Social Hygiene Council	5,000 00	
332	Public Archives	73,000 00	
333	To provide for the salary of a Private Secretary to the Speaker of the Senate	600 00	
334	Salaries and expenses of the Paris Agency	42,500 00	
335	Allowances to W. J. Stewart, Chief Hydrographer and to J. B. Challies, Director of Water Power, of $1,000 each, for services performed in relation to questions under consideration by the International Joint Commission during the year 1923–24	2,000 00	
336	Amount required to meet expenses of Lake of the Woods Control Board	10,000 00	
337	Canadian Representation in the United States	60,000 00	
338	Salaries and Expenses, Passport Office	25,000 00	
339	To provide for Canada's contribution towards the maintenance of the permanent Secretariat of the League of Nations	183,668 03	
340	Amount required for expenses of Canadian delegation to the League of Nations	15,000 00	
341	Grant to assist the Canadian Branch of the St. John Ambulance Association	5,000 00	

SCHEDULE A—*Continued*

No. of Vote.	Service.	Amount.	Total.
	MISCELLANEOUS—*Concluded*	$ cts.	$ cts.
342	Grant to the National Dairy Council	3,000 00	
343	Grant to National Horticultural Council	8,000 00	
344	To provide for Canada's proportionate share of the cost of expenditure made by the Imperial War Graves Commission —probable amount required	573,780 00	
345	Grant to the Canadian Institute of Mining and Metallurgy	3,000 00	
346	Grant to Imperial Mineral Resources Bureau	7,300 00	
347	To provide for the expenses of work in the interest of fire prevention, to be carried on by the Department of Insurance	17,000 00	
348	Patent Record	45,000 00	
349	Grant to the Chief Constable's Association of Canada	500 00	
350	To assist in the suppression of the White Slave Traffic	2,500 00	
351	Battlefields Memorials	200,000 00	
352	British Empire Exhibition	500,000 00	
353	Supervision of Government purchases and sales, including salary of L. R. La Fleche at $6,000	25,000 00	
354	To provide for the revision of the Dominion Statutes	20,000 00	
355	Canadian National Safety League	25,000 00	
356	Supervision of Government publications and departmental printing, including $4,500 salary to Fred Cook	6,000 00	
			4,607,563 03
	CUSTOMS AND EXCISE.		
	Salaries and contingent expenses of the several ports in the Dominion, including pay for overtime of officers, notwithstanding anything in the Civil Service Act,—and temporary buildings and rentals	5,581,800 00	
	Salaries and travelling expenses of Inspectors of Ports and of other officers on inspection, preventive service, and in connection with the Board of Customs; the latter including salaries of $1,500 for the Chairman, $1,000 each for three members and $500 for the Secretary	761,379 00	
357	Miscellaneous—Printing and stationery, subscriptions to commercial papers, flags, dating stamps, locks, instruments, etc., for various ports of entry, express charges on samples, stationery and legal forms, legal expenses, premiums on guarantee bonds, and uniforms for Customs officers	550,000 00	
	To provide for expenses of maintenance of revenue cruisers and for preventive service	276,950 00	
	Amount to be paid to Department of Justice to be disbursed by and accounted for to it, for secret preventive service	10,000 00	
			7,180,129 00
	RAILWAYS AND CANALS.		
	(*Chargeable to collection of Revenue.*)		
	CANALS.		
358	Staff and repairs		2,232,000 00
	PUBLIC WORKS.		
	(*Chargeable to collection of Revenue.*)		
	GRAVING DOCKS, LOCKS AND DAMS, ETC., WORKING EXPENSES, ETC.		
359	Graving Docks	145,800 00	
	Harbour and River Works, etc	61,000 00	
	Collection of Public Works Revenues	5,000 00	

SCHEDULE A—*Concluded.*

No. of Vote.	Service.	Amount.	Total.
	PUBLIC WORKS—*Concluded.*	$ cts.	$ cts.
	(Chargeable to collection of Revenue)—Concluded.		
	TELEGRAPH AND TELEPHONE LINES.		
360	Prince Edward Island and Mainland	7,000 00	
	Land and cable telegraph lines, Lower St. Lawrence and Maritime Provinces, including working expenses of vessels required for cable service	233,500 00	
	Saskatchewan	61,900 00	
	Alberta	113,700 00	
	British Columbia—Mainland	111,200 00	
	British Columbia—Vancouver Island District	136,900 00	
	Yukon System (Ashcroft-Dawson)	277,000 00	
	Telegraph and Telephone Service—Generally	10,000 00	
			1,163,000 00
	POST OFFICE—OUTSIDE SERVICE.		
361	Salaries and Allowances	13,512,354 40	
	Mail Service	14,740,000 00	
	Miscellaneous	1,165,550 00	
	Yukon Territory	195,000 00	
			29,612,904 40
	TRADE AND COMMERCE.		
362	Bounties on Crude Petroleum, Administration of the Act	3,000 00	
363	Canada Grain Act, administration of	1,478,839 00	
364	Culling Timber—Annuities for Superannuated Cullers	400 00	
365	Dominion Bureau of Statistics (including 6th Census)	300,000 00	
366	Gold and Silver Marking Act, administration of	6,000 00	
367	Grant to Canadian Engineering Standards Association for the promotion of uniformity of standards in metallic and other products	10,000 00	
368	Honorary Advisory Council of Industrial and Scientific Research—(Salaries and expenses, including printing and stationery, and the collection and distribution of information, and for Studentships, Fellowships, Special Problems and Forestry Studies)	120,000 00	
369	Inspection and Sales Act, administration of	3,000 00	
370	International Customs Tariffs Bureau	2,462 00	
371	Maintenance of Terminal Elevators, and necessary equipment	10,000 00	
372	Commercial Intelligence Service, including salaries, travelling expenses, contingencies and other expenditure of Trade Commissioners, Assistant Trade Commissioners, Junior Trade Commissioners and Commercial Agents; and miscellaneous expenses in connection with the development and extension of Canadian trade	320,000 00	
373	Exhibits and Publicity Bureau	35,000 00	
374	Weights and Measures Inspection	310,000 00	
375	Gas and Electricity Inspection	170,000 00	
376	West India Cable	38,933 33	
377	Printing of Parliamentary and Departmental Publications, including cost of translation of the Canada Year Book	150,000 00	
378	Contribution to the upkeep of the Imperial Institute, London, on condition that the balance of £40,000 is contributed by the United Kingdom, India, the other Overseas Dominions and Crown Colonies and Protectorates	20,000 00	
379	Canadian Exhibition in France	50,000 00	
380	To provide for a compassionate allowance to J. A. Campbell, of Sovereign, Saskatchewan	2,272 69	
			3,029,907 02
	ADJUSTMENT OF WAR CLAIMS.		
381	National Defence—		
	Militia Services	4,000,000 00	
	Naval Services	274,000 00	
382	Secretary of State	75,000 00	
			4,349,000 00
	Total		*268,350,349 53

* Net total, $178,477,333.03

SCHEDULE B.

Based on Further Supplementary Estimates, 1922-23. The amount hereby granted is $18,202,105.66.

SUMS granted to His Majesty by this Act for the financial year ending 31st March, 1923, and the purposes for which they are granted.

No. of Vote.	Service.	Amount.	Total.
	CHARGES OF MANAGEMENT	$ cts.	$ cts.
383	Printing Dominion Notes—Further amount required		75,000 00
	CIVIL GOVERNMENT		
	Department of Public Archives—		
384	*Salaries*— Further amount required to pay increase due to reclassification of Chief French Archivist from June 30, 1922	240 00	
	Department of Indian Affairs—		
385	*Salaries*— To provide for one Accountant, Grade 3, at$ 2,580 in lieu of one Accountant, Grade 2, at $2,460	120 00	
	To provide for one Accountant, Grade 1, at $1,620, in lieu of one Senior Clerk-Bookkeeper at $1,560	60 00	
	To provide for one Senior Clerk-Bookkeeper at $1,380, in lieu of one Clerk-Bookkeeper at $1,110	270 00	
	To provide for one Senior Law Clerk-Stenographer at $1,365, in lieu of one Law Clerk-Stenographer at $1,320	45 00	
	Contingencies—Further amount required	1,000 00	
	Department of Marine and Fisheries—		
386	*Salaries*—Amount required to pay H. Tremblay for services as Private Secretary to the Acting Minister while acting as such from September 19, 1922, to January 19, 1923	200 00	
	Department of Royal Canadian Mounted Police—		
387	*Salaries*—To provide for re-organization and promotion of staff	360 00	
388	*Department of Railways and Canals—* *Contingencies*—Additional amount required	5,000 00	
	Civil Service Commission—		
389	*Salaries*— One Head Clerk	2,520 00	
	Two Clerk-Stenographers at $1,020 each	2,040 00	
	To provide for difference in salary between one Supervisor, Examination Clerical Staff, $2,340, and one Head Clerk, $2,400, reclassified from February 8, 1923	8 75	
	Department of External Affairs—		
390	*Salaries*—To provide for two Clerk-Stenographers in lieu of two Junior Clerk-Stenographers	315 00	
	Department of Trade and Commerce—		
391	*Salaries*—Translator, Bureau of Statistics—Arrears payable for the fiscal year, 1921-22	659 11	
	Patent and Copyright Office—		
392	*Salaries*—Reclassification arrears for one Senior Clerk from April 1, 1919	680 00	

SCHEDULE B—*Continued*

No. of Vote.	Service.	Amount.	Total.
		$ cts.	$ cts.
	CIVIL GOVERNMENT—*Concluded*		
	Department of National Defence—		
393	*Salaries*—Reclassification arrears—		
	One Senior Photographer from November 1, 1922	100 00	
	One Chief Clerk from April 1, 1919	2,400 00	
	One Departmental Accountant, Grade 1, from July 1, 1920, to November 30, 1921	115 00	
	Department of Customs and Excise—		
394	*Salaries*—To provide for a Departmental Accountant, Grade 1, at $1,620 a year in place of Senior Clerk Bookkeeper at $1,545—Position having been reclassified	75 00	
			16,207 86
	ADMINISTRATION OF JUSTICE		
	SUPREME COURT OF CANADA		
395	*Contingencies*—Further amount required	1,375 00	
	Printing, binding and distributing Court Reports—Further amount required	6,500 00	
			7,875 00
	LEGISLATION		
	House of Commons—		
396	Clerical assistance—Extra Sessional Clerks, etc.—Further amount required	10,800 00	
	Parliamentary Restaurant—Further amount required	7,500 00	
			18,300 00
	AGRICULTURE		
397	Administration and enforcement of the *Destructive Insect and Pest Act*—To confirm as permanent the appointment of Assistant Entomologist, C. B. Hutchings and provide statutory increases from April 1, 1919, to March 31, 1923	600 00	
398	Health of Animals.—To confirm as permanent the appointment of Veterinary Inspectors O. Hall and W. F. McDougall, and provide statutory increases from April 1, 1919, to March 31, 1923	1,410 00	
399	Further amount required for tuberculosis eradication work	100,000 00	
			102,010 00
	IMMIGRATION AND COLONIZATION		
400	Exhibitions—Further amount required—(Governor General's Warrant, January 30, 1923)	.....	12,000 00
	HEALTH		
401	Marine Hospitals, including grants to institutions assisting sailors—Further amount required	.....	20,000 00
	PENSIONS		
402	Salaries and contingent expenses of the Board of Pension Commissioners for Canada—Additional amount required	.....	2,000 00
	NATIONAL DEFENCE		
	Militia Services—		
403	Adjustment of Pay and Allowances	7 67	
404	Amount required to pay Cost of Living Bonus to employees of the Dominion Arsenal and others at Quebec, discharged without receiving bonus for certain periods for which it was later granted to those similarly employed and not discharged	26,000 00	
			26,007 67

SCHEDULE B—*Continued*

No. of Vote.	Service.	Amount.	Total.
		$ cts.	$ cts.
	RAILWAYS AND CANALS—CHARGEABLE TO INCOME		
405	To increase the amount of loan authorized by Vote No. 136, Main Estimates, 1922-23—Additional amount required.....	13,099,493 34	
406	To increase the amount of loan authorized by Vote No. 139, Main Estimates, 1922-23—Additional amount required (including Governor General's Warrant, November 20, 1922—$1,000,000.00).....	1,700,000 00	14,799,493 34
	PUBLIC WORKS—CHARGEABLE TO INCOME		
	PUBLIC BUILDINGS		
	Quebec		
407	Terrebonne—New public building (Governor General's Warrant, December 18, 1922).....	26,000 00	
	HARBOURS AND RIVERS		
	Ontario		
408	Owen Sound—Wharf reconstruction—Further amount required.	1,320 05	
	Port Elgin—Alterations to breakwater—Further amount required.....	960 00	
	Sheguiandah—Wharf reconstruction—Further amount required	1,300 00	29,580 05
	OCEAN AND RIVER SERVICE		
409	To provide for the temporary relief of distressed seamen—Further amount required.....	.....	4,150 00
	PUBLIC WORKS—CHARGEABLE TO CAPITAL		
	MARINE DEPARTMENT		
410	River St. Lawrence Ship Channel—Maintenance and operating dredging fleet (Governor General's Warrant of October 16, 1922).....	.....	80,000 00
	FISHERIES		
411	To provide for the inspection of canned and pickled fish—Further amount required.....	.....	3,000 00
	LABOUR		
412	Industrial Disputes Investigation Act—Further amount required.....	.....	4,000 00
	ROYAL CANADIAN MOUNTED POLICE		
413	To compensate members of the Royal Canadian Mounted Police for injuries received whilst in the performance of duty—Further amount required.....	.....	1,025 33
	GOVERNMENT OF THE NORTH WEST TERRITORIES		
414	North West Territories, Explorations—Further amount required (Governor General's Warrant, January 15, 1923)..	.....	60,000 00

SCHEDULE B—*Continued*

No. of Vote.	Service.	Amount.	Total.
		$ cts.	$ cts.
	DOMINION LANDS AND PARKS		
415	Canadian National Parks—Further amount required (Governor General's Warrants of October 9, 1922, and January 15, 1923	57,000 00	
	To provide for balance of salary of Alfred Larocque, Assistant Power Development Engineer, Water Power Branch, at the rate of $2,220 per annum from October 1, 1922	60 00	
			57,060 00
	SOLDIERS' LAND SETTLEMENT		
416	Grant to H. H. Moss, to cover expenses in connection with his illegal arrest		595 58
	SOLDIERS' CIVIL RE-ESTABLISHMENT		
417	Unemployment relief—Further amount required to provide assistance to unemployed Pensioners and to their dependents in the amounts and under the conditions laid down by the Governor-in-Council in Order-in-Council P.C. 721, dated March 31, 1922, as amended by Order-in-Council P.C. 911, dated May 3, 1922, and amendments thereto; and to provide for salaries and other expenses of administering the provisions of said Orders-in-Council		400,000 00
	MISCELLANEOUS		
418	Archives—Further amount required to pay Francis Edwards, The Museum Book Store and A. H. Brook for manuscript, plans and paintings	3,600 00	
419	To provide for the expenses of work in the interest of fire prevention, to be carried on by the Department of Insurance—Further amount required	3,000 00	
420	Amount required to pay professional services of Eugene Lafleur, K.C., in the matter of the City of Maisonneuve *vs.* the Montreal Harbour Commissioners—Attorney General for Canada, Intervener	1,400 00	
421	Amount required to pay balance due to the Canadian Pacific Railway Company for the removal of the span of the bridge over False Creek, B.C., at different times since 1918, to permit of the movement of vessels	8,934 08	
422	Amount required to pay municipal tax to the City of Toronto in connection with the shipyard of the late Dominion Shipbuilding and Repair Co., Ltd., used by the Department for the completion of two single screw cargo steamers under Shipbuilding Programme	18,017 76	
423	To re-imburse the town Hospital, Melville, Saskatchewan, for maintenance charges of Prisoner of War, H. H. Koffka, whilst undergoing treatment between January 22 and May 11, 1915	200 00	
424	Expenses of Canadian Delegation to the League of Nations—Further amount required	971 12	
425	Expenses in connection with the negotiation of treaties and cattle embargo conference	8,264 83	
426	Merchants Bank Enquiry, legal and incidental expenses—Further amount required	3,195 24	
427	To provide for Canada's contribution towards the maintenance of the permanent Secretariat of the League of Nations—Additional amount required	45,140 47	
428	Relief of sufferers from the recent forest fires in Northern Ontario (Governor General's Warrant of October 14, 1922)	100,000 00	
429	Relief of Nedelec and North Temiskaming fire sufferers, Province of Quebec (Governor General's Warrant of October 20, 1922)	25,000 00	
430	Grant to the Canadian National Institute for the blind	10,000 00	
			227,723 50

SCHEDULE B—*Concluded*

No. of Vote.	Service.	Amount.	Total.
		$ cts.	$ cts.
	POST OFFICE—OUTSIDE SERVICE		
431	To provide for the payment of salary at the rate of $1,000 a year to Lucien Pacaud as the representative of the Canadian Government on the Pacific Cable Board, as from January 16, 1923	208 33	
	To pay J. W. Paddle, Postmaster at Sunset Lake, Saskatchewan, and Mail Contractor on the Spalding and Sunset Lake route, for the loss of a horse while conveying the mail on October 6, 1922	150 00	
	To pay certain employees of the Postal Service in the Quebec district for extra services in connection with checking incoming and outgoing British mails during the summer of 1922	288 14	
			646 47
	TRADE AND COMMERCE		
432	Canada Grain Act—Additional amount required	200,000 00	
433	Bounties on Crude Petroleum—Additional amount required	400 00	
			200,400 00
	UNPROVIDED ITEMS, 1921-22		
434	To cover unprovided items, 1921-22, as per Auditor General's Report, part b, page 3, 1921-22		2,055,030 86
	Total		18,202,105 66

SCHEDULE C

Based on Supplementary Estimates, 1923-1924. The amount hereby granted is $3,666,666.67.

SUMS granted to His Majesty by this Act for the financial year ending 31st March, 1924, and the purposes for which they are granted.

No. of Vote.	Service.	Amount.	Total.
		$ cts.	$ cts.
435	Provisional Bonus Allowance for the Inside and Outside Services of the Civil Service, to be paid to such persons and classes of persons, in such amounts and at such times as the Governor in Council may determine.....	.....	5,500,000 00

SCHEDULE D.

Based on Further Supplementary Estimates, 1923-1924. The amount hereby granted is $14,726,241.09.

SUMS granted to His Majesty by this Act for the financial year ending 31st March, 1924, and the purposes for which they are granted.

No. of Vote.	SERVICE.	Amount.	Total.
		$ cts.	$ cts.
	CHARGES OF MANAGEMENT		
436	To enlarge item of $180,000 for clerical assistance in connection with transfer and registration of bonds, etc., and flotation of loans, in Resolution No. 1, Main Estimates, by providing for payments for extra work if required, to any employees engaged in flotation and redemption of loans; the rate of remuneration to be decided by the Treasury Board		1,500 00
	CIVIL GOVERNMENT		
437	*Department of Justice*—		
	To provide for a Law Clerk-Stenographer	1,020 00	
	To provide for a Clerk-Stenographer	960 00	
	Salary of James White, Technical Advisor	6,000 00	
	Exchequer Court of Canada—One statutory increase omitted in the Main Estimates	180 00	
438	*Department of the Interior*—		
	To increase the salary of W. W. Cory, Deputy Minister of the Interior to, $8,000 per annum	2,000 00	
439	*Department of Immigration and Colonization*—		
	To provide for one Assistant Supervisor of Juvenile Immigration	2,520 00	
440	*Department of National Defence*—		
	To increase the salary of G. J. Desbarats, Acting Deputy Minister of National Defence, to $8,000 per annum	2,000 00	
441	*Patent and Copyright Office*—		
	To increase the salary of Geo. F. O'Halloran, Commissioner of Patents, to $8,000 per annum	2,000 00	
442	*Auditor General's Office*—		
	Contingencies—Additional amount required for salaries of temporary clerks	20,000 00	
	Additional amount required for travelling expenses	1,500 00	
443	*Department of Trade and Commerce*—		
	To increase the salary of F. C. T. O'Hara, Deputy Minister of Trade and Commerce, to $8,000 per annum	2,000 00	
	Senior Translator	1,800 00	
	Senior Clerk-Stenographer, (bi-lingual)	1,320 00	
	Clerk Stenographer (bi-lingual)	960 00	
444	*Department of Agriculture*—		
	For one Micro-Analyst, Seed Branch	1,500 00	
	For one Senior Agricultural Clerk, Experimental Farms Branch	1,320 00	
445	*Department of Public Archives*—		
	To increase the salary of A. G. Doughty, Dominion Archivist, to $8,000 per annum	2,000 00	
	Contingencies—Further amount required to pay the King's Printer for printing public documents	6,500 00	

SCHEDULE D—*Continued.*

No. of Vote.	SERVICE.	Amount.	Total.
		$ cts.	$ cts.
	CIVIL GOVERNMEMT—*Concluded.*		
446	*Department of External Affairs—*		
	To increase the salary of Sir Jos. Pope, Under Secretary of State for External Affairs, to $8,000 per annum	2,000 00	
447	*High Commissioner's Office—*		
	Allowance for Private Secretary to High Commissioner	600 00	
	Contingencies—Further amount required	6,000 00	
448	*Department of Marine and Fisheries—*		
	To increase the salary of A. Johnston, Deputy Minister of Marine and Fisheries, to $8,000 per annum	2,000 00	
449	*Department of Public Works—*		
	To increase the salary of J. B. Hunter, Deputy Minister of Public Works to $8,000 per annum	2,000 00	
	To increase salary of Private Secretary	660 00	
450	*Department of the Secretary of State—*		
	To increase the salary of Thos. Mulvey, Under Secretary of State, to $8,000 per annum	2,000 00	
451	*Department of Labour—*		
	To increase the salary of F. A. Acland, Deputy Minister of Labour, to $8,000 per annum	2,000 00	
	To provide for the salary of J. M. Wyatt, Employment Specialist, for two months from April 1, 1923, further amount required	480 00	
	To provide for the salary of R. B. Farrell, Clearance Officer, for two months from April 1, 1923, further amount required	370 00	
	To provide for the salary of J. B. Carter, Publicity Agent, for two months from April 1, 1923, further amount required	360 00	
	To provide for the salary of H. V. Attfield, Principal Clerk for four months from April 1, 1923, further amount required	640 00	
	To provide for the salary of Ronald H. Hooper, Editor Grade 2, for five months from April 1, 1923, further amount required	1,200 00	
452	*Civil Government, Generally—*		
	To provide for cases of reclassification, increases and promotions	90,000 00	
			165,890 00
	ADMINISTRATION OF JUSTICE.		
453	Additional amount required on account of murder trials to be held at Herschel Island and Baffin Island	20,000 00	
	Remuneration to Judge Dubuc for services as Stipendiary Magistrate of N.W.T. in summer of 1921	560 00	
	Exchequer Court of Canada.		
454	To assist publication of Digest of the Exchequer Court reports	1,000 00	
			21,560 00
	PENITENTIARIES.		
	KINGSTON.		
455	To provide pension for ex-guard William Tatton, as set forth in Order in Council, P.C. 1164 of June 2, 1922	252 00	
	ST. VINCENT DE PAUL.		
456	To provide gratuity to ex-watchman Adrien Jolivet	341 60	
	To provide gratuity to ex-assistant steward F. X. Bastien	566 50	
	To provide gratuity to ex-Farm Instructor Odilon Papineau	661 66	
	To provide gratuity to widow of ex-guard Joseph Desjardins	672 05	
			2,493 81

SCHEDULE D—*Continued.*

No. of Vote.	SERVICE.	Amount.	Total.
		$ cts.	$ cts.
	LEGISLATION.		
	THE SENATE.		
457	To provide for the payment of the full sessional indemnity for the session of 1923 to members of the Senate for days lost through absence caused by illness, or on account of death. Payment to be made as the Treasury Board may direct...	9,500 00	
	To provide for the salary of Mr. C. E. Duckett as Head Translator from April 1, 1922.....	180 00	
	HOUSE OF COMMONS.		
458	To provide for the full sessional indemnity of members of the House of Commons—days lost through absence caused by illness, official public business, or on account of death during the present session—Notwithstanding anything to the contrary in chapter 10 of the Revised Statutes, an Act respecting the Senate and House of Commons or any amendments thereto—Payment to be made as the Treasury Board may direct.....	12,000 00	
	Expenses of Committees, Witnesses, etc.—Further amount required.....	7,000 00	
	To purchase, for the use of Senators and Members of Parliament, 350 copies of the Canadian Annual Review, Edition of 1922—Further amount required.....	350 00	
	To provide for the full sessional indemnity of the two members of Parliament, successively representing the electoral district of Nicolet, during the session of 1923, to which indemnity the two members shall be entitled, notwithstanding anything to the contrary in Chapter 10 of the Revised Statutes, or any amendment thereto; the share of each member to bear the same proportion to four thousand dollars as the number of days during which he was a member of Parliament during the said session bears to the total number of days of the session during which both together were members of Parliament. Payment to be made as the Treasury Board may direct.....	4,000 00	
			33,030 00
	AGRICULTURE		
459	For experiments in the dehydration of fruits and vegetables....	10,500 00	
460	For expenditures in connection with trial shipments of chilled beef and fat cattle to Great Britain.....	25,000 00	
461	Further amount required for the International Institute of Agriculture.....	5,000 00	
462	For the payment of a grant to G. B. Alderson for hogs slaughtered.....	1,500 00	
463	For the suppression of foul brood in bees.....	5,000 00	
464	For the salary and expenses of an Agricultural Produce Marketing Agent in Great Britain.....	7,000 00	
465	Further amount required for Health of Animals.....	750,000 00	
			804,000 00
	PENSIONS.		
466	Pension to Alice Morson Smith.....	600 00	
467	Pensions European War and Active Militia—Further amount required to provide for expenditures for arrears and increased liability arising out of sections 1 to 5 inclusive of draft legislation (Bill 205); and to provide for and to hereby grant to Mrs. Beatrice Mary Wickings-Smith, widow of No. 30592, Ex-Corporal B. G. Wickings-Smith, a widow's pension in respect of herself and child, in accordance with the rates provided for under the Pension Act, retroactive to the 8th May, 1915, as if her husband had been a member of the Forces at the time of his death.....	550,000 00	
468	Annuity to Dr. F. G. Banting.....	7,500 00	
			558,100 00

SCHEDULE D—*Continued.*

No. of Vote.	SERVICE.	Amount.	Total.
		$ cts.	$ cts.
	NATIONAL DEFENCE		
469	Award to Major H. R. Northover in full settlement of all claims for inventions used on Colt Machine guns during the war...	5,000 00	
470	Annual Drill—further amount required	8,000 00	
471	Salaries and Wages—further amount required	10,000 00	
472	Compassionate grant to C. Peachy	33 00	
473	Engineer services and works—further amount required	16,700 00	
			39,733 00
	RAILWAYS AND CANALS.		
	(Chargeable to Capital.)		
	RAILWAYS.		
	Canadian Government Railways—		
474	Prince Edward Island Car Ferry Terminals:— To pay claim	196,417 63	
	Hudson Bay Railway:—		
475	Construction	350,000 00	
476	Refund to J. D. McArthur & Co	90,000 00	
	CANALS.		
477	Trent Canal—Construction—Severn Division	15,000 00	
478	Welland Canal—Port Colborne Elevator—Extension	350,000 00	
			1,001,417 63
	RAILWAYS AND CANALS		
	(Chargeable to Income).		
	RAILWAYS		
479	To provide the difference between Military pay with Field and other allowances received, and full railway rates of pay on and after May 1st, 1915, to the date of their discharge from His Majesty's Forces for certain railway employees who, when they enlisted prior to May 1st, 1915, were employed on the line between Winnipeg and Fort William via Sioux Lookout, including Transcona Shops, revote	60,000 00	
480	To provide for full and final settlement of claim of Telesphore Paradis	15,000 00	
	CANALS.		
481	Ontario-St. Lawrence: Improvements: Upper Entrance to Rapide Plat Canal	60,000 00	
482	Rideau: Improvements: Repairs and Replacement of Dams—Claims	9,036 62	
483	St. Peters: Rebuilding cribwork and deepening Canal	25,000 00	
484	Trent: Improvements: Roadway north of Buckhorn Lock	4,000 00	
485	Trent: Improvements: Repairs to retaining wall at Lindsay	3,000 00	
	MISCELLANEOUS.		
486	Governor General's Cars: Repairs	40,000 00	
487	Surveys and Inspections—Railways:— Including expenses of Advisory Fuel Committee—Additional amount required	5,000 00	
488	To increase the amount of Loan authorized by Vote 139, Main Estimates, 1923-24—Additional amount required	1,550,000 00	
489	To provide for surveys and investigation of a railway from a point on the Canadian National Railway towards Peace River	50,000 00	
			1,821,036 62

SCHEDULE D—*Continued.*

No. of Vote.	SERVICE.	Amount.	Total.
		$ cts.	$ cts.
	PUBLIC WORKS.		
	(Chargeable to Capital.)		
	PUBLIC BUILDINGS.		
490	Ottawa—New Departmental Buildings—Compensation to architects for designs submitted	30,000 00	
	HARBOURS AND RIVERS.		
491	St. John Harbour—Improvements—Further amount required	8,000 00	
	Toronto—Harbour improvements—Further amount required	600,000 00	
	Port Arthur and Fort William—Harbour improvements—Further amount required	192,200 00	
			830,200 00
	PUBLIC WORKS.		
	(Chargeable to Income.)		
	PUBLIC BUILDINGS.		
	Nova Scotia.		
492	Halifax Immigration Building—Repairs and maintenance of pier No. 2	95,900 00	
	Halifax Quarantine Station—Repairs and improvements—Further amount required	17,000 00	
	Halifax Rockhead Hospital—Improvements	25,000 00	
	Liverpool Public Building—Alterations to electric wiring, interior fittings, etc	3,500 00	
	Lunenburg Public Building—Repairs, etc	4,000 00	
	Windsor—Public Building—Improvements to heating	1,250 00	
	New Brunswick.		
493	Edmundston—Public building site	5,000 00	
	St. John Quarantine Station—New buildings, repairs, etc	15,000 00	
	Sackville—Public building	15,000 00	
	Sussex—Public Building—Improvements—Revote	4,500 00	
	Tracadie Lazaretto—Imstallation of electric light system—Improvements, etc	6,500 00	
	Prince Edward Island.		
494	Charlottetown Old Bank Building—Repairs to roof	4,000 00	
	Souris Public Building—Installation of electric wiring	1,000 00	
	Maritime Provinces Generally.		
495	Dominion Public Buildings—Improvements, repairs, etc.—Further amount required	5,200 00	
	Quebec.		
496	Father Point—Construction of residences due to the reorgarization of the Quarantine Service on the St. Lawrence	10,000 00	
	Loretteville—Public Building—Change of site	4,800 00	
	Montreal—Postal Station in St. Ann's Division	20,000 00	
	Montreal—Examining Warehouse—Improvements to heating	9,000 00	
	Montreal—Old Examining Warehouse—Alterations to passenger elevator	3,500 00	
	Montreal Old Examining Warehouse—Repairs to roof	8,500 00	
	Pierreville Public Building—Improvements to heating	2,200 00	
	Quebec Savard Park—Hospital improvements, etc	50,000 00	
	Quebec Immigration Building—Repairs, etc	35,000 00	
	Quebec Examining Warehouse—Improvements	10,000 00	
	Quebec Public Building—Improvements	5,000 00	
	Terrebonne—New public building—Revote $15,500	22,000 00	

SCHEDULE D—*Continued.*

No. of Vote.	SERVICE.	Amount.	Total.
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued.*		
	(*Chargeable to Income*)—Continued.		
	PUBLIC BUILDINGS—*Continued.*		
	Ontario.		
	Alexandria—To reconstruct public building destroyed by fire—Revote of lapsed amount	15,000 00	
	Brockville Public Building—Alterations to heating	2,800 00	
	Belleville Public Building—Improvements to lighting	2,200 00	
	Dominion Public Buildings—Improvements, repairs, etc.—Further amount required	2,200 00	
	Hamilton Public Building—Installation of revolving doors	2,800 00	
	Haileybury—Armoury and post office	35,000 00	
	Kingston R.M.C.—Completion of dormitory building and construction of mess room	75,000 00	
	Kingston—Mowat Hospital—Sewer extension	11,000 00	
	Listowel Armoury—Repairs and improvements	3,000 00	
497	London Customs House—Improvements to heating	4,000 00	
	Ottawa—Rideau Hall—Alterations and improvements	17,100 00	
	Ottawa—Towards purchase of building for Government Workshops	26,000 00	
	Port Arthur Public Building—Alterations to fittings	2,800 00	
	Toronto—Building for Seed Branch	25,000 00	
	Toronto—Casualty Clearing Station—In full and final settlement of all claims of the Canadian National Railways for property expropriated	48,000 00	
	Toronto—Postal Station "A"—To complete	30,000 00	
	Toronto—Postal Station "K"—Alterations due to widening north Yonge Street	10,000 00	
	Windsor Public Building—Addition	4,500 00	
	Manitoba.		
	Brandon—Public Building—Alterations	2,500 00	
	Emerson Public Building—Improvements to lighting	1,200 00	
498	Winnipeg—Elmwood Postal Station Site—Local improvement taxes	1,008 06	
	Winnipeg—Fort Osborne Barracks—Improvements to heating	11,200 00	
	Saskatchewan.		
	Maple Creek Public Building—Improvements to heating—Revote	2,100 00	
	Moose Jaw Public Building—Local improvement taxes	3,427 14	
499	Moose Jaw Customs Examining Warehouse—Local improvement taxes	1,708 50	
	Prince Albert Public Building—Local improvement taxes	1,306 36	
	Regina Public Building—Improvements to heating	7,500 00	
	Weyburn Public Building—Improvements to heating	4,700 00	
	Alberta.		
	Edmonton Public Building—Improvements to heating	14,000 00	
500	Grand Prairie—Enlargement of public building for telegraph office—Further amount required	4,000 00	
	Lethbridge Public Building—Improvements to heating	8,600 00	
	British Columbia.		
	Bentinck Island Lazaretto—New Buildings	20,000 00	
	Cumberland Public Building—Improvements	1,500 00	
	Dominion Public Buildings—Improvements, repairs, etc.—Further amount required	5,000 00	
	Kamloops—Public building	15,000 00	
501	Nelson Public Building—Alterations to fittings	1,000 00	

SCHEDULE D—*Continued.*

No. of Vote.	SERVICE.	Amount.	Total.
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued.*		
	(*Chargeable to Income*)—Continued.		
	PUBLIC BUILDINGS—*Concluded.*		
	British Columbia—Continued.		
501	Vancouver—Old Post Office—Elevator	10,000 00	
	Vancouver Drill Hall Site—Local improvement taxes	3,368 90	
	Victoria Astrophysical Observatory—Office building	15,000 00	
	William Head Quarantine Station—Improvements	4,000 00	
	Generally.		
502	Experimental Farms—New buildings, additions, alterations, etc	75,000 00	
	Military Hospitals—Repairs and improvements—Further amount required	16,000 00	
	High Commissioners' Office, London—Change of premises	25,000 00	
	Installation of fuel saving devices for public buildings	12,000 00	
503	*Rents, Repairs, Furniture, Heating, etc.*— Dominion Public Buildings:— Dominion Immigration Buildings—Repairs, furniture, etc.—Further amount required	7,000 00	
	HARBOURS AND RIVERS.		
	Nova Scotia..		
504	Advocate—Wharf repairs	2,000 00	
	Abbott's Harbour—Breakwater extension	1,350 00	
	Barrington Passage—Wharf repairs	1,750 00	
	Bass River—Improvements	1,500 00	
	Battery Point—Breakwater extension	9,600 00	
	Briton Cove—Breakwater repairs	1,000 00	
	Broad Cove Marsh—Replacement, breakwater-wharf	8,400 00	
	Burlington Centre—Wharf extension	7,500 00	
	Canada Creek—Rebuilding shore end of breakwater	1,300 00	
	Cariboo Island—Breakwater reconstruction	6,000 00	
	Cheverie—Wharf repairs	1,000 00	
	Chezzetcook Head—Wharf repairs	900 00	
	Culloden—Breakwater extension	5,000 00	
	D'Escousse—Wharf repairs	3,000 00	
	Dartmouth—Pier and dredging	75,000 00	
	Digby—Dredging	15,100 00	
	East River—Repairs to lock	4,000 00	
	Eastern Harbour—Improvements	38,000 00	
	East Sandy Cove—Wharf	9,350 00	
	Ecum Secum—Completing wharf and building road	6,100 00	
	Five Islands—Wharf extension	5,000 00	
	Fruid's Point—Wharf repairs	4,900 00	
	Gillis Point—Wharf repairs	1,100 00	
	Grand Narrows—Wharf extension	2,000 00	
	Half Island Cove—Rebuilding breakwater—Further amount required	1,650 00	
	Hampton—Breakwater repairs	8,500 00	
	Inverness—Repairs to piers	4,400 00	
	Little Anse—In full and final settlement of T. D. Morrison's claim in connection with contract for construction of a breakwater	3,234 60	
	Little Harbour (Lower L'Ardoise)—Breakwater extension and repairs	2,000 00	
	Little Harbour—Breakwater repairs	1,500 00	
	Livingstone's Cove—Wharf repairs	1,000 00	
	Lunenburg—Dredging	40,000 00	
	Malagash—Dredging	15,700 00	

SCHEDULE D—*Continued.*

No. of Vote.	SERVICE.	Amount.	Total.
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued.*		
	(Chargeable to Income)—Continued.		
	HARBOURS AND RIVERS—*Continued.*		
	Nova Scotia—Concluded.		
	Margaree Harbour—Repairs to harbour works	9,700 00	
	Margaretville—Repairs to breakwaters	2,400 00	
	Meteghan—Wharf extension	7,600 00	
	New Harris—Wharf	5,000 00	
	Nyanza—Wharf repairs	1,000 00	
	North Ingonish (McLeod's)—Reconstruction of breakwater and dredging	34,700 00	
	North Sydney—Breakwater repairs	3,000 00	
	Parrsboro—Repairs to breakwater and shed on wharf	1,350 00	
	Pictou Light Beach—Repairs and reconstruction of protection work	1,200 00	
	Piper's Cove—Wharf repairs	1,100 00	
	Point Aconi—Breakwater	10,000 00	
	Port Beckerton—Wharf repairs	2,000 00	
	Port Greville—Further amount required for breakwater repairs and harbour improvements	18,000 00	
	Portuguese Cove—Breakwater	5,000 00	
	Pictou—Dredging	15,200 00	
	Pembroke—Wharf extension	3,000 00	
	Port Lorne—Breakwater extension	9,600 00	
	Riverport—Revetment wall for dredged spoil	20,000 00	
	Round Hill—Wharf repairs	1,700 00	
	Sanford—Retaining wall	1,800 00	
	Scott's Bay—Rebuilding part of north breakwater	8,000 00	
	Scotch Cove (White Point)—Breakwater repairs	2,600 00	
504	Shad Bay—Wharf repairs	1,500 00	
	Sheet Harbour West—Rebuilding wharf	5,000 00	
	Shelburne—Wharf repairs	4,500 00	
	Smith's Cove—Breakwater extension and beach protection	2,400 00	
	Sonora—Purchase of wharf and rebuilding same	5,000 00	
	South Lake—Breakwater extension	5,000 00	
	Ship Harbour—Wharf repairs	4,200 00	
	St. Francis Harbour—Breakwater	5,000 00	
	Summerville—Wharf repairs	5,000 00	
	Tiverton—Breakwater extension	15,000 00	
	Watt Settlement—Wharf repairs and renewals	2,500 00	
	West Baccaro—Breakwater extension and repairs	4,000 00	
	Windsor—Wharf	22,000 00	
	Prince Edward Island.		
	Beach Point—Wharf	7,500 00	
	Belle River—Breakwater extension	9,000 00	
505	Georgetown—To take over and repair C.N.R. wharf	20,000 00	
	South Rustico (Oyster Bed Bridge)—Wharf reconstruction	4,000 00	
	New Brunswick.		
	Black's Harbour—Floating slip	1,000 00	
	Cape Bald—Breakwater repairs	6,500 00	
	Cocagne Cape—Wharf	5,000 00	
	Grand Harbour—Purchase of Ingall's wharf	3,500 00	
	Great Salmon River—Breakwater extension	8,000 00	
	Harbours and Rivers Generally—Repairs and improvements—Further amount required	25,000 00	
506	Inkerman—Wharf	3,000 00	
	Lord's Cove—Wharf repairs	1,200 00	
	Negro Point—Breakwater extension	100,000 00	
	New Mills (Benjamin River)—Wharf repairs	1,200 00	
	Robichaud's (Savoy's) Landing—Wharf	14,000 00	
	Shippigan Harbour—Improvements	7,500 00	
	St. Nicholas River—Wharf repairs	1,500 00	
	Village Bay—Wharf and dredging	6,900 00	

SCHEDULE D—*Continued.*

No. of Vote.	SERVICE.	Amount.	Total.
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued.*		
	(Chargeable to Income)—Continued.		
	HARBOURS AND RIVERS—*Continued.*		
	Quebec.		
	Anse a la Barbe—Breakwaters	2,500 00	
	Anse au Griffon—Wharf extension	3,000 00	
	Anse a Giles—Wharf repairs	800 00	
	Bagotville (St. Alphonse)—Wharf repairs and improvements	8,500 00	
	Baie St. Paul—Wharf	15,250 00	
	Beaupre—Wharf repairs	1,900 00	
	Beauport—Wharf repairs	2,700 00	
	Boischatel—Wharf	16,000 00	
	Bic—Rebuilding wharf—To complete	10,000 00	
	Bonaventure River—Breakwater-wharf repairs	3,800 00	
	Bromptonville—Reconstruction of protection works	6,450 00	
	Cabano—Wharf reconstruction	11,400 00	
	Cacouna—Wharf repairs	1,500 00	
	Cannes des Roches—Breakwater extension	7,000 00	
	Caplan River (Bonaventure)—Reconstruction of breakwaters	3,300 00	
	Chateau Richer—Wharf repairs	3,300 00	
	Chicoutimi Basin—Wharf repairs	6,000 00	
	Coteau du Lac—Wharf reconstruction	2,400 00	
	Gaspe Basin—Wharf improvements	5,500 00	
	Grand Entree (M.I.)—Breakwater extension	2,500 00	
	Grosse Isle Quarantine Station—In full and final settlement of the claim of Messrs. Methot & Fournier in connection with the cancellation of their contract for wharf extension	2,700 00	
	Isle aux Grues (Crane Isd.)—Wharf repairs	3,200 00	
	Isle Verte—Wharf repairs	4,500 00	
	Iberville—To pay T. Choquette in full and final settlement of his claim for damages to truck	52 65	
	Lotbiniere—Wharf reconstruction	15,000 00	
	Maria—Wharf repairs	2,100 00	
	Mekinac—Wharf and freight shed	3,500 00	
507	Macamik—Wharf	3,500 00	
	Natashquan—Wharf repairs and extension	2,500 00	
	New Carlisle West—Breakwater extension	2,000 00	
	Norway Bay—Wharf repairs	1,000 00	
	Notre Dame de la Salette—Wharf	2,300 00	
	Noyan (Lacolle)—Wharf repairs	2,600 00	
	Petit Bonaventure—Breakwater extension	4,500 00	
	Phillipsburg—Reconstruction of wharf approach	4,900 00	
	Piche Point—Wharf repairs and improvements—Further amount required	5,900 00	
	Pointe a Elie (M.I.)—Wharf repairs and improvements—Further amount required	1,000 00	
	Pointe aux Trembles—Wharf repairs—Further amount required	9,600 00	
	Port au Persil—Wharf	15,700 00	
	Rimouski—Wharf reconstruction—Further amount required	11,600 00	
	Rimouski—In full and final settlement of claim of Messrs. Raymond & Talbot in connection with their contract for harbour improvements	51,892 85	
	Riviere du Loup—Wharf repairs	10,450 00	
	Roberval—Wharf repairs—Further amount required	3,400 00	
	Ste. Adelaide de Pabos—Wharf repairs	1,500 00	
	Ste. Anne de Sorel—Breakwater	2,940 00	
	St. Antoine de Tilly—Wharf repairs	6,900 00	
	St. Barthelemi, Grand Nord—Wharf	4,500 00	
	St. Croix—To purchase and repair wharf	10,800 00	
	Ste. Emelie—Dredging	28,000 00	
	Ste. Famille—Wharf repairs	1,300 00	
	Ste. Felicite—Wharf repairs	1,250 00	
	St. Francis Nord—Wharf repairs	2,000 00	
	St. Fulgence—Wharf repairs	2,900 00	
	St. Georges de Malbaie—Breakwater-pier	2,500 00	

SCHEDULE D—*Continued.*

No. of Vote.	SERVICE.	Amount.	Total.
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued.*		
	(Chargeable to Income)—Continued.		
	HARBOURS AND RIVERS—*Continued.*		
	Quebec—Concluded.		
	St. Jerome—Wharf repairs	1,350 00	
	St. Michel de Bellechasse—Wharf repairs—Further amount required	14,000 00	
	St. Paul de l'Ile aux Noix—Headblock reconstruction and repairs to right-of-way	2,400 00	
	Ste. Petronille (Island of Orleans)—To purchase and repair wharf	37,100 00	
	St. Pierre les Becquets—Wharf reconstruction	9,300 00	
	Squatteck—Wharf repairs	1,150 00	
	Sorel—Reconstruction of high level wharf	14,500 00	
507	Tadoussac (Anse Tadoussac)—Wharf repairs and improvements	24,080 00	
	Terrebonne—Protection wall	5,000 00	
	Thurso—Wharf repairs	1,800 00	
	Trois Rivieres—Wharf repairs and reconstruction	75,000 00	
	Valleyfield—Dredging	32,000 00	
	Vaudreuil—Reconstruction of wharf approach	3,800 00	
	Vercheres—Wharf extension	1,100 00	
	Ontario.		
	Aultsville—Wharf reconstruction—Revote $4,000	4,500 00	
	Belle River—Harbour improvements	30,000 00	
	Bowmanville—Wharf repairs	3,800 00	
	Burlington Beach Highway—To pay Government's share of cost of paving	866 00	
	Bracebridge—Breakwater	2,700 00	
	Burlington Channel—Reconstruction of south pier	50,000 00	
	Cape Croker—Wharf repairs	1,455 00	
	Collingwood—Dredging	20,500 00	
	Goderich—Harbour improvements—Further amount required	15,000 00	
	Grand Bend—Repairs to piers	1,100 00	
	Grassmere—Wharf	6,000 00	
	Jackson's Point—To purchase and reconstruct wharf	8,000 00	
	Keewatin—To take over town wharf and recoup municipality for repairs thereto	1,050 00	
	Kincardine—Repairs to piers—Further amount required	12,000 00	
	Kingston—Repairs to dry dock	1,200 00	
	Kingston R.M.C.—Shore protection	1,300 00	
	Lefaivre—To purchase and reconstruct wharf	10,800 00	
508	Oshawa—Harbour improvements	50,000 00	
	Owen Sound—Dredging	75,000 00	
	Pelee Island—Wharf extension	31,000 00	
	Pembroke—Wharf replacement and dredging—Revote $25,000.	50,000 00	
	Port Burwell—Repairs to harbour works—Further amount required	10,000 00	
	Port Dover—Wharf repairs	2,500 00	
	Port Hope—Breakwater repairs	1,800 00	
	Port Stanley—Harbour improvements	50,000 00	
	Saugeen River—Repairs to harbour works	2,500 00	
	Sault Ste. Marie—Dredging	60,000 00	
	Sault Ste. Marie—Warehouse	4,000 00	
	Severn Falls—Wharf	2,500 00	
	Sparrow Lake—Float	1,400 00	
	Sturgeon Falls—Wharf	8,700 00	
	Thessalon—Breakwater extension	15,000 00	
	Tiffin—Dredging	11,000 00	
	Waubaushene—To purchase wharf	1,000 00	
	Wheatley—Wharf repairs	2,000 00	
	Whitby—Dredging channel	12,000 00	
	Windsor—Wharf repairs	3,500 00	

SCHEDULE D—*Continued.*

No. of Vote.	SERVICE.	Amount.	Total.
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued.*		
	(Chargeable to Income)—Continued.		
	HARBOURS AND RIVERS—*Concluded.*		
	Manitoba.		
509	Delta Beach—Closing channel	6,500 00	
	Hecla—Wharf repairs	2,150 00	
	Netley Cut—Closing channel	3,000 00	
	Portage la Prairie—Sewer extension	56,000 00	
	The Pas—Purchase of wharf site	2,000 00	
	Assiniboine River—Control	2,000 00	
	Saskatchewan and Alberta.		
510	Craven, Sask.—Reconstruction of Dam	7,000 00	
	Cumberland House, Sask.—Wharf	2,000 00	
	Fort Chipewyan, Lake Athabasca, Alta.—Breakwater	4,000 00	
	British Columbia.		
511	Anglemont—Wharf	4,300 00	
	Arrow Park—Reconstruction of wharf	9,500 00	
	Balfour—To acquire and repair C.P.R. Wharf	1,500 00	
	Bamfield East—Reconstruction of wharf	8,800 00	
	Bella Coola—To renew wharf	9,000 00	
	Burdwood Bay—Float renewal	1,400 00	
	Bishop's Landing—Float renewal	1,400 00	
	Canoe—Addition to wharf	1,000 00	
	Bowen Island (West Side)—Floating wharf	2,000 00	
	Cracroft—Repairs to float	1,500 00	
	Digby Island Quarantine Station—Float	1,150 00	
	Cowichan Lake—Wharf	1,700 00	
	East Robson—Wharf extension	2,150 00	
	Ewing's Landing—Reconstruction of wharf	4,900 00	
	Fraser River—Improvements—Further amount required	60,000 00	
	Fraser River—Extension of jetty at mouth of river	30,000 00	
	Fraser's Landing—New wharf	4,900 00	
	Grief Point and Ragged Island—Booms	8,000 00	
	Harrop—Reconstruction of wharf	7,700 00	
	Haysport—Floating wharf	4,000 00	
	Herriot Bay—Wharf repairs	1,300 00	
	Holberg—Moving float and building approach	2,900 00	
	Jackson Bay—Renewal of float	1,250 00	
	Jeune Landing—Quatsino Sound—Wharf repairs	2,000 00	
	Lockeport—Wharf	4,000 00	
	Nicomen Island—Protection work	45,000 00	
	New Westminster—Wharf extension and repairs	4,300 00	
	Porpoise Bay—Wharf	4,200 00	
	Powell River—Wharf improvements	1,150 00	
	Renata—Wharf repairs and improvements	7,500 00	
	Saanichton—Wharf repairs	2,800 00	
	Shushartie Bay—Float	2,600 00	
	Stewart—Contribution towards wharf approach	15,000 00	
	Surge Narrows—Renewal of float	1,300 00	
	Tucker Bay—Wharf repairs	1,800 00	
	Ucluelet—Wharf replacement—Further amount required	1,200 00	
	Yukon.		
512	Yukon River and Tributaries—Improvements—Further amount required	2,100 00	

SCHEDULE D—*Continued.*

No. of Vote.	SERVICE.	Amount.	Total.
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued.*		
	(*Chargeable to Income*)—Continued.		
	ROADS AND BRIDGES.		
	Grand Etang—Construction of bridge	13,200 00	
	International bridge over River St. John between Clair, N.B., and Fort Kent, Me., the State of Maine to provide $15,000, County of Aroostook $10,000, and town of Fort Kent $5,000—Revote of lapsed amount	29,000 00	
513	Interprovincial Bridge over the Ottawa River at Hawkesbury, the Ontario and Quebec Governments to each contribute one third of the cost	40,000 00	
	Interprovincial bridge over Ottawa River between Ottawa and Hull—Paving of approach	5,000 00	
	TELEGRAPH AND TELEPHONE LINES.		
	Nova Scotia.		
	Little Bras d'Or—Big Bras d'Or line—Renewal of poles	1,100 00	
	Hays River Loop (Strathlorne—Whycocomagh line)—Renewal of poles	200 00	
	Whycocomagh—Little Narrows Line—Renewal of poles	800 00	
14	Little Narrows—Bucklow—Grass Pond line—Renewal of poles	2,600 00	
	Hawkesbury—St. Peters line—Renewal of poles	1,900 00	
	Southwest Margaree—Stewardale line—Renewal of poles	2,300 00	
	Kenlock—Scottsville line—Renewal of poles	700 00	
	New Brunswick.		
	Extension of Point Sapin Telephone line to Kouchibouguac Village	750 00	
515	Bay of Fundy Lines—Cable from Bancroft Point on Grand Manan Island to Long Island	1,525 00	
	Quebec.		
	Magdalen Islands—Improvements to telephone service	2,000 00	
516	Island of Orleans Telephone System—Extension from Ste. Famille to St. Pierre	880 00	
	Ontario.		
	Pelee Island—Renewal of cable	9,200 00	
517	Bath—Amherst Island Telephone line—Aid to the Amherst Island Telephone Co	250 00	
	Saskatchewan and Alberta.		
	Telephone line from Glaslyn to Junor	1,300 00	
518	Moose Jaw—Wood Mountain Telegraph Line—Completion of renewal of poles, etc	2,400 00	
	British Columbia.		
	Mainland Telephone Line Extension—Squilax to Sorrento—Revote	120 00	
	Branch of Canal Flats—Wasa telephone line to Sheep Creek	200 00	
519	Extension of telephone line from a point 5 miles north of Wasa to Fort Steele	3,400 00	
	Office accommodation at Invermere	3,350 00	

SCHEDULE D—*Continued.*

No. of Vote.	SERVICE.	Amount.	Total.
		$ cts.	$ cts.
	PUBLIC WORKS—*Concluded.*		
	(*Chargeable to Income*)—Concluded.		
	TELEGRAPH AND TELEPHONE LINES—*Concluded.*		
	British Columbia—Concluded.		
	Canal Flats to Wasa—Revote	625 00	
	Construction of telegraph line from Horse Fly to Bullion via Beaver Creek	6,300 00	
	Salt Spring Island—Telephone Line—Reconstruction and extension	3,500 00	
	Telephone line, Houston to Ootsa Lake, Francois Lake and Burn's Lake—Revote	970 00	
	Mainland Telegraph and Telephone Lines—General repairs and improvements—Further amount required	20,500 00	
519	Vancouver Island Telephone Line—Extension from Uchucklesit to Ecoole and Rainy River	800 00	
	Extension of telephone line from Proctor to Sunshine Bay	842 00	
	Merritt telephone exchange—Pole renewals, etc	570 00	
	Osoyoos District telephone line—Improvements	627 00	
	Penticton—Keremeos telephone line—Improvements	1,420 00	
	Keremeos—Cawston telephone line—Improvements	200 00	
	Extension of telephone line from Celista to Fowlers Meadows	1,133 00	
	Telephone exchange and line extensions at Vanderhoof—Revote	513 00	
	DREDGING.		
	Dredging—Maritime Provinces—Further amount required	25,000 00	
520	Dredging—Ontario and Quebec—Further amount required	50,000 00	
	Dredging—British Columbia—Further amount required	16,000 00	
	MISCELLANEOUS.		
	Gratuity to H. Bristow who was seriously injured while working at the Quinze Dam	500 00	
521	To pay estate, Eugene D. Lafleur in full and final settlement of claim for travelling expenses incurred by the late Eugene D. Lafleur when Chief Engineer of the Department of Public Works	3,786 15	
	New hull for Snagboat, *Samson*	30,000 00	
			3,495,501 21
	MAIL SUBSIDIES AND STEAMSHIP SUBVENTIONS.		
522	Baddeck and Iona, steam service between—additional amount required	1,500 00	
523	Halifax, Louisburg and Bay St. Lawrence, via way ports, steam service between	5,000 00	
524	Rimouski and Point aux Outardes, and other points on the North Shore of the River St. Lawrence, service between	5,000 00	
525	St. John and Weymouth, N.S., and other ports on St. Mary's Bay, steam service between	1,500 00	
526	Port Mulgrave, St. Peters, Irish Cove, and Marble Mountain and other ports on the Bras d'Or Lakes steam service between: additional amount required	350 00	
527	Dalhousie, N.B., and Carleton, Quebec, and other way ports, steam service between	500 00	
528	Port Hawkesbury and Eastern Harbour, N.S., steam service between	2,000 00	
			15,850 00

SCHEDULE D—*Continued.*

No. of Vote.	SERVICE.	Amount.	Total.
		$ cts.	$ cts.
	OCEAN AND RIVER SERVICE.		
529	Life Saving Service, including rewards for life saving—Further amount required to defray cost of reopening and maintaining the Bay View Life Saving Station at Digby, N.S...	13,000 00	
	To defray cost of installing wireless telephone service and maintaining a life saving vessel on the West coast, Vancouver Island...	37,000 00	
			50,000 00
	PUBLIC WORKS.		
	(Chargeable to Capital.)		
	MARINE DEPARTMENT.		
530	Amount required to complete the repairs to dredges, tugs, scows, barges, etc., commenced in fiscal year 1922-23. Revote...	.....	16,540 00
	LIGHTHOUSE AND COAST SERVICE.		
531	Pensions to Quebec Retired Pilots—Further amount required to provide for the following:—		
	Eugene Anctil...	333 04	
	Lucien Lachance...	375 00	
	Narcisse Lavoie...	1,762 10	
	L. H. Lapierre...	1,126 67	
	J. T. St. Laurent...	1,129 17	
	J. V. Gourdeau...	1,722 60	
	Samuel Rioux...	486 29	
	Joseph LaRochelle...	5,035 00	
	Francois Gaudreau...	986 29	
	Arthur Koenig...	1,016 67	
	J. A. Lachance...	1,944 36	
	R. Lachance...	1,797 50	
	Amount required to pay compassionate allowance to John Davidson...	500 00	
			18,214 69
	FISHERIES.		
532	To assist in the conservation and development of the deep-sea fisheries—Further amount required...	.....	70,000 00
	MINES AND GEOLOGICAL SURVEY		
533	Amount required for transportation charges from outlying provinces on ore shipments which may be sent to the Ore Dressing Plant of the Mines Branch at Ottawa for testing purposes, under regulations to be approved by the Minister of Mines...	.....	10,000 00
	LABOUR.		
534	Unemployment relief—Further amount required...	.....	5,700 00
	INDIANS.		
536	*Ontario and Quebec*—		
	Relief, Medical Attendance and Medicines—Further amount required...	5,000 00	
	Repairs to roads, bridges and drainage—Further amount required...	1,000 00	
	General Expenses—Further amount required...	7,800 00	

SCHEDULE D—*Continued.*

No. of Vote.	SERVICE.	Amount.	Total.
		$ cts.	$ cts.
	INDIANS—*Concluded.*		
	Ontario and Quebec—Concluded.		
	To provide for the expense of investigating claim and negotiating treaty for cession of Indian title to 10,719 square miles in the Province of Ontario (including additional remuneration to the Departmental Solicitor as Chairman of the Commission, $500)	5,000 00	
537	*Manitoba, Saskatchewan, Alberta and N.W.T.*— Hospitals, Medical Attendance and Medicine, etc.—Further amount required	15,000 00	
538	*British Columbia*— Surveys, Roads, Irrigation and Dyking—Further amount required	20,000 00	
			53,800 00
	ROYAL CANADIAN MOUNTED POLICE.		
539	To compensate members of the Royal Canadian Mounted Police for injuries received whilst in the performance of duty—Further amount required	3,000 00	
	To provide for the reconstruction of the Royal Canadian Mounted Police buildings at Lethbridge Post, destroyed by fire, April, 1923	6,000 00	
			9,000 00
	GOVERNMENT OF THE NORTH WEST TERRITORIES.		
540	Purchase and maintenance of new ship—Further amount required	40,000 00	
	To establish and operate wireless station at Mayo	19,000 00	
			59,000 00
	GOVERNMENT OF THE YUKON TERRITORY		
541	To pay E. Telford, Inspector Royal Canadian Mounted Police, at Dawson, for services as Acting Gold Commissioner for a period of six months from Oct. 18, 1922	.....	600 00
	DOMINION LANDS AND PARKS.		
	Compassionate allowance to T. W. Dwight	1,000 00	
542	To provide for the payment to Mrs. F. P. E. Fortier of a compassionate allowance equal to the retiring allowance her husband would have been entitled to under the Public Service Retirement Act, Chapter 49, 11-12 George V	1,440 00	
	Canadian National Parks—Further amount required	25,000 00	
			27,440 00
	SOLDIERS' CIVIL RE-ESTABLISHMENT.		
543	Amount required to provide salaries, transportation, travelling and general administrative expenses of Federal Appeal Board and District Boards of Review, etc., including provision for transportation and travelling expenses of applicants to and from seat of Appeal Board or District Boards of Review, remuneration to official soldiers' advisors and partial refund of expenses incurred in presentation of individual cases to the Department of Soldiers' Civil Re-establishment and Board of Pension Commission	357,996 00	
544	Repatriation—Further amount required to provide for repatriation of former members of the Forces discharged in the British Isles and of their dependents as provided by Order-in-Council 1757, dated 7th September, 1922, and Order-in-Council 1056 dated 13th June, 1923, and to provide for salaries and other expenses of administering the provisions of said Orders-in-Council	25,000 00	

SCHEDULE D—*Continued.*

No. of Vote.	SERVICE.	Amount.	Total.
		$ cts.	$ cts.
	SOLDIERS' CIVIL RE-ESTABLISHMENT—*Concluded.*		
545	Vocational Loans—Further amount required to provide loans to graduate students for the purchase of tools and equipment required by them to commence business or follow up line of training and to disabled ex-soldiers to complete education as provided in P.C. 2329 of 1919 (P.C. 580 of 10th March, 1922)	20,000 00	
546	Amount required to provide pension or compensation for death or injury resulting directly from a flight undertaken in the course of duty in the Public Service of Canada of any person employed in the Public Service of Canada, or employed under the direction of any Department of the Public Service of Canada as provided in Order-in-Council 2187, dated 20th October, 1922	10,000 00	412,996 00
	MISCELLANEOUS.		
547	To provide for the expenses of a technical investigation under the supervision of the Department of Insurance, into the merits of the various forms of roof coverings from the standpoint of fire prevention	15,000 00	
548	To compensate Madame Kate Casgrain for the use made by the Government of a Filing Device covered by a patent granted to her husband, the late H. B. Casgrain	2,000 00	
549	Grant to the Lord Selkirk Association towards the erection of a Monument to Peguis, the Saulteaux Indian Chief	1,200 00	
550	British Empire Exhibition—Further amount required	150,000 00	
551	Grant to the Victorian Order of Nurses	5,000 00	
552	Grant to the Canadian Tuberculosis Association	5,000 00	
553	Salary of L. H. Beer as salvage officer at $5,000 per annum	5,000 00	
554	Loan to Provinces to encourage the erection of dwelling houses, on the terms and conditions set forth in the Order in Council of the 3rd of December, 1918, and amendments thereto from time to time made—to be applied only to cases in which the respective Provincial Governments have already made commitments with the municipalities; the appropriation to cease entirely at the end of the present fiscal year	4,000,000 00	
555	Archives—Further amount required to pay for paintings of Governors Carleton, Haldimand and Cornwallis—Drawing of Shelburne, 1780—Painting of picture of French Fireships at Quebec, 1760—Photograph of original plan of Louisbourg—Water colours of Welland Canal—Old engravings of French and English Governors and officials—Journal of Braddock's Expedition, 1755—Journal of Campaign, 1755-1760—Photostat of Journal of North West Company—Journal of McGillivray, etc	5,000 00	
556	Grant to the Scottish Pioneer Association to assist in the "Hector" celebration	15,000 00	
557	Grant to aid in the construction of the Champlain Monument at Orillia, Ont	5,000 00	
558	Grant towards the expenses of the Canadian Athletic Team at the International Olympic Games in 1924	15,000 00	
559	Remuneration to F. H. Gisborne for preparing Volume II of Provincial Legislation	500 00	
560	Purchasing Commission—Salaries and contingencies for the months of April, May and June, 1923	18,703 32	
562	Amount required for expenses of delegation to Imperial Conference	10,000 00	
563	Amount required for expenses of delegation to Imperial Economic Conference	25,000 00	
564	Further amount required for passport office	2,000 00	
565	Amount required to pay to the Canadian Pacific Railway Company for the removal of the span of the bridge over False Creek, B.C., to permit of the movements of vessels up to the end of 1923	6,065 92	

SCHEDULE D—*Continued.*

No. of Vote	SERVICE.	Amount.	Total.
	MISCELLANEOUS—*Concluded.*	$ cts.	$ cts.
566	Amount required to pay the creditors of the late Prince Rupert Dry Dock and Engineering Co., Ltd., for services rendered, material supplied or moneys advanced in connection with the construction of the *Scottish* and *Britisher* in Prince Rupert, B.C. (Revote $64,339.97)	68,000 00	
567	Grant to the Burrard Inlet Tunnel and Bridge Company towards construction of bridge over the Second Narrows of Burrard Inlet, B.C., being revote of portion of subsidy authorized by statute, chap. 46, Sec. 3, 1913	100,000 00	
568	To provide for the expenses in connection with the Armorial Bearings of Canada	3,000 00	
569	Printing Bureau—Plant New—Further amount required	21,000 00	
570	Amount required to pay the Department of Public Printing and Stationery for printing and stationery ordered by and supplied to the Commission of Conservation	1,034 55	
570½	To provide for the expenses of a Royal Commission to enquire into proposed prohibition or restriction of the export of pulpwood	20,000 00	
			4,498,503 79
	RAILWAYS AND CANALS.		
	(Chargeable to Collection of Revenue.)		
	CANALS.		
571	Trent: Compassionate allowance to John Doris who was injured while performing duties of carpenter on the Trent Canal	.....	1,000 00
	PUBLIC WORKS.		
	(Chargeable to Collection of Revenue.)		
572	Prince Edward Island and Mainland—Revote	7,000 00	
	St. Andrews Rapids—Lock and dam—Further amount required	1,800 00	
			8,800 00
	TRADE AND COMMERCE.		
573	Canada Grain Act, administration of—Additional amount required	80,000 00	
574	Maintenance of Terminal Elevators and necessary Equipment—Additional amount required	15,000 00	
575	To provide for the expenses of a Royal Commission to inquire into the Grain Trade	50,000 00	
576	To provide for the salaries and expenses of the Grain Inquiry Commission, re Lake Grain Rates	13,000 00	
577	Copper Bounty Act—administration of	5,000 00	
578	Additional amount required to provide for the Canadian Exhibition in France	60,000 00	
579	British and Foreign News Service	21,333 34	
580	Towards the construction of a grain elevator at Halifax, N.S.	200,000 00	
581	Towards the construction of a grain elevator at Edmonton, Alta	200,000 00	
582	Amount required for administration of the Act respecting the Lake Grain Freight Rates, Appointments, necessary for the administration of this Act, may be made without reference to and notwithstanding anything to the contrary in the Civil Service Act	10,000 00	
			654,333 34
	MISCELLANEOUS		
583	To provide for the administration of the Combines Investigation Act	30,000 00	
584	Grant to the Canadian National Institute for the Blind	10,000 00	
			40,000 00
	Total	.....	$14,726,241 09