





Canada. Laws, Statutes, etc.

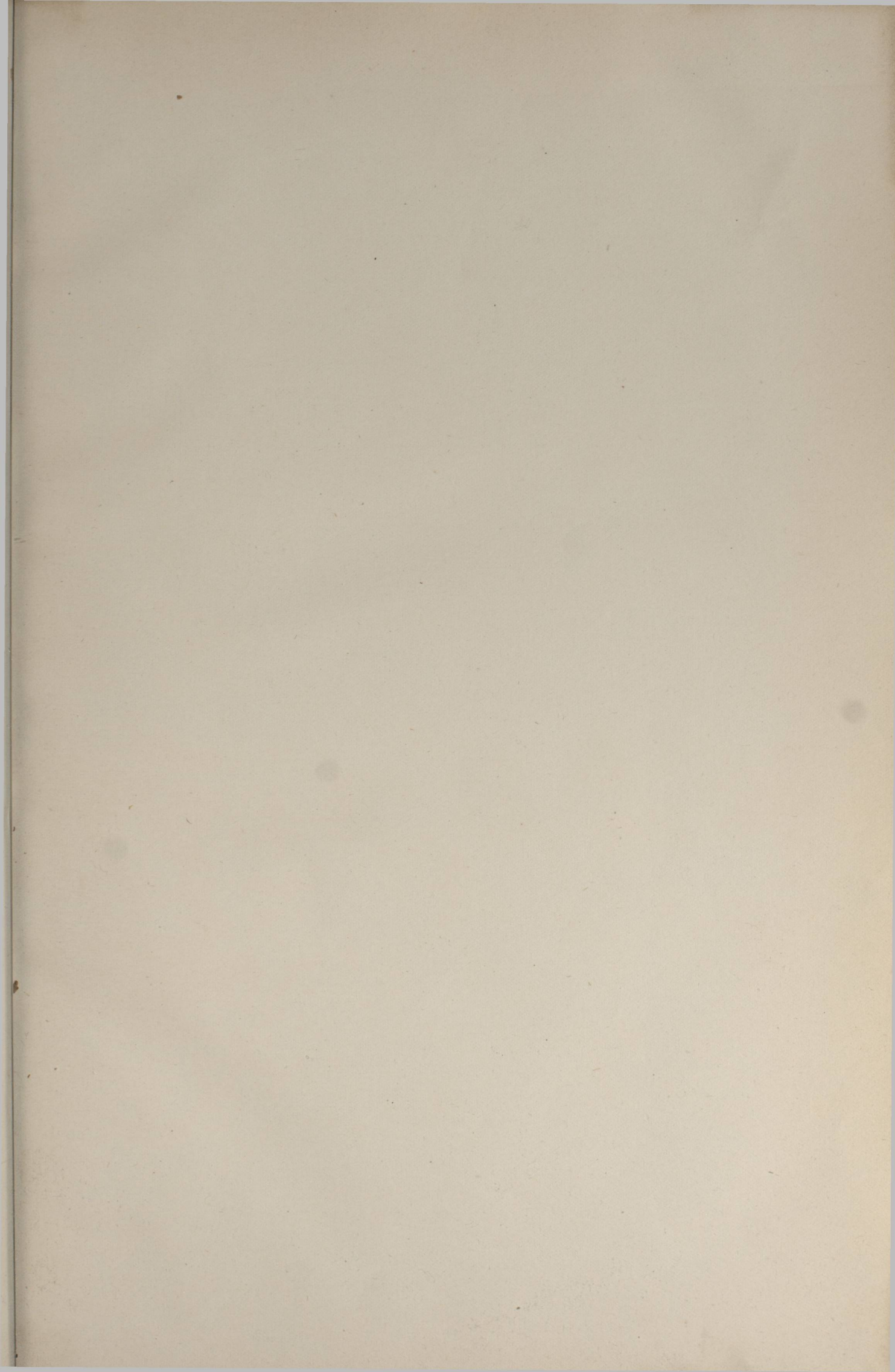
237

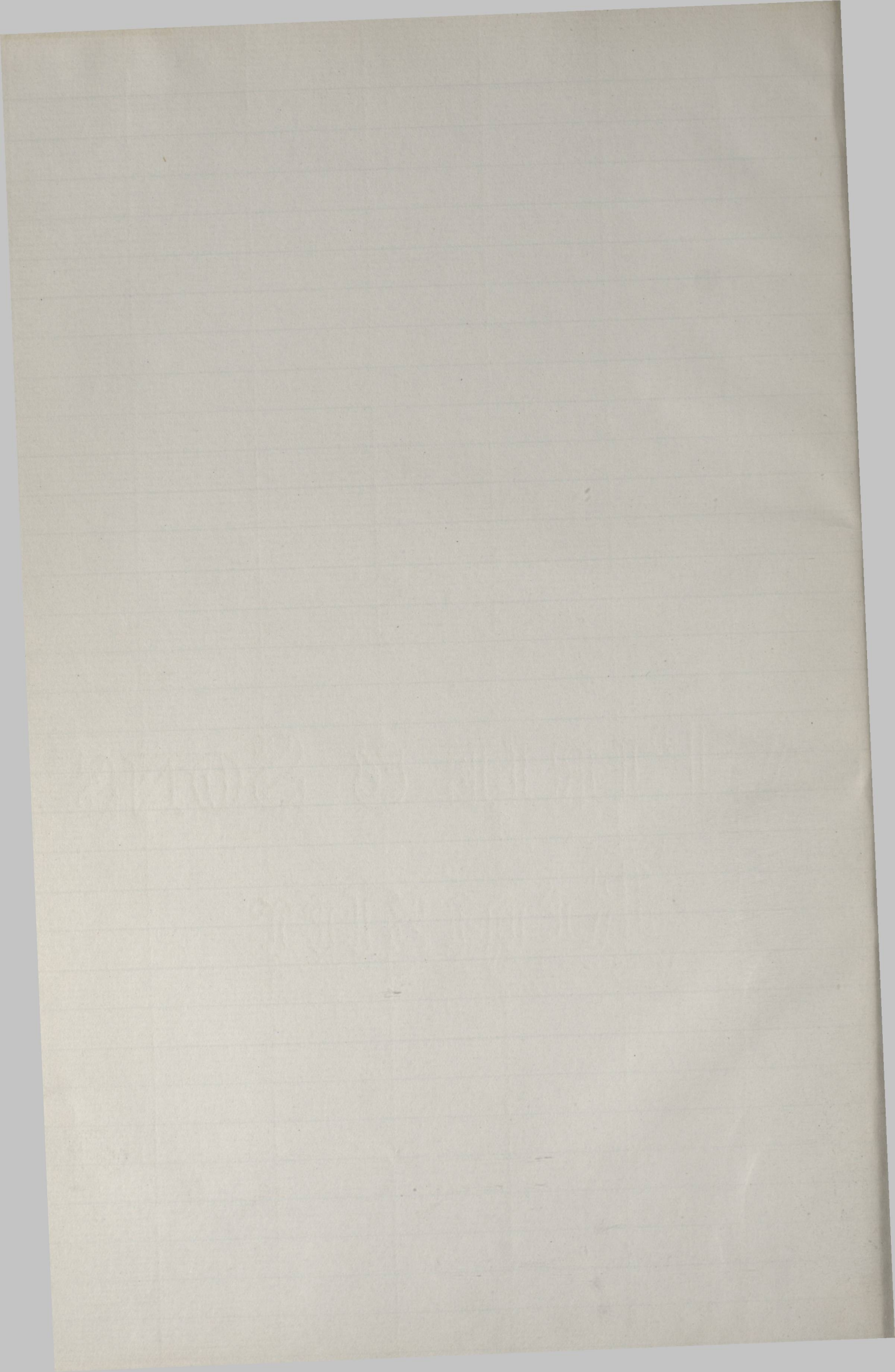
KE
72
C38

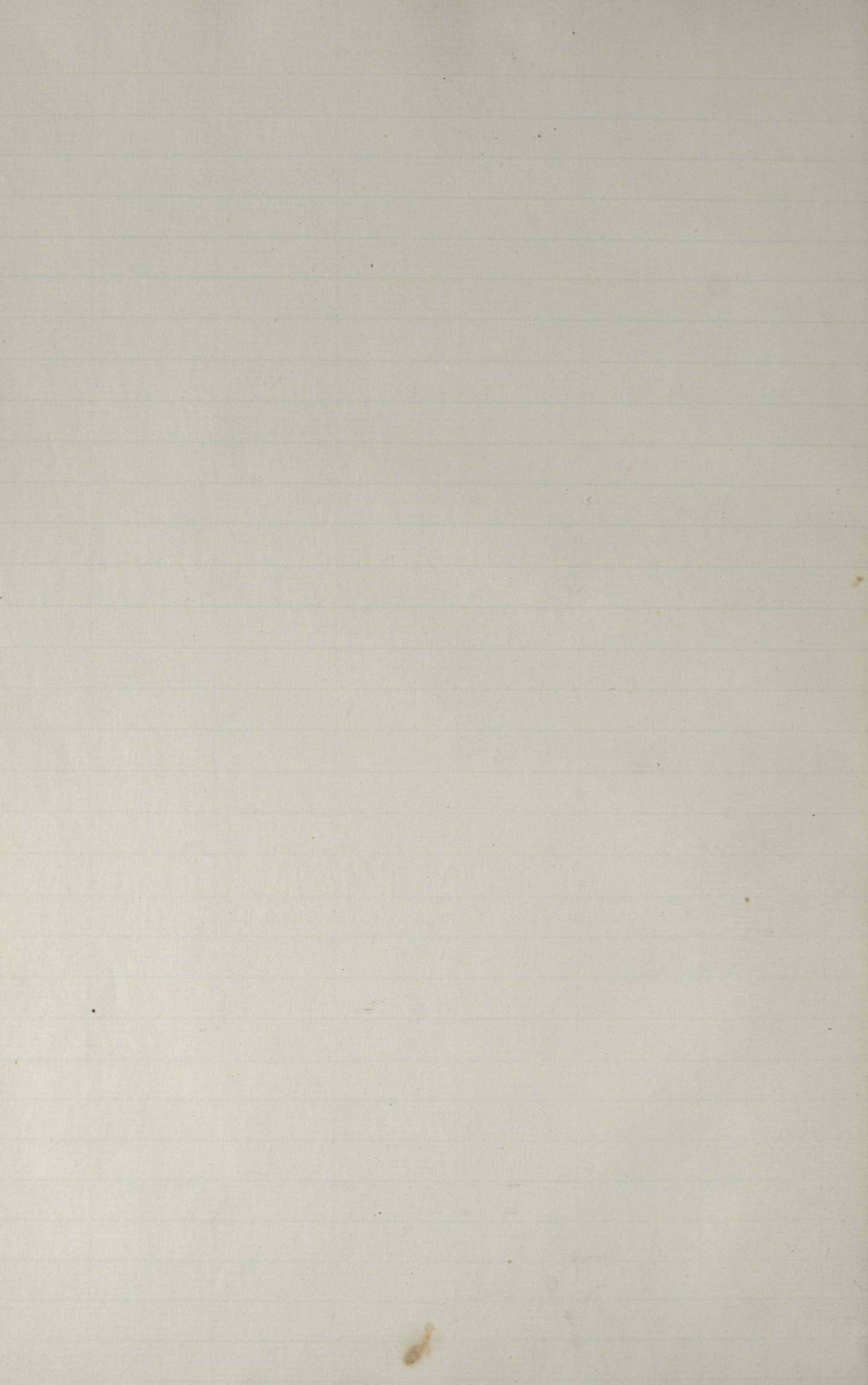
4-1

Bill A-

Al Sample No. 4









BILL.

An Act to amend "The Penitentiary Act, 1875."

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

1 1, Sub-section four of section forty-four of the Act passed in
5 the thirty-eighth year of Her Majesty's Reign (A.D., one thou-
sand eight hundred and seventy-five) chaptered forty-four, and
intituled: "An Act respecting Penitentiaries, and the in-
pection thereof, and for other purposes," is hereby amended
by adding thereto the words "Provided that, should the
10 Warden be of opinion that a convict, on being discharged,
does not intend *bonâ fide* to return to the place at which he
received his sentence, but intends to go to some other place
nearer the Penitentiary, then such convict shall be furnished
with such less sum of money as shall, in the Warden's opi-
15 nion, be sufficient to pay his travelling expenses to such
nearer place."

Sub-section
4 of section
44 of 38 V. c.
44 amended.

20 2. The Governor in Council may appoint a fit and proper
person to be the Accountant of Penitentiaries, who shall be
an officer of the Department of Justice, and who shall
receive such salary as may be voted by Parliament. He
shall be charged generally with the direction, inspection,
and audit of the books, accounts, money transactions, and
financial affairs of the Penitentiaries, and with such other
powers and duties with which the Inspector is now charged
25 as may be assigned to him by order of the Governor in
Council; and from and after the appointment of such Ac-
countant, the powers and duties of the Inspector in respect
of the matters with which the Accountant may be charged
shall cease.

Governor in
Council may
appoint an
Accountant
of Peniten-
tiaries.

1st Session 4th Parliament, 42nd Victoria, 1879

A

BILL.

An Act to amend "The Penitentiary
Act, 1875."

Received and read the first time, Wednesday,
5th March, 1879.

Second reading, Friday, 7th March, 1879.

Hon. Mr. AIKINS.

OTTAWA:

Printed by MACLEAN ROGER & Co.,
1879.



BILL.

An Act Respecting Census and Statistics.

WHEREAS it is expedient to establish and permanently to organize the taking of the census and the collection and publication of statistics: Therefore Her Majesty, by and with the advice and consent of the Senate and House of
5 Commons of Canada, enacts as follows:—

Preamble.

1. A Census shall be taken in the year 1881, and then in very tenth year thereafter, at the beginning of the year 1881 and at the beginning of every tenth year thereafter.

Census, when to be taken.

2. The details of information, the forms to be used, and procedure to be followed for the obtaining thereof, and the period at which, and the dates with reference to which, the census shall be taken,—whether generally, or for any specified localities, requiring to be exceptionally dealt with in any of these respects,—shall be such as the Governor in
10 Council by Proclamation shall direct.

Proclamation by Governor in Council.

3. Each census shall be so taken as to ascertain with the utmost possible accuracy, in regard to the various territorial divisions of the country,—their population and the classification thereof, as regards age, sex, social condition, religion,
20 education, race, occupation, and otherwise,—the houses and other buildings therein, and their classification as dwellings, inhabited, uninhabited, under construction, and otherwise,—the occupied land therein, and the condition thereof, as town, village, country, cultivated, uncultivated, and other-
25 wise,—the produce, state, and resources of the agricultural, fishing, lumbering, mining, mechanical, manufacturing, trading and other industries thereof,—the municipal, educational, charitable and other institutions thereof,—and whatever other matters may be specified in the forms and
30 instructions to be issued, as hereinafter is provided.

Census, how to be taken.

4. The Minister of Agriculture shall cause all forms, and also all instructions which he shall deem requisite in respect of each census to be duly prepared, printed and issued, for use by the persons to be employed in the taking thereof.

Forms and instructions.

5. The Governor in Council, by Proclamation, shall divide the country into census districts, and each census district into sub-districts, to correspond respectively, as nearly as may be, with the electoral divisions and sub-divisions of the time being, and in territories not so defined or so situated as
40 to permit to adhere to circumscriptions already established, into special divisions and sub-divisions for the purpose of the census.

Division of country into census districts.

Appointment
of census offi-
cers and com-
missioners.

6. The Governor in Council shall appoint census officers, census commissioners, and other employees who may be necessary for the taking of each census, with such relative powers and duties and such emoluments as shall be laid down for each census by Order in Council.

5

Appointment
of enumer-
ators.

7. There shall be appointed, by or under authority of the Minister of Agriculture, in such manner and subject to such rules in that behalf as shall be laid down by Order in Council, one or more enumerators for every census sub-district; and in every case where more than one enumerator is appointed, the powers and duties of such enumerators shall be such as the instructions of the Minister of Agriculture shall assign to each, whether territorially or otherwise.

Duty of cen-
sus officers
and commis-
sioners.

8. The Census Officers and Commissioners shall be entrusted, under direction and instruction of the Minister of Agriculture, with superintending the work done by the enumerators, and shall see that all those under their superintendence thoroughly understand the manner in which the duties required of them are to be performed, and use due diligence in the performance thereof.

20

Duties of
enumerators.

9. Every enumerator, by domiciliary visits to every house and careful personal enquiry, shall ascertain, in detail, with the utmost accuracy possible, all the statistical information with which he is required to deal, and no other,—and shall make an exact record thereof, and attest the same under oath,—and shall see that such attested record is duly delivered to the Census Commissioner under whose superintendence he is placed; the whole, in all respects, as by the forms and instructions issued to him shall be required.

Duties of
census com-
missioner.

10. The Census Commissioner shall examine all such records, and satisfy himself how far each enumerator has performed the duties required of him,—and shall note all apparent defects and inaccuracies in such records, and require the several enumerators concerned therewith, to assist him in respect thereof,—and with their assistance shall correct the same so far as may be found requisite and possible, noting always whether such corrections are concurred in by them or not, and shall make return,—attested under oath, of his doings in the premises,—and shall transmit the same, together with all the records in question, to the Minister of Agriculture; the whole, in all respects, as by the forms and instructions issued to him shall be required.

Duties of
Minister of
Agriculture.

11. The Minister of Agriculture shall cause all such returns and records to be examined, and any defects or inaccuracies discoverable therein to be corrected so far as possible,—and shall obtain, so far as possible, by such ways and means as may be deemed convenient, any statistical information requisite for the due completion of the census, which cannot be or is not obtained with the required fullness and accuracy by means of such returns and records,—and shall cause to be prepared, that the same may be laid before Parliament, with all practicable despatch, abstracts and

50

tabular statements shewing the results of the census as fully and accurately as possible.

12. Every Officer, Census Commissioner, Enumerator, and other person employed in the execution of this Act,—whether
5 for the obtaining in the first instance of any information sought by the census, or for revising or compiling the same, or otherwise dealing therewith, or for enquiring into any matter connected with the taking of the census,—before entering on his duties, shall take and subscribe an oath
10 binding him to the faithful and exact discharge of such duties, in such form, before such person, and returned and recorded in such manner, as by Order in Council shall be prescribed.

Every person employed in the execution of this Act to take an oath.

13. Any Officer, Census Commissioner, Enumerator, or
15 other person employed in the execution of this Act, making wilful default in any matter required of him by this Act, or making any wilfully false declaration touching any such matter, shall be guilty of a misdemeanor.

Wilful defaulter guilty of a misdemeanor.

14. Every person having custody or charge of any Pro-
20 vincial, Municipal or other public records or documents, or of any records or documents of any Corporation, from which information sought by the census, or which would aid in the completion or correction thereof, can be obtained, shall grant to any Census Officer, Commissioner, Enumerator, or other
25 person deputed to that end by the Minister of Agriculture, reasonable access thereto for the obtaining of such information therefrom; and every such person wilfully or without lawful excuse refusing or neglecting so to do, and every person wilfully hindering or seeking to prevent or obstruct such
30 access, or otherwise in any way wilfully obstructing or seeking to obstruct any person employed in the execution of this Act, shall be guilty of a misdemeanor.

Custodians of public records to grant access thereto

15. Every person who wilfully, or without lawful excuse, refuses or neglects to fill up, to the best of his knowledge and
35 belief, any schedule which he shall have been required to fill up by any enumerator or other person employed in the execution of this Act,—or refuses or neglects to sign and deliver back or otherwise return the same when and as so required,— or makes, signs, delivers or returns, or causes to be
40 made, signed, delivered or returned, any false answer or statement as to any matter specified in such schedule,—shall thereby incur a penalty of not less than *ten* nor more than *forty dollars*.

Penalty for refusal or neglect to fill up schedule, &c.

16. Every person who, without lawful excuse, refuses or
45 neglects to answer, or who wilfully answers falsely, any question requisite for obtaining any information sought by the census or pertinent thereto, which shall have been asked of him by any enumerator or other person employed in the execution of this Act, shall, for every such refusal or neglect
50 or wilfully false answer, incur a penalty of not less than *five* nor more than *twenty dollars*

Penalty for refusal or neglect to answer any question, &c.

Recovery of penalties

17. The penalties hereinbefore imposed may be recovered in a summary manner in the suit of any Officer, Census Commissioner, Enumerator, or other person employed in the execution of this Act, before any one Justice of the Peace having jurisdiction in the place where the offence has been committed, on the oath of the prosecutor or of one credible witness; and one moiety thereof shall belong to the Crown for the public uses of the Dominion, and the other moiety to the prosecutor, unless he has been examined as a witness to prove the offence, in which case the whole shall belong to the Crown for the uses aforesaid. 5 10

Minister of Agriculture may direct enquiry to be made under oath.

18. Whenever the Minister of Agriculture deems it convenient, he may, by special letter of instruction, direct any Officer, Census Commissioner, or other person employed in execution of this Act, to make enquiry under oath, as to any matter or matters connected with the taking of the census, or the ascertaining or correction of any supposed defect or inaccuracy therein; and such Officer, Census Commissioner, or other person shall then have the same power as is vested in any court of law in civil cases, of summoning any party or witnesses, of enforcing their attendance, and of requiring and compelling them to give evidence on oath, whether orally or in writing, and to produce such documents and things as he deems requisite to the full investigation of such matter or matters. 15 20 25

Effect of such direction.

What shall be *prima facie* evidence of appointment or removal of, or instruction to census officers, &c.

19. Any letter purporting to be signed by the Minister of Agriculture, or by his Deputy, or by any other person thereto authorized under Order in Council, and notifying any appointment or removal of, or setting forth any instructions to, any person employed in the execution of this Act,—and any letter signed by any Officer, Census Commissioner, or other person thereto duly authorized, notifying any appointment or removal of, or setting forth any instructions to any person so employed under the superintendence of the signer thereof,—shall be, respectively, *prima facie* evidence of such appointment, removal, or instructions, and that such letter was signed and addressed as it purports to be. 30 35

Presumption as to documents, and produced by person employed in the execution of this Act.

20. Any document or paper, written or printed, purporting to be a form authorized for use in the taking of the census, or to set forth any instructions relative thereto, which is produced by any person employed in the execution of this Act, as being such form, or as setting forth such instructions, shall be presumed to have been supplied by the proper authority to the person so producing the same, and shall be *prima facie* evidence of all instructions therein set forth. 40 45

What shall be a sufficient requirement, as against occupant of house.

21. The leaving, by an enumerator, at any house or part of a house, of any schedule purporting to be issued under this Act, and having thereon a notice requiring that the same be filled up and signed within a stated delay by the occupant thereof, or in his absence by some other member of the family, shall be a sufficient requirement as against 50

such occupant, though not named in such notice, nor personally served therewith, so to fill up and sign such schedule.

22. The Minister of Agriculture shall cause to be prepared one or more tables, setting forth the rates of allowances or remuneration for the several Census Commissioners and Enumerators employed in the execution of this Act, not, however, to exceed, in the aggregate, a total amount of *three dollars* for each day of proved effective service for any enumerator, or of *four dollars* for each day of like service for any Census Commissioner; and the same, when approved by Order in Council, shall be laid before Parliament within the first fifteen days of the Session next ensuing.

Allowances or remuneration for persons employed under this Act.

23. Such allowances or remuneration shall be paid to the several persons entitled thereto, in such manner as the Governor in Council shall direct; but shall not be payable until the services required of the person receiving the same have been faithfully and entirely performed.

Allowances, &c., how and when to be paid.

24. Such allowances and remuneration, and all expenses to be incurred in carrying this Act into effect, shall be paid out of such moneys as shall be provided by Parliament for that purpose.

And out of what moneys to be paid.

25. A full report of all things done under this Act, and an account of all moneys expended under the authority thereof, shall be laid before Parliament within the first fifteen days of the next Session thereof, and of each Session thereafter, until such time as all things requiring to be done under this Act shall have been fully completed.

Report to be laid before Parliament.

26. The word "house" in this Act includes all ships, vessels and other dwellings or places of abode of any kind.

Meaning of "house"

27. The appointments, employments, or service under this Act concerning census shall not be subject to the statutory requirements affecting the Civil Service.

Act affecting the Civil Service not to extend to appointments, &c., under this Act.

STATISTICS.

28. The Minister of Agriculture may, from time to time, subject to the approval of the Governor in Council, make such rules and regulations, and prescribe such forms as may appear necessary and expedient for the purpose of collecting, abstracting, tabulating and publishing vital, agricultural, commercial, criminal and other statistics; and such rules, regulations and forms, when assented to by the Governor in Council, and published in the *Canada Gazette*, shall have the force of law so long as they are not repealed or superseded; and any printed copy thereof published by the Queen's Printer shall be evidence thereof.

Minister of Agriculture, to make rules, &c., for collecting, &c., vital and other statistics.

29. The Governor in Council may, on the Minister of Agriculture certifying to the ascertained competency of the persons to be appointed, from time to time, appoint such officers, clerks and other employees as may be necessary for the

Governor in Council may appoint officers, clerks, &c., for the purposes of this Act.

purposes of this Act; and such officers, clerks and employees shall hold office during pleasure. The Governor may also appoint, at any time, temporary clerks or employees for an indefinite period, the term of service of such temporary employees to cease and determine at the notice given to them 5 by the Minister of Agriculture, when such portion of the statistical labours for which they were so engaged, and to which they had been employed, is terminated.

Tenure of office of persons, &c., appointed

30. Whenever in any Province or territory any system is established or any means exist of collecting vital, agricultural, 10 commercial, criminal or other statistics, the Minister of Agriculture may be authorized by the Governor in Council to arrange with the Government of such Province or territory, or with the organization so possessed of such system for the collection and transmission of such information as may be 15 required by schedules prepared by the Minister of Agriculture, and approved by the Governor in Council, for the procuring of such vital, agricultural, commercial, criminal and other statistics.

Minister of Agriculture may call upon public officers for copies of papers, &c.

31. The Minister of Agriculture may, in collecting 20 statistics, as and in the manner provided by this Act, call upon any and all public officers to furnish to him copies of papers and documents and such information as lie respectively in the power of such officers to furnish, with or without compensation for so doing, as may be regulated from 25 time to time by order or orders of the Governor in Council

Minister of Agriculture may cause information to be abstracted and tabulated

32. The Minister of Agriculture may cause to be abstracted and tabulated in a concise form, for easy reference, such information on various subjects susceptible of being represented by figures, which may be contained in the Depart- 30 mental or other public reports and documents.

Special statistical investigations may be made.

33. The Governor in Council may authorize the Minister of Agriculture to cause special statistical investigations, as regards subjects, localities or otherwise, to be made in the manner and by means which may be prescribed in such 35 authorization of the Governor in Council.

Duties of the Minister of Agriculture.

34. The Minister of Agriculture shall cause all statistical information obtained to be examined, and any omissions, defects or inaccuracies discoverable therein, to be supplemented and corrected as far as practicable. 40

Penalty for wilfully giving false information, &c.

35. Any false information wilfully given, and any deception practiced in furnishing information provided for by this Act, shall be an offence against this Act; and the person so offending shall, on conviction of such offence, forfeit and pay a sum not exceeding *two hundred dollars*. 45

Further duties of Minister of Agriculture.

36. The Minister of Agriculture shall insert in his annual report, reports of the proceedings under this Act, including copies of the rules and regulations made under section twenty-eight thereof. The Minister of Agriculture 50 shall cause the information collected in virtue of this Act,

and under rules and regulations hereinbefore provided, to be compiled and tabulated, and the abstracts then made to be published at as early a date after the reception of the information as the nature and magnitude of the work and the force of the staff provided for it may allow. The Minister of Agriculture may also cause to be added to such returns, such proportions, ratios and other statistical deductions as may be drawn from the information obtained in virtue of this Act.

- 10 **37.** The respective salaries of officers, clerks and other employees, who may be appointed in virtue of this Act, the fees or compensations to be paid for obtaining information as provided by sections thirty and thirty-one of this Act, and the office and other contingent expenses necessary for the purposes of this Act, shall be fixed by the Governor in Council, to be paid out of any moneys which may be provided by Parliament for that purpose.

Salaries, &c.,
how to be
fixed, and out
of what
moneys to be
paid.

- 20 **38.** The Act thirty-third Victoria, chapter twenty-one, intituled *An Act respecting the first Census*, as amended by the Act thirty-fourth Victoria, chapter eighteen, intituled *An Act to amend the Census Act*, and the thirty-ninth Victoria, chapter thirteen, intituled *An Act to make provision for the Collection and Registration of the Criminal Statistics of Canada*, are hereby repealed; nevertheless provided that the last-mentioned Act thirty-ninth Victoria, chapter thirteen, shall remain in its force and effect so long as it is not made to terminate by a Proclamation of the Governor stating that provisions have been made for the collection of criminal statistics, in accordance with the requirements of this Act.

Repeal of
Acts.

Proviso.

- 30 **39.** When citing this Act it shall be sufficient to call it *The Census Act*.

Short title.

1st Session, 4th Parliament, 42 Victoria, 1879.

B

BILL.

An Act respecting Census and Statistics.

Received and read, first time, Thursday, 7th
March, 1879.

Second reading, Thursday, 13th March, 1879.

Hon. Mr. CAMPBELL.

OTTAWA:

PRINTED BY MACLEAN, ROGER & Co.,
1879.

BILL.

An Act to amend "An Act respecting Police of Canada."

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

1. The first section of the Act passed in the thirty-first year of Her Majesty's reign, A. D. eighteen hundred and sixty-eight, chapter seventy-three, entitled, "*An Act respecting Police of Canada*," is hereby repealed, and the following section substituted therefor:—

"1. The Governor in Council may, from time to time, appoint by commission under the Great Seal one or more fit and proper persons to be and act as a Commissioner or Commissioners of Police within the Dominion of Canada, or in one or more of the Provinces, or Districts, or Territories of Canada, or within any one or more of the Districts or Counties in any Province, or District, or Territory, or within any temporary Judicial District, or any provisional Judicial District in Ontario."

2. The fourth section of the said Act is hereby repealed, and the following section substituted therefor:—

"4. Every Commissioner of Police appointed under this Act shall, for the purpose of carrying out the criminal laws and other laws of the Dominion only, have and exercise within the limits of his jurisdiction, all the powers and authority, rights and privileges, by law appertaining to Justices of the Peace generally, and shall, within the limits of his jurisdiction within any Province, have, and exercise for the purpose aforesaid, all the powers and authority, rights and privileges by law appertaining to Police Magistrates of cities in the same Province; and shall, within the limits of his jurisdiction in any of the Territories or Districts of Canada, have and exercise for the purpose aforesaid, all the powers and authority, rights and privileges by law appertaining to Stipendiary Magistrates in the same District or Territory, and shall be subject in all respects, except as otherwise provided by this Act, to the regulations of the law of the Province, District, or Territory in which he may be acting, respecting Police Magistrates and the office of Justice of the Peace; but it shall not be necessary for any Commissioner of Police appointed under this Act to possess any property qualification, or to be actually resident within the Province, District or Territory, for which, or part of which, he may have been appointed."

C

BILL.

An Act to amend "An Act respecting
Police of Canada."

Received and read the first time, Friday, 7th
March, 1879.

Second reading, Wednesday, 12th March,
1879.

Hon. Mr. CAMPBELL.

OTTAWA:

Printed by MacLEAN, ROGER & Co.,

1879.

B I L L .

An Act to amend the Act incorporating "The Ottawa Loan and Investment Company."

WHEREAS the Ottawa Loan and Investment Company have petitioned for certain changes and amendments to the Act of incorporation of the said Company, passed in the thirty-seventh year of Her Majesty's Reign, and chaptered one hundred and four, and that the name of the said Company be changed; and it is expedient that the prayer of the said petition be granted: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:--

1. The corporate name of the said Company is hereby changed to that of "The Manitoba and North-West Loan Company (Limited)," and under that name the said Company may sue and be sued, plead and be impleaded, in all courts and places whatsoever.

2. The said "The Manitoba and North-West Loan Company (Limited)" hereinafter called "the Company," shall have, hold and continue to exercise all the rights, powers and privileges that have heretofore been held, exercised and enjoyed by the said "The Ottawa Loan and Investment Company," and shall be subject to all liability to which "the Company," under its original name, was liable in as full and ample a manner as if the said "The Ottawa Loan and Investment Company" had continued to exist under its original name; and all the statutory provisions applicable to the said "The Ottawa Loan and Investment Company" shall continue applicable to "the Company" so far as the same are not contrary to or inconsistent with the provisions of this Act.

3. All moveable and immoveable property, shares or stocks, debts, rights, claims and privileges of the said "The Ottawa Loan and Investment Company" shall hereafter be held by and vested in "the Company," and all the shareholders in the said "The Ottawa Loan and Investment Company" shall continue shareholders in all respects as if no change had been made in the name.

4. The third section of the said Act is hereby amended by striking out, in the tenth line, the word "personal" and substituting in lieu thereof the word "leasehold"; and by inserting after the word "Dominion," in the eleventh line the words "and of the several provinces of the Dominion"; and by striking out of the twelfth and thirteenth

lines the words "or of the stock or shares of any incorporated Bank in this Dominion"; and by inserting the words "or leasehold" before the word "estate" in the sixteenth line; and by striking out the words "and real and personal securities" in the sixteenth line; and by adding before the word "and" in the eighteenth line the words "secured by mortgage or pledge of freehold or leasehold lands."

Sec. 4, of
37 V. c. 104,
repealed.

5. The fourth section of the said Act is hereby repealed

Sec. 5, of
37 V. c. 104,
repealed, and
new section
substituted.

6. The fifth section of the said Act is hereby repealed; and in lieu thereof it is enacted that the Directors may from time to time, with the consent of the majority of the shareholders present or represented at a general meeting, borrow money upon the debentures of the Company at such rate of interest and upon such terms as they may think proper; and the Directors may for that purpose make or cause to be made debentures for sums not less than one hundred dollars each or twenty pounds sterling money, which may be made payable at any place and either to order or bearer, and may have interest coupons attached; and such debentures shall be signed by the President or Vice-President and the Manager of the said Company, and shall be under the common seal of the said Company; and the coupons shall be signed by the Manager; and such debentures and coupons respectively shall be payable at such time and place as the said debentures and coupons shall therein respectively state: Provided that no purchaser of a debenture or debentures of the said Company shall be bound to enquire into the occasion of any such loan or the issuing of any such debenture or debentures or into the validity of any resolution authorizing the same or the purpose for which such loan is wanted: Provided also, that the total amount of the sums to be borrowed as aforesaid shall never exceed eighty per cent. of the subscribed capital of the said Company upon which twenty per cent. has first been paid up.

Sec. 6, of
37 V. c. 104,
repealed.

7. The sixth section of the said Act is hereby repealed.

Sec. 8, of
37 V. c. 104,
amended.

8. The ninth section of the said Act is hereby amended by striking thereout the words "similar companies on similar securities" and substituting therefor the words "individuals to take."

Sec. 11, of
37 V. c. 104,
amended.

9. The eleventh section of the said Act is hereby amended by striking out the words "five hundred thousand," and substituting therefor the words "two millions."

Sec. 12, of
37 V. c. 104,
amended.

10. The twelfth section of the said Act is hereby amended by adding thereto the following words, namely,
"If the transmission of any share or shares in the capital stock of the said Company, or of any debenture or debentures, mortgage or mortgages, or bond or bonds issued by the said Company, shall be by decease of any shareholder or holder or owner thereof respectively, the production to the Direc-

"tors and deposit with them of any probate or certified copy
 "of any probate of the will of the deceased shareholder,
 "holder or owner aforesaid, or letters of administration or
 "certified copy of letters of administration of his or her
 5 "estate, granted by any Court in this Dominion having
 "power to grant such probate or letters of administration, or
 "by any preogative, diocesan or peculiar Court or authority
 "in England, Wales, Ireland, India, or any other British
 "Colony or of any testament, testamentary or testamentdative
 10 "expede in Scotland or if the deceased shareholder or
 "holder or owner aforesaid shall have died out of Her
 "Majesty's Dominions, the production to and deposit with
 "the Directors of any such probate or letters of administra-
 "tion or certified copy thereof as aforesaid, or other document
 15 "of like import or certified copy thereof, granted by any
 "Court or authority having the requisite power in such
 "matter shall be sufficient justification and authority to the
 "Directors for paying any dividend or transferring or
 "authorizing the transfer of any share and for paying any
 20 "debenture, mortgage, or bond or the interest thereon in
 "pursuance of and in conformity with such probate letters
 "of administration or other such document as aforesaid."

11. The twenty-eighth section of the said Act is hereby
 amended by striking out the word "shall," and substi-
 25 tuting in lieu thereof the word "may" and by adding
 thereto the words "or in such manner or form as the Com-
 pany may from time to time by by-law direct or determine."
 Sec. 28, of
 37 V. c. 104,
 amended.

12. The thirty-fifth section of the said Act is hereby
 repealed.
 Sec. 35, of
 37 V. c. 104,
 repealed.

13. The thirty-eighth section of the said Act is hereby
 amended by striking thereout the word "Ottawa," and substi-
 30 tuting therefor "Toronto," and by striking out the words
 "by circular and also," and inserting in lieu thereof the
 words "publication at least three times," and by striking
 35 thereout the word "seven" and substituting therefor the
 words "not less than three, nor more than thirteen," and by
 striking out the words "first Wednesday in September,"
 and inserting in lieu thereof the words "third Wednesday
 in January."
 Sec. 38, of
 37 V. c. 104,
 amended.

14. The thirty-ninth section of the said Act is hereby
 amended by striking out of the first line the word "seven"
 and substituting therefor the words "a Board of not less
 40 than three, nor more than thirteen," by striking out the word
 "Ottawa" and substituting therefor the word "Toronto,"
 45 by striking out the words "first Wednesday in September,"
 and inserting in lieu thereof the words "third Wednes-
 day in January," and by striking out the words "open vote"
 and inserting in lieu thereof the word "ballot," and striking
 out the word "seven" in the thirteenth line, and by strik-
 50 ing out of the twenty-first line the words "of seven," and
 by striking out of the twenty-second line the words "in like
 manner," and inserting in lieu thereof the words "by
 open vote" and by striking out of the thirty-second
 Sec. 39, of
 37 V. c. 104,
 amended.

line the word "ten," and inserting in lieu thereof the word "forty," and by adding to the said section the following sub-section: "The Company may by by-law, increase to not more than thirteen or decrease to not less than three the number of its Directors: Provided that no by-law for the said purpose shall be valid or acted upon, unless it be sanctioned by a vote of not less than two-thirds in value of the shareholders present, in person or represented by proxy, at a general meeting 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 with the Secretary of State, and has also been published once in the *Canada Gazette*."

Sec. 42, of
37 V. c. 104,
amended.

15. The forty-second section of the said Acts is hereby amended by inserting after the word "Directors," in the twelfth line the words "and the number of such Directors required to form a quorum for the transaction of business."

Sec. 44, of
37 V. c. 104,
amended.

16. The forty-fourth section of the said Act is hereby amended by inserting after the word "Directors" in the first line the words "until otherwise provided by by-law of the Company."

Sec. 45, of
37 V. c. 104,
amended.

17. The forty-fifth section of the said Act is hereby repealed; and it is enacted in lieu thereof that it shall be the duty of the Directors to declare and make half-yearly dividends of so much of the profits of the Company, as to them or a quorum of them may seem advisable; but before declaring any dividend, the Directors may, if they think fit from time to time, set apart from and out of the profits of the said Company such sum as they may think advisable for the purpose of forming a reserve or reserved fund to meet contingencies, or for enlarging or improving the estate of the Company, or promoting the objects and purposes for which the said Company is incorporated.

Sec. 48, of
37 V. c. 104,
amended.

18. The forty-eighth section of the said Act is amended by inserting before the word "notice" the word "public," and by striking out the words "to each member," and substituting therefor the words "at least ten days previous to the payment thereof"

Sec. 49 of
37 V. c. 104,
amended.

19. The forty-ninth section of the said Act, is hereby amended by striking out the word "Ottawa," and substituting therefor the word "Toronto."

Sec. 51 of
37 V. c. 104,
amended.

20. The fifty-first section of the said Act, is hereby amended by inserting after the word "addressed," the words "sufficiently prepaid."

Sec. 55, of
37 V. c. 104,
amended.

21. The fifty-fifth section is hereby amended by striking out the words "day of the date thereof," and inserting in lieu thereof "thirty-first day of December previous."

Five sections
added to 37
V. c. 104.

22. The following sections are hereby added to the said Act.

56. It shall be lawful for the Company to unite, amalgamate and consolidate its stock, property, business and franchises with the stock, property, business and franchises of any other Company or Society incorporated or chartered to transact a like business, and any other business in connection with such business, or any Building, Savings or Loan Company or Society heretofore or hereafter incorporated or chartered, or to purchase and acquire the assets of any such Company or Society, and to enter into all contracts and agreements therewith necessary to such union, amalgamation, consolidation, purchase or acquisition.

Power to company to unite with any similar company.

57. The Directors of the Company and of such other Company or Society, may enter into a joint agreement under the corporate seals of each of such corporations for the union, amalgamation or consolidation of such corporations, or for the purchase and acquisition by the Company of the assets of such other Company or Society, prescribing the terms and conditions thereof, the mode of carrying the same into effect, the name of the new corporation, the number of the Directors and other officers thereof, and who shall be the first Directors and officers thereof, the manner of converting the capital stock of each of such corporations into that of the new corporation, with such other details as they shall deem necessary to perfect such new organization, and the union, amalgamation and consolidation of such corporations, and the after management and working thereof, or the terms and mode of payment for the assets of such other Company or Society purchased or acquired by the Company

Agreement for such union to be made by Directors of both companies.

58. Such agreement shall be submitted to the shareholders of each of such corporations, at a meeting thereof to be held separately for the purpose of taking the same into consideration. Notice of the times and places of such meetings, and the objects thereof, shall be given by written or printed notices addressed to each shareholder of such corporations respectively, at his last known post office address or place of residence, and also by a general notice to be published in a newspaper published at the chief place of business of each of such corporations, once a week for two successive weeks. At such meetings of shareholders such agreement shall be considered, and a vote by ballot taken for the adoption or rejection of the same—each share entitling the holder thereof to one vote, and the said ballots being cast in person or by proxy; and if two-thirds of the votes of all the shareholders of such corporations shall be for the adoption of such agreement, then that fact shall be certified upon the said agreement by the Secretary of each of such corporations, under the corporate seal thereof; and if the said agreement shall be so adopted at the respective meetings of the shareholders of each of such corporations, the agreement so adopted, and the said certificates thereon, shall be filed in the office of the Secretary of State of the Dominion of Canada; and the said agreement shall from thence be taken and deemed to be the agreement and act of union, amalgamation and consolidation of such corporations, or the agreement and deed of purchase and acquisition by the Company of the assets of such Company so selling, as the

Such agreements to be submitted to meetings of Shareholders of both companies separately.

case may be ; and a copy of such agreement so filed, and of the certificates thereon properly certified, shall be evidence of the existence of such new corporation.

When union of companies perfected, they shall be one company

59. Upon the making and perfecting of the said agreement and act of consolidation, as provided in the next preceding section, and the filing of the said agreement as in the said section provided, the several societies parties thereto shall be deemed and taken to be consolidated, and to form one corporation by the name in the said agreement provided, with a common seal, and shall possess all the rights, privileges and franchises of each of such corporations. 5 10

No further act or deed required for vesting assets, etc. of both companies in new company

60. Upon the consummation of such act of consolidation as aforesaid, all and singular the business, property, real, personal and mixed, and all rights and incidents appurtenant thereto, all stock, mortgages or other securities, subscriptions and other debts due on whatever account, and other things in action belonging to such corporations, or either of them, shall be taken and deemed to be transferred to and vested in such new corporation without further act or deed ; Provided however that all rights of creditors and liens upon the property of either of such corporations shall be unimpaired by such consolidation, and all debts, liabilities and duties of either of such corporations shall thenceforth attach to the new corporation, and be enforced against it to the same extent as if the said debts, liabilities and duties had been incurred or been contracted by it ; and provided also that no action or proceeding, legal or equitable, by or against such corporations so consolidated or either of them, shall abate or be affected by such consolidation ; but for all the purposes of such action or proceeding such corporations or either of them may be deemed still to exist, or the new corporation may be substituted in such action or proceeding in the place thereof. 15 20 25 30

Proviso.

Schedule A, of 37 V. c. 104, amended.

23. Schedule A of the said Act is hereby amended by striking out the words "*The Ottawa Loan Investment Company*," and inserting in lieu thereof the words "*The Manitoba and North-West Loan Company (Limited)*." 35

1st Session, 4th Parliament, 42 Victoria, 1879.

D

BILL.

An Act to amend the Act incorporating "The Ottawa Loan and Investment Company."

Received and read, first time, Tuesday, 11th March, 1879.

Second reading, Thursday, 13th March, 1879

Hon. Mr. AIKINS.

OTTAWA:

PRINTED BY MAULEAN, ROGGE & CO.,
1879.

BILL.

An Act to amend the Act incorporating "The Ottawa Loan and Investment Company."

(Reprinted as reported from the Select Committee of the Senate on Banking and Commerce.)

WHEREAS the Ottawa Loan and Investment Company Preamble.
have petitioned for certain changes and amendments to the Act of incorporation of the said Company, passed in the thirty-seventh year of Her Majesty's Reign, and chaptered one hundred and four, and that the name of the said Company be changed; and it is expedient that the prayer of the said petition be granted: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

10 **1.** The corporate name of the said Company is hereby changed to that of "The Manitoba and North-West Loan Company (Limited)," and under that name the said Company may sue and be sued, plead and be impleaded, in all courts and places whatsoever. Corporate name changed.

15 **2.** The said "The Manitoba and North-West Loan Company (Limited)" hereinafter called "the Company," shall have, hold and continue to exercise all the rights, powers and privileges that have heretofore been held, exercised and enjoyed by the said "The Ottawa Loan and Investment New company substituted for old.

20 Company," and shall be subject to all liability to which "the Company," under its original name, was liable in as full and ample a manner as if the said "The Ottawa Loan and Investment Company" had continued to exist under its original name; and all the statutory provisions applicable to
25 the said "The Ottawa Loan and Investment Company" shall continue applicable to "the Company" so far as the same are not contrary to or inconsistent with the provisions of this Act.

3. All moveable and immoveable property, shares or stocks, Assets of old company vested in new.
30 debts, rights, claims and privileges of the said "The Ottawa Loan and Investment Company" shall hereafter be held by and vested in "the Company," and all the shareholders in the said "The Ottawa Loan and Investment Company" shall continue shareholders in all respects as if no change
35 had been made in the name.

4. The third section of the said Act is hereby repealed, and the following section is hereby put in its place, that is to say:—

3. The Company are hereby empowered to lay out and Section 3 of 37 V. c. 104, repealed, and a new section put in its place.
40 invest their capital, in the first place, in paying and dis-

charging all costs charges and expenses incurred in applying for and obtaining this Act, and all other expenses preparatory or relating thereto; and the remainder of such capital, or so much thereof as may from time to time be deemed necessary, in the manner, and for the purposes hereinafter mentioned, that is to say: the Company may, from time to time, lend and advance money, by way of loan or otherwise, for such periods as they may deem expedient, on any real or leasehold security, or both, or on the public securities of the Dominion, or of the several Provinces of the Dominion, or on security of the debentures of any corporation, issued under or in pursuance of any statutory authority, and upon such terms and conditions as to the Company shall seem satisfactory or expedient, and may acquire, by purchase or otherwise, mortgages on real or leasehold estate, and evidences of debt (other than the stocks of incorporated Companies) secured by mortgage or pledge of freehold or leasehold lands and debentures of Municipal or other Corporations issued under any statutory authority, and may re-sell the same as they may deem advisable, with power to do all acts that may be necessary for advancing such sums of money and for receiving and obtaining re-payment thereof, and for compelling the payment of all interest (if any) accruing from such sums so advanced, and the observance and fulfilment of any conditions annexed to such advance, and the forfeiture of any term or property consequent on the non-fulfilment of such conditions or for delay of payment, and to give receipts, acquittances and discharges for the same, either absolutely and wholly or partially, and to execute such deeds, assignments or other instruments as may be necessary for carrying any such purchase or re-sale into effect; and for all and every, and any of the foregoing purposes, and for every and any other purpose in this Act mentioned or referred to, the Company may lay out and apply the capital and property, for the time being, of the Company, or any part thereof, or any of the moneys authorized to be hereafter raised, or received by the Company in addition to their capital for the time being, with power to do, authorize and exercise all acts and powers whatsoever in the opinion of the Directors of the Company, requisite or expedient to be done or exercised in relation thereto.

Sec. 4 of 37
V. c. 104,
repealed.

5. The fourth section of the said Act is hereby repealed.

Sec. 5 of 37
V. c. 104,
repealed, and
a new section
substituted.

6. The fifth section of the said Act is hereby repealed; and in lieu thereof it is enacted that the Directors may from time to time, with the consent of the majority of the shareholders present or represented at a general meeting, borrow money upon the debentures of the Company at such rate of interest and upon such terms as they may think proper; and the Directors may for that purpose make or cause to be made debentures for sums not less than one hundred dollars each or twenty pounds sterling money, which may be made payable at any place and either to order or bearer, and may have interest coupons attached; and such debentures shall be signed by the President or Vice-President and the Manager of the said Company, and shall be under

the common seal of the said Company; and the coupons shall be signed by the Manager; and such debentures and coupons respectively shall be payable at such time and place as the said debentures and coupons shall
 5 therein respectively state: Provided that no purchaser of a debenture or debentures of the said Company shall be bound to enquire into the occasion of any such loan or the issuing of any such debenture or debentures or into
 10 the validity of any resolution authorizing the same or the purpose for which such loan is wanted: Provided also, that the total amount of the sums to be borrowed as aforesaid shall never exceed eighty per cent. of the subscribed capital of the said Company upon which twenty per cent has first been paid up.

15 7. The ninth section of the said Act is hereby repealed, and the following section is hereby put in its place, that is to say:—

Sec. 9 of 37
 V. c. 104,
 repealed, and
 a new section
 put in its
 place.

9. The Company may stipulate for, take, reserve and exact any rate of interest or discount that may be lawfully taken
 20 by individuals, or in the Province of Quebec, by incorporated companies, under like circumstances, and may also receive an annual payment on any loan by way of a sinking fund for the gradual extinction of such loan, upon such terms and in such manner as may be regulated by the by-
 25 laws of the Company; Provided always that no fine or penalty shall be stipulated for, taken, reserved or exacted in respect of arrears of principal or interest, which shall have the effect of increasing the charge in respect of arrears beyond the rate of interest or discount on the loan.

30 8. The eleventh section of the said Act is hereby amended by striking out the words "five hundred thousand," and substituting therefor the words "two million."

Sec. 11 of 37
 V. c. 104,
 amended.

9. The twelfth section of the said Act is hereby amended by adding thereto the following words, namely,

Sec. 12 of 37
 V. c. 104,
 amended.

35 "If the transmission of any share or shares in the capital
 "stock of the said Company, or of any debenture or debentures,
 "issued by the said Company, shall be by decease of any
 "shareholder or holder or owner thereof respectively, the
 "production to the Directors and deposit with them of
 40 "any probate or certified copy of any probate of the will
 "of the deceased shareholder, holder or owner aforesaid,
 "or letters of administration or certified copy of letters
 "of administration of his or her estate, granted by any
 "Court in this Dominion having power to grant such
 45 "probate or letters of administration, or by any preroga-
 "tive, diocesan or peculiar Court or authority in England,
 "Wales, Ireland, India, or any British Colony or of any
 "testamentary or testament dative expedite in
 "Scotland or if the deceased shareholder or holder or
 50 "owner aforesaid shall have died out of Her Majesty's
 "Dominions, the production to and deposit with the Di-
 "rectors of any such probate or letters of administration
 "or certified copy thereof as aforesaid, or other document
 "of like import or certified copy thereof, granted by any

"Court or authority having the requisite power in such matter shall be sufficient justification and authority to the Directors for paying any dividend or transferring or authorizing the transfer of any share or for paying any debenture, or the interest thereon in pursuance of and in conformity with such probate or letters of administration or other such document as aforesaid." 5

Sec. 28 of 37
V. c. 104,
amended.

10. The twenty-eighth section of the said Act is hereby amended by striking out the word "shall," and substituting in lieu thereof the word "may" and by adding thereto the words "or in such manner or form as the Company may from time to time by by-law direct or determine." 10

Sec. 37 of 37
V. c. 104,
repealed.

11. The thirty-fifth section of the said Act is hereby repealed.

Sec. 38 of 37
V. c. 104,
repealed, and
a new section
put in its
place.

12. The thirty-eighth section of the said Act is hereby repealed, and the following section is hereby enacted in its place, that is to say:— 15

38. When and so soon as one hundred thousand dollars of the capital stock shall have been subscribed, and fifty thousand dollars shall have been paid in, the Provisional Directors of the said Company may call a general meeting of shareholders at some place to be named, in the City of Toronto, giving at least twenty days' notice by publication at least three times in some daily newspaper published in the said city; at which general meeting the shareholders present in person or by proxy shall elect not less than five nor more than thirteen Directors in the manner and qualified as hereinafter provided, who shall constitute a Board of Directors, and shall hold office until the third Wednesday in January in the year following their election. 20 25 30

Sec. 39 of 37
V. c. 104,
repealed, and
a new section
put in its
place.

13. The thirty-ninth section of the said Act is hereby repealed, and the following section and sub-section are hereby put in its place, that is to say:—

39. The business of the Company shall be managed by a Board of not less than five nor more than thirteen Directors, one of whom shall be chosen President and one Vice-President, who, except as hereinbefore provided for, shall hold office for one year; which Directors shall be shareholders, and shall be elected at the annual general meeting of shareholders, to be holden at the City of Toronto, on the third Wednesday in January in each year or such other day as may be appointed by by-law—not less than twenty days' notice of such meeting being given in the manner provided by the next preceding section; and the said election shall be held and made by such of the shareholders present in person or by proxy as shall have paid all calls made by the Directors and then due, and all such elections shall be by ballot, and the persons who shall have the greatest number of votes at any such election shall be Directors, except as hereinafter directed; and if two or more persons have an equal number of votes, so that a greater number of persons shall appear to be chosen as Directors than is required then the Directors who shall have the greater number of votes or 35 40 45 50

the majority of them, shall determine which of the said persons so having an equal number of votes shall be the Director or Directors, so as to complete the required number; and the said Directors, as soon as may be after the said
 5 election, shall proceed, by open vote, to elect one of their number to be the President and one to be the Vice-President, and if any vacancy should at any time happen amongst the said Directors by death, resignation, removal or disqualification during the current year of office, such vacancy
 10 shall be filled for the remainder of the year by the remaining Directors, or a majority of them, electing in such place or places a shareholder or shareholders eligible for such office: Provided always, that no person shall be eligible to be or continue as Director unless he shall hold in his name and
 15 for his own use, stock in the said Company to the amount of forty shares (whereof at least twenty per cent. shall have been paid in) and shall have paid all calls made upon his stock and all liability incurred by him to the Company.

2. The Company may by by-law increase to not more
 20 than thirteen, or decrease to not less than five the number of its Directors: Provided that no by-law for the said purpose shall be valid or acted upon, unless it be sanctioned by a vote of not less than two-thirds in value of the shareholders present, in person or represented by proxy, at a general
 25 meeting 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 with the Secretary of State, and has also been published once in the *Canada Gazette*."

14. The forty-second section of the said Acts is hereby
 30 amended by inserting after the word "Directors," in the twelfth line the words "and the number of such Directors required to form a quorum for the transaction of business." Sec. 42 of 37 V. c. 104, amended.

15. The forty-fourth section of the said Act is hereby
 amended by inserting after the word "Directors" in the first
 35 line the words "until otherwise provided by by-law of the Company." Sec. 44 of 37 V. c. 104, amended.

16. The forty-fifth section of the said Act is hereby
 repealed; and it is enacted in lieu thereof that it shall be
 the duty of the Directors to declare and make half-yearly
 40 dividends of so much of the profits of the Company, as to them or a quorum of them may seem advisable; but before declaring any dividend, the Directors may, if they think fit from time to time, set apart from and out of the profits of the said Company such sum as they may think advisable
 45 for the purpose of forming a rest or reserved fund to meet contingencies, or for promoting the objects and purposes for which the said Company is incorporated. Sec. 45 of 37 V. c. 104, amended.

17. The forty-eighth section of the said Act is amended
 by inserting before the word "notice" the word "public,"
 50 and by striking out the words "to each member," and substituting therefor the words "at least ten days previous to the payment thereof." Sec. 48 of 37 V. c. 104, amended.

Sec. 49 of 37
V. c. 104,
amended.

18. The forty-ninth section of the said Act, is hereby amended by striking out the word "Ottawa," and substituting therefor the word "Toronto."

Sec. 51 of 37
V. c. 104,
amended.

19. The fifty-first section of the said Act, is hereby amended by inserting after the word "addressed," the words "sufficiently prepaid." 5

Sec. 55 of 37
V. c. 104,
amended.

20. The fifty-fifth section is hereby amended by striking out the words "day of the date thereof," and inserting in lieu thereof "thirty-first day of December previous."

Five sections
added to 37
V. c. 104.

21. The following sections are hereby added to the said 10 Act.

Power to
company to
unite with
any similar
company.

56. It shall be lawful for the Company to unite, amalgamate and consolidate its stock, property, business and franchises with the stock, property, business and franchises of any other Company or Society incorporated or chartered to transact a like business, or any Building, Savings or Loan Company or Society heretofore or hereafter incorporated or chartered, or to purchase and acquire the assets of any such Company or Society, and to enter into all contracts and agreements therewith necessary to such union, amalgamation, consolidation, purchase or acquisition. 15 20

Agreement
for such union
to be made
by Directors
of both com-
panies.

57. The Directors of the Company and of such other Company or Society, may enter into a joint agreement under the corporate seals of each of such corporations for the union, amalgamation or consolidation of such corporations, or for the purchase and acquisition by the Company of the assets of such other Company or Society, prescribing the terms and conditions thereof, the mode of carrying the same into effect, the name of the new corporation, the number of the Directors and other officers thereof, and who shall be the first Directors and officers thereof, the manner of converting the capital stock of each of such corporations into that of the new corporation, with such other details as they shall deem necessary to perfect such new organization, and the union, amalgamation and consolidation of such corporations, and the after management and working thereof, or the terms and mode of payment for the assets of such other Company or Society purchased or acquired by the Company. 25 30 35

Such agree-
ments to be
submitted to
meetings of
Shareholders
of both com-
panies sepa-
rately.

58. Such agreement shall be submitted to the shareholders of each of such corporations, at a meeting thereof to be held separately for the purpose of taking the same into consideration. Notice of the times and places of such meetings, and the objects thereof, shall be given by written or printed notices addressed to each shareholder of such corporations respectively, at his last known post office address or place of residence, and also by a general notice to be published in a newspaper published at the chief place of business of each of such corporations, once a week for two successive weeks. At such meetings of shareholders such agreement shall be considered, and a vote by ballot taken for the 40 45 50

adoption or rejection of the same—each share entitling the holder thereof to one vote, and the said ballots being cast in person or by proxy; and if two-thirds of the votes of all the shareholders of such corporations shall be for the adoption of such agreement, then that fact shall be certified upon the said agreement by the Secretary of each of such corporations, under the corporate seal thereof; and if the said agreement shall be so adopted at the respective meetings of the shareholders of each of such corporations, the agreement so adopted, and the said certificates thereon, shall be filed in the office of the Secretary of State of the Dominion of Canada; and the said agreement shall from thence be taken and deemed to be the agreement and act of union, amalgamation and consolidation of such corporations, or the agreement and deed of purchase and acquisition by the Company of the assets of such Company so selling, as the case may be; and a copy of such agreement so filed, and of the certificates thereon properly certified, shall be evidence of the existence of such new corporation.

59. Upon the making and perfecting of the said agreement and act of consolidation, as provided in the next preceding section, and the filing of the said agreement as in the said section provided, the several societies parties thereto shall be deemed and taken to be consolidated, and to form one corporation by the name in the said agreement provided, with a common seal, and shall possess all the rights, privileges and franchises of each of such corporations.

When union of companies perfected, they shall be one company.

60. Upon the consummation of such act of consolidation as aforesaid, all and singular the business, property, real, personal and mixed, and all rights and incidents appurtenant thereto, all stock, mortgages or other securities, subscriptions and other debts due on whatever account, and other things in action belonging to such corporations, or either of them, shall be taken and deemed to be transferred to and vested in such new corporation without further act or deed; Provided however that all rights of creditors and liens upon the property of either of such corporations shall be unimpaired by such consolidation, and all debts, liabilities and duties of either of such corporations shall thenceforth attach to the new corporation, and be enforced against it to the same extent as if the said debts, liabilities and duties had been incurred or been contracted by it; and provided also that no action or proceeding, legal or equitable, by or against such corporations so consolidated or either of them, shall abate or be affected by such consolidation; but for all the purposes of such action or proceeding such corporations or either of them may be deemed still to exist, or the new corporation may be substituted in such action or proceeding in the place thereof.

No further act or deed required for vesting assets, &c., of both companies in new company.

Proviso.

22. Schedule A of the said Act is hereby amended by striking out the words "*The Ottawa Loan and Investment Company*," and inserting in lieu thereof the words "*The Manitoba and North-West Loan Company (Limited)*."

Schedule A. of 37 V. c. 104, amended.

1st Session, 4th Parliament, 42 Victoria, 1879.

D

BILL.

An Act to amend the Act incorporating
"The Ottawa Loan and Investment
Company."

*(Reprinted as reported from the Select Com-
mittee of the Senate on Banking and Com-
merce.)*

Hon. Mr. AIKINS.

OTTAWA:

PRINTED BY MACLEAM, ROGERS & Co.,
1879.

BILL.

An Act respecting Building Societies carrying on business in the Province of Ontario.

WHEREAS by the second section of the Act passed in Preamble.
the fortieth year of Her Majesty's Reign, chapter
forth-nine, it is enacted as follows:—"The aggregate
amount of money deposits in the hands of any such Society,
5 together with the amount of its debentures issued and
remaining unpaid, may be equal to, but shall not at any
time exceed, double the amount of the unimpaired, capital-
ized, fixed and permanent stock in such Society, not liable
to be withdrawn therefrom: Provided always, that the
10 amount held by any Society on deposit shall not exceed the
amount of the paid-up and unimpaired capital of such
Society, and that the total liabilities of any such Society
shall not at any time exceed the amount of principal remain-
ing unpaid on the mortgages at such time held by such
15 Society; and that in estimating the liabilities of any such
Society the amount of cash actually in the hands of such
Society, or deposited to its credit in any chartered bank,
shall be deducted therefrom; and that in estimating the
unimpaired, capitalized, fixed and permanent stock of any
20 such Society the amount of all loans or advances made by it
to its shareholders upon the security of their stock shall be
deducted therefrom."

And whereas, doubts may arise as to the meaning of the
words "liabilities of such Society" where the same occur
25 in the said section;

And whereas, it is expedient to remove such doubts and to
amend the said Act;

Therefore Her Majesty, by and with the advice and con-
sent of the Senate and House of Commons of Canada, enacts
30 as follows:

1. In the said section the words "liabilities of such
Society," or "total liabilities of such Society," shall be
taken to mean, and are hereby declared to mean, only the
liabilities of any such Society to the public, and shall not be
35 taken to include, and it is hereby declared that the same do
not include, the liability of any such Society to its share-
holders in respect of its capital stock, or otherwise to its
shareholders as such.

Certain
words in
section 2 of
40 V. c. 49,
interpreted.

2. Any Permanent Building Society carrying on business
40 in the Province of Ontario, having a fixed and permanent
Permanent Building.

Societies in the Province of Ontario may carry on business in any Province in Canada.

capital stock of not less than one hundred thousand dollars, is hereby authorized to carry on business in any Province of the Dominion of Canada, and for such purpose is hereby declared to be a body corporate with all the powers, privileges and liabilities heretofore enjoyed by such Society in the Province of Ontario only. 5

And may hold real estate.

3. Any such Society may hold, absolutely, real estate for the purposes of or in connection with its place or places of business, not exceeding the annual value of ten thousand dollars. 10

"Society", to include "Company,"

4. The word "Society" in this Act shall also include and mean "Company."

1st Session, 4th Parliament, 42 Victoria, 1879.

H

BILL.

An Act respecting Building Societies carrying on business in the Province of Ontario.

Received and read, first time, Friday, 14th March, 1879.

Second reading, Wednesday, 19th March, 1879.

Hon. Mr. ALLAN.

OTTAWA:

PRINTED BY MAULEAN, ROGER & Co. 1879.

B I L L .

An Act respecting Building Societies carrying on business in the Province of Ontario.

(Reprinted as amended by the Select Committee of the Senate on Banking and Commerce.)

WHEREAS by the second section of the Act passed in the fortieth year of Her Majesty's Reign, chapter forth-nine, it is enacted as follows:—“The aggregate amount of money deposits in the hands of any such Society, together with the amount of its debentures issued and remaining unpaid, may be equal to, but shall not at any time exceed, double the amount of the unimpaired, capitalized, fixed and permanent stock in such Society, not liable to be withdrawn therefrom: Provided always, that the amount held by any Society on deposit shall not exceed the amount of the paid-up and unimpaired capital of such Society, and that the total liabilities of any such Society shall not at any time exceed the amount of principal remaining unpaid on the mortgages at such time held by such Society; and that in estimating the liabilities of any such Society the amount of cash actually in the hands of such Society, or deposited to its credit in any chartered bank, shall be deducted therefrom; and that in estimating the unimpaired, capitalized, fixed and permanent stock of any such Society the amount of all loans or advances made by it to its shareholders upon the security of their stock shall be deducted therefrom.”

And whereas, doubts may arise as to the meaning of the words “liabilities of such Society” where the same occur in the said section;

And whereas, it is expedient to remove such doubts and to amend the said Act;

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

1. In the said section the words “liabilities of such Society,” or “total liabilities of such Society,” shall be taken to mean, and are hereby declared to mean, only the liabilities of any such Society to the public, and shall not be taken to include, and it is hereby declared that the same do not include, the liability of any such Society to its shareholders in respect of its capital stock, or otherwise to its shareholders as such.

Certain words in section 2 of 40 V. c. 49, interpreted.

2. Any Permanent Building Society carrying on business in the Province of Ontario, having a fixed and permanent capital stock of not less than one hundred thousand dollars, is hereby authorized to carry on business in the Province of Ontario, or in the North-West Territories, or in any Province in the

Permanent Building Societies in the Province of Ontario may carry on business in the

Province of
Manitoba and
in the North-
West Terri-
tories.

vince that may be formed out of the same, and for such purpose is hereby declared to be a body corporate with all the powers, privileges and liabilities heretofore enjoyed by such Society in the Province of Ontario only.

And may
hold real
estate.

3. Any such Society may hold, absolutely, real estate for the purposes of or in connection with its place or places of business, not exceeding the annual value of ten thousand dollars; but this section shall not affect any action or suit now pending. 5

In case of the
transmission
of interest in
any share,
&c., other-
wise than by
transfer,
directors
may require
a written
declaration
showing the
nature of
such trans-
mission.

4. If the interest of any person or persons in any share or shares in the capital stock, or in any bond, debenture or obligation of any such Society, such bond, debenture of obligation not being payable to bearer, hath become, or shall become transmitted in consequence of the death, or bankruptcy or insolvency of any such holder or in consequence of the marriage of a female holder or by any other lawful means other than a transfer upon the books of the Society, the directors shall not be bound to allow any transfer pursuant to such transmission to be entered upon the books of the Society, or to recognize such transmission in any manner until a declaration in writing, authenticated in such manner as the directors may require, shewing the nature of such transmission, and signed and executed by the person or persons claiming by virtue of such transmission, and also executed by the former shareholder, if living and having power to execute the same, shall have been filed with the manager of the Society, and approved by the directors; and if such declaration purporting to be signed and executed shall also purport to be made or acknowledged in the presence of a Notary Public, or of a Judge of a Court of Record, or of a Mayor of any city, town or borough or other place, or a British Consul or Vice-Consul, or other accredited representative of the British Government in any foreign country, the directors may, in the absence of direct actual notice of a contrary claim, give full credit to such declaration, and unless the directors are not satisfied with the responsibility of the transferee, shall allow the name of the party claiming by virtue of such transmission to be entered in the books of the Society. 10 15 20 25 30 35

What shall
be sufficient
justification
of directors
for recogniz-
ing trans-
mission if by
will or intes-
tary.

5. If such transmission has taken place or shall hereafter take place by virtue of any testamentary act or instrument, or in consequence of an intestacy, the probate of the will, or letters of administration, or act of curatorship, or testamentary, or testament dative expedite, or other judicial or official document under which the title, whether beneficial or as trustee, or the administration or control of the personal estate of the deceased, shall purport to be granted by any court or authority in the Dominion of Canada, or in Great Britain or Ireland, or any other of Her Majesty's Dominions, or in any foreign country, or an authenticated copy thereof, or official extract therefrom, shall, together with the said declaration, be produced and deposited with the manager; and such production and deposit shall be sufficient justification and authority to the directors for paying the 40 45 50

amount or value of any dividend, coupon, bond, debenture or obligation, or share, or transferring, or consenting to the transfer of any bond, debenture or obligation, or share, in pursuance of, and in conformity to such probate, letters of administration or other such document as aforesaid.

6. Whenever the directors shall entertain reasonable doubts as to the legality of any claim to or upon such share or shares, bonds, debentures, obligations, dividends, coupons, or the proceeds thereof, then and in such case it shall be lawful for the
- 10 Society to file in any one of the superior courts of law, or in the Court of Chancery, in the Province of Ontario, a petition stating such doubts, and praying for an order or judgment adjudicating and awarding the said shares, bonds debentures, or obligations, dividends, coupons, or proceeds to the party
- 15 or parties legally entitled to the same; and such court shall have authority to restrain any action, suit or proceeding against the Society, the directors or officers thereof, for the same subject matter pending the determination of the said petition; and the Society and the directors and officers
- 20 thereof shall be fully protected and indemnified by obedience to such order or judgment against all actions, suits, claims and demands in respect of the matters which shall have been in question in such petition, and the proceedings thereupon. Provided always, that if the Court adjudges that
- 25 such doubts were reasonable the costs, charges and expenses of the Society in and about such petition and proceedings, shall form a lien upon such shares, bonds, debentures or obligations, dividends, coupons or proceeds, and shall be paid to the said Society before the Society shall be obliged to
- 30 transfer or assent to the transfer, or to pay such shares, bonds, debentures or obligations, dividends, coupons, or proceeds to the party or parties found entitled thereto.

Provision for case of directors having reasonable doubts as to legality of any claim to any share, &c.

7. The word "Society" in this Act shall also include and mean "Company."

1st Session, 4th Parliament, 42 Victoria, 1879.

B

BILL.

An Act respecting Building Societies
carrying on business in the Province
of Ontario.

*(Reprinted as amended by the Select Committee
of the Senate on Banking and Commerce.)*

Hon. Mr. ALAN.

OTTAWA:

PRINTED BY MACLEAN, ROGER & Co.,
1879.

BILL.

An Act further to amend the Act incorporating The
London and Canadian Loan and Agency Company
(Limited).

WHEREAS The London and Canadian Loan and Agency Company (Limited), incorporated by the Act of the Legislature of the late Province of Canada, passed in the twenty-seventh year of Her Majesty's reign, chapter fifty, amended by an Act of the Parliament of Canada, passed in the thirty-fifth year of Her Majesty's reign, chapter one hundred and eight, and further amended by an Act of the Parliament of Canada, passed in the thirty-sixth year of Her Majesty's reign, chapter one hundred and seven, have, by their petition, prayed to have their Act of Incorporation amended and further powers and privileges conferred upon them, and it is expedient to grant the prayer of the said petition; Therefore Her Majesty by and with the advice and consent of the Senate and House of Commons of Canada enacts as follows :

1. If the interest of any person or persons in any share or shares in the capital stock, or in any bond, debenture or obligation of the said Company, authorized by the fifth section of the said Act passed in the twenty-seventh year of Her Majesty's reign, chapter fifty, such bond, debenture or obligation not being payable to bearer, hath become, or shall become transmitted in consequence of the death, or bankruptcy or insolvency of any such holder in consequence of the marriage of a female holder or by any other lawful means other than a transfer upon the books of the Company as in the said Act and amending Acts provided, the directors shall not be bound to allow any transfer pursuant to such transmission to be entered upon the books of the Company, or to recognize such transmission in any manner until a declaration in writing, authenticated in such manner as the directors may require, shewing the nature of such transmission, and signed and executed by the person or persons claiming by virtue of such transmission, and also executed by the former shareholder, if living, shall have been filed with the manager of the Company, and approved by the directors; and if such declaration purporting to be signed and executed shall also purport to be made or acknowledged in the presence of a Notary Public, or of a Judge of a Court of Record, or of a Mayor of any city, town or borough or other place, or a British Consul or Vice Consul, or other accredited representative of the British Government in any foreign country, the directors may, in the absence of direct actual notice of a contrary claim, give full credit to such

In case of the transmission of interest in any share, &c., otherwise than by transfer, directors may require a written declaration showing the nature of such transmission.

declaration, and unless the directors are not satisfied with the responsibility of the transferee, or other conditions of the said Act and amending Acts are not complied with, shall allow the name of the party claiming by virtue of such transmission to be entered in the books of the Company. 5

What shall be sufficient justification of directors for recognizing transmission if by will or intestary.

2. If such transmission has taken place or shall hereafter take place by virtue of any testamentary Act or instrument, or in consequence of an intestacy, the probate of the will, or letters of administration, or act of curatorship, or testament, testamentary, or testament dative expedite, or other judicial 10 or official document under which the title, whether beneficial or as trustee, or the administration or control of the personal estate of the deceased, shall purport to be granted by any court of authority in the Dominion of Canada, or in Great Britain or Ireland, or any other of Her Majesty's 15 Dominions, or in any foreign country, or an authenticated copy thereof, or official extract therefrom, shall, together with the said declaration, be produced and deposited with the manager ; and such production and deposit shall be sufficient justification and authority to the directors for paying the 20 amount or value of any dividend, coupon, bond, debenture or obligation, or share, or transferring, or consenting to the transfer of any bond, debenture or obligation, or share, in pursuance of, and in conformity to such probate, letters of administration or other such document as aforesaid. 25

Provision for case of directors having reasonable doubts as to legality of any claim to any share, &c.

3. Whenever in any of the above cases or otherwise whenever the directors shall entertain reasonable doubts as to the legality of any claim to or upon such share or shares, bonds, debentures, obligations, dividends, coupons or the proceeds thereof, then and in such case it shall be lawful for the Company 30 to file in any one of the superior courts of law, or in the Court of Chancery, in the Province of Ontario, a petition stating such doubts, and praying for an order or judgment adjudicating and awarding the said shares, bonds, debentures or obligations, dividends, coupons, or proceeds to the party or 35 parties legally entitled to the same ; and such court shall have authority to restrain any action, suit or proceeding against the Company, the directors or officers thereof, for the same subject, matter pending the determination of the said petition ; and the Company and the directors and officers 40 thereof shall be fully protected and indemnified by obedience to such order or judgment against all actions, suits, claims and demands in respect of the matters which shall have been in question in such petition, and the proceedings there- 45 upon. Provided always that the costs, charges and expenses of the Company in and about such petition and proceedings, shall from a lien upon such shares, bonds, debentures or obligations, dividends, coupons or proceeds, and shall be paid to the said Company before the Company shall be obliged to transfer or assent to the transfer, or to pay such shares, bonds, 50 debentures or obligations, dividends, coupons, or proceeds to the party or parties found entitled thereto.

Proviso.

Section six of 27 V. c. 50, amended.

4. The sixth section of the said Act, twenty-seventh Victoria, chapter fifty, is hereby amended by inserting after

the word "investment" the words "or which they may have acquired or may acquire in exchange for any such real estate," and by adding after the word "lease" the following words, "exchange for other real estate or mixed consideration."

5

1st Session, 4th Parliament, 42 Victoria, 1879.

F

BILL.

An Act further to amend the Act incorporating the London and Canadian Loan and Agency Company (Limited).

Received and read, first time, Monday, 17th
March, 1879.

Second reading, Wednesday, 19th March, 1879.

Hon. Mr. BENSON.

OTTAWA:

PRINTED BY MACLEAN, ROGER & Co.,
1879.

BILL.

An Act to amend the Act relating to Banks and Banking, and the Acts amending the same.

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

1. The nineteenth section of the Act passed in the thirty-
5 fourth year of Her Majesty's Reign and intituled: "*An Act*
relating to Banks and Banking," is hereby repealed, and the
following substituted therefor: Section 19 of
31 V. c. 5,
repealed, and
new section
substituted
for it.

10 "19. The shares of the capital stock of the bank shall be held
and adjudged to be personal estate, and shall be assignable
and transferable at the chief place of business of the bank,
or at any of its branches which the Directors shall appoint
for that purpose, and according to such form as the Direc-
tors shall prescribe; but no assignment or transfer shall be
valid unless it be made and registered, and accepted by the
15 party to whom the transfer is made, in a book or books to be
kept by the Directors for that purpose, nor until the person
or persons making the same shall, if required by the bank,
previously discharge all his, her or their debts or liabilities
to the bank, which may exceed in amount the remaining
20 stock, if any, belonging to such person or persons valued at
the then current rate; and every contract, agreement, contract
note, or memorandum of sale and purchase, which shall
hereafter be made or entered into for the sale or transfer, or
purporting to be for the sale or transfer of any share
25 in any bank, shall be null and void to all intents and
purposes whatsoever, unless such contract, agreement, con-
tract note or memorandum, shall set forth the person or
persons in whose name or names such share shall, at the
time of the execution thereof, stand as the registered proprie-
30 tors thereof in the books of such bank, and the person or
persons for or on behalf of whom, or in whose interest, or at
whose risk such purchase is made. And no assignment or
transfer shall be valid unless it be made and registered, and
accepted by the party to whom the transfer is made, in a
35 book kept by the Directors for that purpose. And no frac-
tional part or parts of a share, or less than a whole share,
shall be assignable or transferable."

40 "When any share of the said capital stock shall have
been sold under a writ of execution, the officer by whom
the writ shall have been executed shall, within thirty
days after the sale, leave with the Cashier, Manager, or other
officer of the bank, an attested copy of the writ, with the
certificate of such officer endorsed thereon, certifying to
Conditions as
to shares sold
under execu-
tion.

Transfer by
President,
&c., debts to
the Bank
being first
paid.

whom the sale has been made, and thereupon (but not until after all debts or liabilities of the holder or holders of the share to the bank, and all liens existing in favor of the bank thereon, shall have been discharged as hereinafter provided), the President, Vice-President, Manager or Cashier 5 of the bank shall execute the transfer of the share so sold to the purchaser; and such transfer, being duly accepted, shall be, to all intents and purposes, as valid and effectual in law as if it had been executed by the holder or holders of the said share, any law or usage to the contrary 10 notwithstanding."

Section 51 of
31 V. c. 5,
amended.

Proviso.

2. Section fifty-one of the said Act is hereby amended by striking out of the said section the words "the shares of the capital stock of any other bank," in the twenty-third and twenty-fourth lines of the said 15 section, and the word "stock," in the twenty-sixth line thereof. But this amendment shall not have any force or effect until the end of six months from the passing of this Act, nor as respects loans on the security of bank shares made and current at the time of the expiration of the said 20 six months, or as respects any extension or renewal of such loans, until the end of the Session of the Parliament of Canada next after the present, after which time the lien existing upon such shares as security for any loan, or the extension or renewal of any loan by any bank on the shares 25 of the capital stock of any other bank, shall cease to attach thereto, or to create any charge or privilege thereon or on the proceeds thereof.

Penalty for
wilful con-
travention of
this Act, or
insertion of
wrong names
in contracts
of sale of
shares.

3. Any person, whether principal, broker or agent, who shall wilfully insert in any contract, agreement, contract 30 note, or memorandum of agreement, for the sale or transfer of any share in any bank, any name or names other than that of the person or persons in whose name, at the time of the execution thereof such share shall stand, and the name of the person for whom, or on whose behalf, or in 35 whose interest, or at whose risk such share is purchased, or who shall make, enter into or sign any such contract, agreement, contract note, or memorandum of agreement, without setting forth therein the person or persons in whose name such share then stands in the books of the bank, 40 or who shall set forth therein, as the owner of such share, any name or names other than that of the person or persons in whose names such share then stands, or as the purchaser of such share, any name other than that of the person for whom, or on whose behalf, or in whose interest, or at 45 whose risk such share is purchased, shall be guilty of a misdemeanor; and the provisions of section sixty-six of the said Act shall apply to any offence under this section, as if the said section had been incorporated herewith.

Power to
Governor in
Council to
reduce num-
ber or amount
of shares of a
Bank in com-

4. If any bank has sustained losses in its business where- 50 by the value of its paid up capital stock has been reduced, or from any other cause, finds it expedient to reduce its capital stock, an application may be made on behalf of such bank to the Governor in Council for authority to reduce the

number or amount of the subscribed shares thereof, provided such application shall have been previously authorized by the shareholders of such bank at the annual meeting thereof, after due notice that such application will be proposed thereat, 5 or at a special general meeting thereof, called for the purpose of considering the expediency of such reduction. And upon such application, and after such enquiry as the Governor in Council may deem expedient, an Order in Council may be made and issued, authorising the reduction 10 of the number of the subscribed shares of such bank, to such extent, and in such manner, and upon such conditions as shall be specified in such Order: Provided, always, that nothing contained in such Order shall in any way affect or diminish the liability of persons holding unpaid or only partially paid up shares at the date of such Order, to pay up 15 such shares in full to the originally subscribed nominal amount thereof; and, provided also, that nothing in such Order contained shall lessen or vary the liability of the shareholders of such bank to the creditors thereof holding 20 claims thereon at the date of such Order; and, provided further, that such Order shall have no force or effect until it has been accepted by a resolution passed at the annual meeting of the shareholders of such bank, after due notice that such acceptance will be proposed thereat, or at a special 25 general meeting of such shareholders called for the purpose of considering such Order.

pliance with application on its behalf previously authorized by its shareholders.

rovis o.

1st Session, 4th Parliament, 42 Victoria, 1879.

G

BILL.

An Act to amend the Act relating to
Banks and Banking, and the Acts
amending the same.

Received and read, first time, Thursday, 20th
March, 1879.

Second reading, Monday, 24th March, 1879.

Hon. Mr. CAMPBELL.

OTTAWA:

PRINTED BY MAOLLEAN, ROGER & Co.
1879.

BILL.

An Act to make the first day of July a Public Holiday,
by the name of Dominion Day.

WHEREAS it was on the first day of July that the Pro-
vinces of Canada, Nova Scotia and New Brunswick
became one Dominion, under the name of Canada; and
whereas Rupert's Land and the North-Western Territory,
5 and the Province of British Columbia became part of the
Dominion in the month of July, and Prince Edward Island
became part of the Dominion on the first day of July; and
whereas it is expedient that such important events should
be commemorated; Therefore Her Majesty, by and with the
10 advice and consent of the Senate and House of Commons of
Canada, enacts as follows:—

Preamble

1. Throughout the Dominion of Canada, in each and every
year, the first day of July, not being a Sunday, shall be a
public holiday, and shall be kept and observed as such,
15 under the name of Dominion Day.

The first day
of July to be
a public
holiday.

2. When the first day of July is a Sunday the second day
of July shall be, in lieu thereof, throughout the Dominion,
a public holiday, and shall be kept and observed as such
under the same name.

Provision for
the first day
of July being
a Sunday.

20 3. In construing any Act of the Parliament of Canada,
passed or to be passed, the word "holiday" shall be held to
include "Dominion Day," as if the same were mentioned in
the Interpretation Act, Section seven, "Fifteenthly," which
is hereby amended to that effect.

Interpreta-
tion of the
word "holi-
day," in Acts
of Parlia-
ment.

25 4. Whenever the day which would otherwise be the last
day of grace for the payment of any bill of exchange or
promissory note, payable at any place in the Province of
Ontario, or in the Province of Quebec, or in the Province of
Manitoba is Dominion Day, such bill or note shall be pay-
30 able, and the days of grace thereon shall expire, on the day
next thereafter, not being a Sunday, and not before.

Provision for
the case of
the last day of
grace on a
bill or note,
being Domin-
ion Day.

35 5. Whenever the day which would otherwise be the last
day of grace for the payment of any bill of exchange or
promissory note, payable at any place in the Province of
Ontario, or in the Province of Quebec, or in the Province of
Manitoba, is a Sunday, and the next following day is
Dominion Day, such bill or note shall be payable, and the
day of grace thereon shall expire, on the day next thereafter,
and not before.

Provision for
the case of the
last day of
grace on a
bill or note
being a Sun-
day, and the
following day
being Domin-
ion Day, in
certain Pro-
vinces.

H

BILL.

An Act to make the first day of July a Public Holiday, by the name of Dominion Day.

Received and read, first time, Wednesday, 26th March, 1879.

Second reading, Friday, 28th March, 1879.

Hon. Mr. CARBAILL.

OTTAWA:

PRINTED BY MACLEAN, ROGER & Co.,
1879.

An Act to make the first day of July a Public Holiday,
by the name of Dominion Day.

WHEREAS it was on the first day of July that the Pro-
vinces of Canada, Nova Scotia and New Brunswick
became one Dominion, under the name of Canada; and
whereas Rupert's Land and the North-Western Territory,
5 and the Province of British Columbia became part of the
Dominion in the month of July, and Prince Edward Island
became part of the Dominion on the first day of July; and
whereas it is expedient that such important events should
be commemorated; Therefore Her Majesty, by and with the
10 advice and consent of the Senate and House of Commons of
Canada, enacts as follows:—

1. Throughout the Dominion of Canada, in each and every
year, the first day of July, not being a Sunday, shall be a
legal holiday, and shall be kept and observed as such,
15 under the name of Dominion Day.

2. When the first day of July is a Sunday the second day
of July shall be, in lieu thereof, throughout the Dominion,
a legal holiday, and shall be kept and observed as such
under the same name.

20 3. In construing any Act of the Parliament of Canada,
passed or to be passed, the word "holiday" shall be held to
include "Dominion Day," as if the same were mentioned in
the Interpretation Act, Section seven, "Fifteenthly," which
is hereby amended to that effect.

25 4. Whenever the day which would otherwise be the day
for the payment or the last day of grace for the payment of
any bill of exchange or promissory note, payable at any
place in the Dominion of Canada is Dominion Day, such
bill or note shall be payable, and the days of grace thereon
30 shall expire, on the day next thereafter, not being a legal
holiday or non-judicial day, and not before.

An Act to make the first day of July a Public Holiday
by the name of Dominion Day.

WHEREAS it was on the first day of July that the Pro-
vinces of Canada, Nova Scotia and New Brunswick
became one Dominion under the name of Canada, and
whereas Queen's Land and the North Western Territory,
and the Province of British Columbia became part of the
Dominion in the month of July, and James Edward Island
became part of the Dominion on the 1st day of July; and
whereas it is expedient that such important events should
be commemorated; therefore Her Majesty, by and with the
advice and consent of the Senate and House of Commons of
Canada, enacts as follows:—

1. Throughout the Dominion of Canada, in each and every
year the first day of July, not being a Sunday, shall be a
legal holiday, and shall be kept and observed as such
under the name of Dominion Day.

2. When the first day of July is a Sunday, the second day
of July shall be a day thereof, throughout the Dominion,
and shall be kept and observed as such
under the same name.

3. In construing any Act of the Parliament of Canada,
passed or to be passed, the word "holiday" shall be held to
include "Dominion Day", and the same words mentioned in
the Intergovernmental Act section seven, "hitherto", which
is hereby amended to that effect.

4. Whenever the day which would otherwise be the day
for the payment or the last day of grace for the payment of
any bill of exchange or promissory note payable at any
place in the Dominion of Canada is Dominion Day, such
bill or note shall be payable, and the day of grace thereon
be reckoned, on the day next thereafter, not being a legal
holiday or non-judicial day, and not before.

[Reprinted by order of the Senate, as amended in Committee of
the whole of that House.]

An Act to make the first day of July a Public Holiday,
by the name of Dominion Day.

WHEREAS it was on the first day of July that the Pro-
vinces of Canada, Nova Scotia and New Brunswick
became one Dominion, under the name of Canada; and
whereas Rupert's Land and the North-Western Territory,
5 and the Province of British Columbia became part of the
Dominion in the month of July, and Prince Edward Island
became part of the Dominion on the first day of July; and
whereas it is expedient that such important events should
be commemorated; Therefore Her Majesty, by and with the
10 advice and consent of the Senate and House of Commons of
Canada, enacts as follows:—

1. Throughout the Dominion of Canada, in each and every
year, the first day of July, not being a Sunday, shall be a
legal holiday, and shall be kept and observed as such,
15 under the name of Dominion Day.

2. When the first day of July is a Sunday the second day
of July shall be, in lieu thereof, throughout the Dominion,
a legal holiday, and shall be kept and observed as such
under the same name.

20 3. In construing any Act of the Parliament of Canada,
passed or to be passed, the word "holiday" shall be held to
include "Dominion Day," as if the same were mentioned in
the Interpretation Act, Section seven, "Fifteenthly," which
is hereby amended to that effect.

25 4. Whenever the day which would otherwise be the day
for the payment or the last day of grace for the payment of
any bill of exchange or promissory note, payable at any
place in the Dominion of Canada is Dominion Day, such
bill or note shall be payable, and the days of grace thereon
30 shall expire, on the day next thereafter, not being a legal
holiday or non-judicial day, and not before.

BILL.

An Act to explain and amend the Act respecting the
5 appropriation of certain Dominion Lands in Manitoba.

IN explanation and amendment of the Act passed in the Préamble.
thirty-seventh year of Her Majesty's reign, intituled 37 V. c. 20.
"An Act respecting the appropriation of certain Dominion
Lands in Manitoba:" Her Majesty, by and with the advice
10 and consent of the Senate and House of Commons of Canada,
enacts as follows:—

1. The expression "members of the family" in the second Sect. 2, ex-
plained as to
'members of
the family.'
section of the Act first cited, shall be construed as having
15 been intended to include the husband or wife of the half-breed
head thereof, and the children of the deceased children of
such head as representing them, or such of the persons so
included as are living when the issue of the scrip is ordered,
and none other; and the Governor in Council may determine
20 the proportions in which, as well as the conditions on
which, the scrip shall be distributed among members of
the family entitled to share therein. Power of
Governor in
Council.

2. The expression "members of the family" shall be sub- Sect. 4
amended.
stituted for the expression "children" in the enacting por-
25 tion of the fourth section of the Act first cited, and shall
have the meaning hereby assigned to the same expression
in the second section of the said Act; and scrip to be issued
under the said fourth section shall be granted or distributed
30 to such members of the family, and on such conditions, and
in such proportions as the Governor in Council may from
time to time determine. Power of
Governor in
Council.

3. If there be then no member of the family living, any If there be
no member of
the family
living.
85 scrip to be issued under either of the said sections of the
said Act, shall be dealt with according to the law of
Manitoba, as if it were the personal property of the mem-
bers of the family last deceased.

4. No person except such last deceased member as afore- Who only
shall be held
to have a
vested inter-
est in scrip.
As to minors
etc.
40 said, shall be held to have a vested interest in scrip under
the said Act until it is ordered to be issued in his favour;
but after such order, it shall, in case of his decease before
he receives it, be dealt with and distributed as personalty,
according to the law of Manitoba; and if the person entitled to
scrip under the said Act be a minor, or insane, or otherwise
incapacitated from managing his affairs, it shall be issued or
delivered to his guardian, curator or other person having

charge of his personalty by the law of Manitoba, in trust, to be dealt with according to such law.

Distribution made before 1st January, 1879, confirmed.

5. Provided always, that all issues of scrip and orders for the distribution thereof under the said Act, made by authority of the Governor in Council before the *first* day of 5 January, 1879, are hereby confirmed and made valid.

1st Session, 4th Parliament, 42 Victoria, 1879.

I

BILL.

An Act to explain and amend the Act respecting the appropriation of certain Dominion Lands in Manitoba.

Received and read first time, Wednesday, 26th March, 1879.

Second reading, Friday, 28th March, 1879.

Hon. Mr. CAMPBELL.

OTTAWA:

PRINTED BY MACLEAN, ROGERS & Co.

1879.

BILL.

An Act to amend the Act known as "The Canada Temperance Act, 1878," so far as the same may become applicable to the Province of Manitoba.

WHEREAS it has been found that under the present county organization in the Province of Manitoba, the Canada Temperance Act 1878 cannot properly be brought before the people inhabiting the rural districts: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons, enacts as follows:—

Preamble.

1. Wherever in the Canada Temperance Act 1878 the word "county" is used, it shall be regarded as applying to the Electoral Districts in the Province of Manitoba, in accordance with the divisions of the said Province at the general election of 1878, for the House of Commons, except the Electoral District of Selkirk, from which for the purposes of the said Act the City of Winnipeg is to be regarded as separate: Provided always, that at any future time when the said Province shall have been divided into counties, and a regular municipal organization established in each of the then counties, the said Act as it now stands shall be applied to the then counties as in the other Provinces of the Dominion.

The word "County" in 41 V. c. 16, interpreted as respects the Province of Manitoba.

Proviso:

2. The notice provided for in section six of the said Act shall be deposited in all the Registry Offices in the respective Electoral Districts, or in the Sheriffs' Offices in such districts.

Notice provided for in sec. 6 of 41 V. c. 16, where to be deposited.

3. In the schedules of the said Act where the word "county" occurs, it shall, so far as the Province of Manitoba is concerned, be regarded as meaning "Electoral District," until such time as the Province shall have been divided as contemplated in the proviso in section one of this Act.

The word "County" in the schedule to 41 V. c. 16, interpreted so far as the Province of Manitoba is concerned.

1st Session, 4th Parliament, 42 Victoria, 1879.

J

BILL.

An Act to amend the Act known as
"The Canada Temperance Act, 1878,"
so far as the same may become appli-
cable to the Province of Manitoba.

Received and read, first time, Thursday, 3rd
April, 1879.

Second reading, Tuesday, 8th April, 1879.

Hon. Mr. GIRARD.

OTTAWA:

PRINTED BY MAOLLEAN, ROGER & Co.,

1879.

BILL.

An Act for the Relief of Eliza Maria Campbell.

WHEREAS Robert Campbell, of the Town of Whitby, in the County of Ontario, in the Province of Ontario and Dominion of Canada, merchant, by his petition to the Senate in the Session of 1876 set forth, that on the sixth day of
5 April, in the year of Our Lord, one thousand eight hundred and sixty-three, he was lawfully married to Eliza Maria Byrne, at Whitby, in the County of Ontario, in accordance with the rites and ceremonies of the Congregational Church of Canada; that the said marriage was duly authorized by
10 license duly issued; that the said Robert Campbell and Eliza Maria Byrne lived and cohabited together as husband and wife from the date of such marriage up to the twenty-fifth day of August, in the year of Our Lord, one thousand
15 eight hundred and seventy-three; that the Eliza Maria Byrne, although the lawful wife of the said Robert Campbell, did commit adultery with one George Gordon, at various times at the town of Whitby, in the said County of Ontario, in the said Province of Ontario, previous to and during the
20 month of August, in the year of Our Lord, one thousand eight hundred and seventy-three, in particular on the twenty-sixth day of August, in the year of our Lord, one thousand eight hundred and seventy-three, in the said town of Whitby; that the said Robert Campbell made discovery of the said adultery on or about the twenty-eighth day of
25 August, in the year of our Lord, one thousand eight hundred and seventy-three; that the said Robert Campbell had, since the discovery of the said adultery so committed as aforesaid, refused to cohabit, and had not since cohabited with his said wife, and had since lived apart from her; that the said Eliza
30 Maria Byrne had, since the discovery of the said adultery, lived at the town of Whitby aforesaid separate and apart from the said Robert Campbell; that the said Robert Campbell, subsequently to the discovery of the said criminality, brought an action for criminal conversation in Her Majesty's
35 Court of Queen's Bench for Ontario, against the said George Gordon, and recovered a verdict in the said action against the said George Gordon for one thousand five hundred dollars, and entered judgment thereon; that the said Robert Campbell and the said Eliza Maria Byrne so living apart as
40 aforesaid, the said Eliza Maria Byrne brought a suit against the said Robert Campbell in Her Majesty's Court of Chancery for Ontario, seeking to recover and obtain an allowance for alimony from the said Robert Campbell, which said suit was defended by the said Robert Campbell on the
45 ground of said adultery hereinbefore mentioned having been committed by the said Eliza Maria Byrne, and on the fifteenth

day of September, in the year of Our Lord, one thousand
 eight hundred and seventy-five, the said court did order and
 declare that the said Bill of Complaint of the said Eliza
 Maria Byrne be, and the same was thereby, dismissed out of
 the said court; that the said Robert Campbell was desi- 5
 rous of having the said marriage dissolved, annulled,
 and put an end to, so that he might be free from the same,
 and could contract matrimony with any other person or
 persons with whom it would have been lawful for him to
 contract matrimony, if the said Robert Campbell and Eliza 10
 Maria Byrne had not intermarried; and that there are four
 children issue of the said marriage; and the said Robert
 Campbell prayed that the said marriage might be dissolved,
 annulled, and put an end to, and that the issue of his marriage
 with the said Eliza Maria Byrne, and also the issue of any such 15
 future marriage might be declared legitimate; And whereas
 the said Eliza Maria Campbell, by her petition presented
 during the same session, humbly set forth that she was law-
 fully married to the said Robert Campbell, in her father's
 house at Whitby, on the sixth day of April, in the year of Our 20
 Lord one thousand eight hundred and sixty-three; that on
 the twenty-fifth day of August, in the year of Our Lord one
 thousand eight hundred and seventy-three, about four
 months before the birth of the fourth and last child, issue
 of the said marriage, the said Robert Campbell, without 25
 sufficient cause, treacherously deserted her, took away from
 her their three children, and had since lived and kept the said
 children apart from her; that on the twenty-fourth day of
 September, in the year of Our Lord one thousand eight
 hundred and seventy-three, the said Robert Campbell, with 30
 force and violence and with two constables, but without
 warrant, removed her from his house, and had ever since
 refused to receive her or their youngest child therein; that
 he had since refused to maintain her or their child, or to
 furnish them with necessaries according to his means and 35
 condition; that he had repeatedly accused her of adultery,
 and endeavoured to prove her guilty; that she had not been
 guilty of adultery; that he had petitioned Parliament for
 the dissolution of his marriage with her; that the said
 Robert Campbell had treated her with cruelty, and ill-used 40
 and insulted her; that there was no prospect of reconcilia-
 tion; that she, the petitioner, desired to be divorced *à menso
 et thoro*; that there is no Court in Ontario by whose decree
 such divorce can be effected; that she was without means
 for her own or for her child or children's support; that the 45
 Court of Chancery of Ontario having refused her petition
 for alimony, she was without means to secure a revision of
 that judgment, and that she desired to have the care and
 custody of her youngest child and of her only daughter;
 and the said Eliza Maria Campbell prayed that the Bill 50
 might not be passed without amendments which would make
 it an Act providing for such a separation between her and the
 said Robert Campbell as would be effected in England by a
 decree for "judicial separation," and compelling the said
 Robert Campbell to make adequate provision for her support 55
 and the support of her children, and giving her the care
 and custody of at least the two youngest of her children;

And whereas the evidence produced by the said Robert Campbell did not prove that his wife, the said Eliza Maria Campbell had ever committed adultery with the said George Gordon, or with any other person; And whereas the
 5 evidence produced, as well by the petitioner as by the respondent, proved that the said Robert Campbell had treated his wife, the said Maria Campbell, with cruelty; that he deserted her on the twenty-fifth day of August, in the year of Our Lord one thousand eight hundred and seventy-three;
 10 that he had not since lived or cohabited with her; that he had not made any provision for her support and maintenance and for the support and maintenance of their youngest child. And whereas the Senate, in the Session of 1877, granted the prayer of the said Eliza Maria Campbell for a divorce from
 15 bed and board, and passed a Bill for that purpose, with provisions for her support and maintenance and for the support and education of her child; And whereas the said Bill was not passed by the House of Commons on the ground that sufficient notice had not been given of the said Bill according to the rules of that House; And whereas the said
 20 Robert Campbell still refuses to receive his said wife into his domicile or to maintain and support her while living apart from him; and whereas the said Eliza Maria Campbell has by her petition prayed that a new Bill may be passed identical in terms as nearly as may be with the said
 25 Bill of 1877; And whereas it is expedient to grant the prayer of the said Eliza Maria Campbell for a divorce from bed and board: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada,
 30 enacts as follows:—

1. From and after the commencement of this Act, the said Eliza Maria Campbell shall be and shall remain separated from the bed and board of her husband the said Robert Campbell.

35 **2.** The separation hereby authorized and provided shall, except as hereinafter provided, have the same force and the same consequences as a judicial separation in England, under a decree for judicial separation pronounced by the proper Court there, at the commencement of this Act.

40 **3.** The said Robert Campbell shall pay annually to his said wife for her support and maintenance the sum of six hundred dollars during her separation as aforesaid, in two equal instalments, payable half-yearly, on the first days of May and November in each year.

45 **4.** The said Eliza Maria Campbell may, after the commencement of this Act, have the custody and care of one of the children of the said marriage, namely: Francis William Campbell, during her separation as aforesaid.

50 **5.** The said Robert Campbell shall pay annually to his wife, the said Eliza Maria Campbell, the sum of two hundred dollars for the support and education of the said child, while he remains in her custody during the separation as aforesaid.

The said sum of two hundred dollars shall be payable in equal half-yearly instalments of one hundred dollars, on the first day of May and November in every year during the minority of the said child.

6. It shall be lawful for the said Eliza Maria Campbell at any time or times hereafter to apply to a Judge of one of the Superior Courts of Ontario, and the said Judge is hereby authorized and empowered to grant her application for a rule or summons to the said Robert Campbell to shew cause why he should not pay to the said Eliza Maria Campbell an additional sum for her support and maintenance, and if the said Judge shall find that the said sum of six hundred dollars is not equal to one-third of the annual income of the said Robert Campbell, he may order and direct the said Robert Campbell to pay to his wife, Eliza Maria Campbell, in half-yearly instalments, as aforesaid, such additional sum as shall, together with the said sum of six hundred dollars, be equal to one-third of the annual income from every source of the said Robert Campbell.

7. If the said Robert Campbell shall neglect or refuse for the space of ten days after the same is due, to pay or cause to be paid into the hands of the said Eliza Maria Campbell or her attorney, lawfully appointed, any one of the said instalments, or any instalment so increased by the Order of a Judge as aforesaid, he shall be deemed guilty of a contempt of Court.

8. The said Robert Campbell and the said Eliza Maria Campbell may agree that upon the payment of a certain sum of money in hand, or upon the conveyance of a certain amount of property to her for her sole and separate use, the said Robert Campbell shall no longer be liable to pay the half-yearly instalments aforesaid, or any of them; but no such agreement shall have any force or effect until it has been approved by a Judge of one of the Superior Courts of Ontario, whose approval, after hearing the parties, shall be endorsed on the instrument containing the agreement.

9. Before and until the making and approval of an agreement as aforesaid, this Act may be registered in any Registry Office in Ontario; and such registration shall have the same force and effect as the registration of an Order or Decree of the Court of Chancery, under section four of the Act of the late Province of Canada, entitled "An Act to amend the Consolidated Statute respecting the Court of Chancery," passed in the twenty-eighth year of Her Majesty's reign.

10. If, and whenever the said Eliza Maria Campbell and Robert Campbell shall become reconciled and cohabit as man and wife, this Act shall thereafter have no further or other operation or effect than a decree for judicial separation would have in England under like circumstances.

1st Session, 4th Parliament, 42 Victoria, 1879.

K

BILL.

An Act for the relief of Eliza Maria
Campbell.

Received and read, first time, Friday, 4th
April, 1879.

Second reading, Friday, 18th April, 1879.

Hon. Mr. REESOR.

OTTAWA:

PRINTED BY MACLEAN, ROGER & Co.,

1879.

B I L L .

An Act to provide for the Liquidation of the affairs of
Building Societies in the Province of Quebec.

CONSIDERING that a large number of persons of limited means have invested their earnings in Building Societies in the Province of Quebec, and that on account of a long period of depression such persons are exposed to lose their earnings for want of means to continue the payment of their contributions, and it is expedient to come to their relief by providing a speedy and inexpensive mode of liquidating the affairs of such Societies in the said Province ; Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. Whenever the majority of the members of a Building Society, doing business in the Province of Quebec, present at a general annual meeting or at a special meeting called for that purpose, shall determine by resolution to liquidate the affairs of such Society, such resolution shall have the effect of closing or terminating the affairs and operations of such Society, which shall from that moment be in liquidation.

2. At any meeting at which a resolution to liquidate shall be proposed, no member shall be allowed to act or vote by proxy as regards liquidation, nor at any subsequent meeting held during the liquidation.

3. The majority of the members present at such meeting shall appoint one or more liquidators, and they shall not be restricted to elect such liquidator or liquidators from among the members of the Society.

4. From the date of such resolution the liquidator or liquidators shall be invested with all the assets of such Society, and the Secretary-Treasurer of such Society shall hand to them all its funds, books and papers, and no bank shall pay any money deposited to the credit of such Society, except on the cheque of the liquidator, or on the joint cheque of two liquidators, if there be more than one.

5. The liquidator or liquidators shall forthwith proceed to determine the amount payable to each member, after deducting all his liabilities to the Society ; they shall also proceed to value the assets of the Society and submit to a meeting of members, as soon as practicable, a mode or plan of dividing the said assets among the members, or paying them in full, if possible, or *pro rata* of their respective rights.

Members may be paid by transfer of claims.

6. In case it should be resolved to pay some of the members by means of transfers of claims or moneys due to the Society, it shall be lawful for the liquidators to divide the debts due to the Society into several parts, and to transfer a part or parts to different members; and the debtors of whose debts such transfers may be made shall suffer such division and pay to the creditors so delegated;—provided, however, that no debt shall be divided into more than four parts, and that the debtor shall not be bound to pay elsewhere than at his domicile, if he has any, where the debt was contracted; and if he has no domicile, then he shall be bound to pay at the domicile or elected domicile of the creditors in the place where the debt was contracted.

Liquidators to obey orders from meetings.

7. The liquidator or liquidators shall be at all times bound to obey orders given to them by resolutions adopted at a regular meeting of the members, and may be dismissed at any such meeting; and on their dismissal they shall hand over all the assets of the Society, as well as all its books and papers, to their successors, or to any person appointed by such meeting, under a penalty of *twenty dollars* for every day of retention of any such assets, books or papers, which penalty may be recovered by any member of the Society by civil action as a debt, and shall be enforceable by imprisonment until paid

Limitation of application of Act.

8. This Act shall not apply to permanent shares of any Building Society, if such shares are all paid and converted into unredeemable stock, unless three-fourths of the members present at a meeting called for the purpose of liquidating agree to liquidate.

1st Session, 4th Parliament, 42 Victoria, 1879

L

BILL.

An Act to provide for the Liquidation of the affairs of Building Societies in the Province of Quebec.

Received and read, First time, Friday, 18th April, 1879.
Second reading, Monday, 21st April, 1879

Hon. Mr. BELLEROSE.

OTTAWA:

PRINTED BY MACLEAN, ROGER & Co.,
1879.

B I L L .

An Act to provide for the Liquidation of the affairs of
Building Societies in the Province of Quebec.

WHEREAS a large number of persons of limited means have invested their earnings in Building Societies in the Province of Quebec, and on account of a long period of depression such persons are exposed to lose their earnings for want of means to continue the payment of
5 their contributions, and it is expedient to come to their relief by providing a speedy and inexpensive mode of liquidating the affairs of such Societies in the said Province ; Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

Preamble.

10 **1.** Any Building Society in the Province of Quebec may, at any annual general meeting, or at any special general meeting, by a majority of two-thirds of the votes of the members present in person or by proxy at such meeting, each member being entitled to one vote for every share then
15 held by him, adopt a resolution for the liquidation of the Society's affairs ; provided that public notice of such meeting, and of the proposal to liquidate to be made thereat, shall have been given at least fifteen days previously in a French newspaper and in an English newspaper in the
20 locality ; and provided also that a special notice, containing the same information as the public notice, shall have been sent by post to each member of the Society at least fifteen days before such meeting ; and from and after the adoption of such resolution the Society shall be deemed to be in
25 liquidation.

Liquidation may be resolved upon at any general meeting, after notice.

2. The shareholders may, at the same meeting, by a majority of the votes given, appoint three or five Liquidators, who shall take the place of the Directors then in office, and shall be charged with the duty of liquidating the affairs of
30 the Society ; and any Director then in office may be appointed a Liquidator.

Liquidators may then be appointed.

3. The Liquidators shall elect one of their number to be their President ; and the majority of the Liquidators shall form a quorum of the Board of Liquidators ; and every question shall be decided by the majority of the votes of the
35 Liquidators present at the meeting of the Board at which it is put to the vote ; and the President shall have a casting vote.

President.
Quorum.
Decision of questions.

4. The Liquidators shall have all the powers conferred, and
40 be subject to all the obligations towards the shareholders imposed, by law and by the by-laws of the Society upon the

Powers and duties of liquidators

Directors. Nevertheless the Society shall not transact any business except such as may be requisite for the purpose of accomplishing the liquidation; and the Liquidators shall proceed with diligence to realize all the assets of the Society without any unnecessary sacrifice; and to that end they may 5 dispose, either by private sale or by auction, of the movable and immovable property of the Society, including the debts due to it, and they may compound and compromise with the Society's debtors, and do whatever they may deem to be 10 advisable in order to the liquidation of the affairs of the Society on the most advantageous terms.

Division of
amounts
realized from
sale of assets.

5. After paying the Society's debts, the Liquidators shall divide from time, to time to time, and at such times as they shall decide themselves, by way of dividend, what they have realized from the assets. This division shall be made propor- 15 tionally to the amount paid in by each shareholder; but no shareholder in arrear on the payment of his calls shall be entitled to participate in the division so long as the other shareholders shall not have been reimbursed in full for the payment of those calls which he shall have neglected to pay; 20 and every shareholder so in arrear shall be charged with interest at the rate of six per cent. per annum on the amount of his calls due and unpaid, and such interest shall diminish in proportion to the amount which shall be reimbursed to the other shareholders in respect of the same calls. 25

Members may
be paid by
transfer of
claims.

6. In case it should be resolved to pay some of the members by means of transfers of claims or moneys due to the Society, it shall be lawful for the liquidators to divide the debts due to the Society into several parts, and to transfer a part or parts to different members; and the debtors of 30 whose debts such transfers may be made shall suffer such division and pay to the creditors so delegated;—provided, however, that no debt shall be divided into more than four parts, and that the debtor shall not be bound to pay elsewhere than at his domicile, if he has any, where the debt 35 was contracted; and if he has no domicile, then he shall be bound to pay at the domicile or elected domicile of the creditors in the place where the debt was contracted.

As to pay-
ment of prin-
cipal money
due to the
Society under
obligations.

7. The principal money due under every obligation executed by any shareholder in favor of the Society, the day 40 of payment of which is undefined, or which is appointed to be paid on the extinction of any class, shall continue to become payable according to the terms of the obligation itself, and of the by-laws of the Society; but moreover, the Liquidators may from time to time exact on account 45 of the principal moneys of such obligations the payment of such amounts as may be necessary for the purpose of placing the shareholders on a footing of equality with respect to the final result of the liquidation; but such amounts shall not become payable until after a month's 50 notice to the debtors.

Liquidators
to obey

8. The liquidator or liquidators shall give such security and shall receive such remuneration as may be determined

upon at a meeting of the shareholders, and shall be at all times bound to obey orders given to them by resolutions adopted at a regular meeting of the members, and may be dismissed at any such meeting; and on their dismissal they shall
 5 hand over all the assets of the Society, as well as all its books and papers, to their successors, or to any person appointed by such meeting, under a penalty of *fifty dollars* for every day of retention of any such assets, books or papers, which penalty may be recovered by any member of the Society by
 10 civil action as a debt, and shall be enforceable by imprisonment until paid

orders from meetings.

9. The shareholders in general meeting assembled may authorize the division in kind of the whole or a part of the property of the Society, and also the payment in kind of the
 15 proportional amount accruing to any shareholder in respect of his shares; they may also authorize the sale in one lot of all the assets of the Society, on such terms as they may see fit; they may also authorize the Liquidators to purchase for the benefit of the Society the rights of any shareholder,
 20 and to pay for the same either in money or in kind, that is to say, with the property of the Society.

Shareholders may authorize division in kind of the property of the Society.

10. The Liquidators shall not be subject to any greater responsibility than the Directors of the Society are subject
 25 to by law and by the by-laws of the Society. Their remuneration shall be fixed by the shareholders in general meeting assembled, and they shall be bound to give such security as the shareholders may require. They shall be subject to instructions from the shareholders, in so far as the same may
 30 be compatible with the laws and with the by-laws of the Society. They may be removed from office by the shareholders at any meeting, and replaced by others; and in the case of any vacancy arising among them, either by death, refusal to act, incapacity, removal from office or otherwise,
 35 such vacancy shall be filled by the shareholders at any general meeting; and until any such vacancy has been filled the Liquidators remaining in office shall continue to exercise the same powers; but it shall be their duty to call, with all convenient speed, a meeting of the shareholders for the pur-
 40 pose of filling the vacancy.

Responsibility, remuneration and tenure of office of liquidator

11. The Liquidators shall make a report of the state of the Society's affairs to the shareholders at each annual general meeting, and at such other meetings as the shareholders may determine upon for that purpose; and on the occasion of the
 45 final liquidation the Liquidators shall make a report to a final meeting of the shareholders, called for that purpose, which report shall be subject to the approval of the meeting; and such meeting shall then have power to dissolve the Society and to surrender its charter, which shall thereupon expire
 50 and become null and void; and at such final meeting the shareholders may make such orders as they think fit with respect to the custody of the books, papers and records of the Society; provided always that if there remain debts to be paid to unknown creditors, or to creditors to whom pay-
 55 ment cannot be made, the Liquidators shall deposit the amount in the hands of the Treasurer of the Province of

Interim and final reports of liquidators to meetings of shareholders, and dissolution of Society at final meeting.

Proviso.

Quebec, under the authority of chapter five of the Acts of the Legislature of the Province of Quebec, passed in the thirty-fifth year of Her Majesty's reign, intituled "An Act respecting Judicial and other Deposits," and of the Acts amending the said Act, and shall in so doing comply with the formalities prescribed by the said Acts; and the charter shall not be surrendered until after such deposit has been made. 5

Cessation of Fines.

12. No fine shall be incurred after the day on which liquidation is resolved upon.

Addresses of shareholders to be left at office.

13. Every shareholder shall leave his address, in writing, at the Society's office; and every special notice required by this Act shall be sent to such address; and in case any shareholder neglects to conform to the above requirement, such notices shall be addressed to him at his last known place of residence, and if there is none such, then at the place where the Society has its principal office or place of business. 15

Power to any fifteen shareholders to call a special meeting for the purposes of this Act.

14. Any fifteen Shareholders of any Building Society in the Province of Quebec shall have power to call a special general meeting of the Shareholders thereof for the purposes of this Act, by giving public notice thereof in conformity with the first section of this Act. 20

Limitation of application of Act.

15. This Act shall not apply to permanent shares of any Building Society, if such shares are all paid and converted into unredemable stock, unless three-fourths of the members present at a meeting held for the purpose of liquidating agree to liquidate. 25

1st Session, 4th Parliament, 42 Victoria, 18

L

BILL.

An Act to provide for the Liquidation of the affairs of Building Societies in the Province of Quebec.

As amended by the Select Committee of the Senate on Banking and Commerce

Hon. Mr. BELLEROS

OTTAWA:
Printed by MACLEAN, ROGER & Co.

1879,

BILL.

An Act respecting certain Ordnance and Admiralty Lands in the Provinces of New Brunswick and Nova Scotia.

WHEREAS it was agreed between Her Majesty's Government and the Government of Canada, that the military and naval lands mentioned and described in the Schedule to this Act should be transferred to Canada, and in pursuance of that agreement the possession and control of the said lands have been transferred to the Government of Canada; And whereas in order to the execution of the said agreement it is necessary that the legal title to the said lands should be re-vested in Her Majesty for the purposes of Canada; And whereas it is expedient to make provision for the management and disposition of the said lands: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1 All the lands comprised in the schedule to this Act, by whatever mode of conveyance the same may have been acquired or taken, whether in fee, for life, for years or otherwise, and all the appurtenances thereof, are and shall be and continue absolutely vested in Her Majesty for the purposes of Canada, and shall be subject to the provisions of the laws relating to public lands, so far as applicable to the same, and shall be held, used, alienated and dealt with accordingly, but subject, nevertheless, to any sales, agreements, leases or agreements to lease heretofore lawfully entered into with respect to them.

Lands in the Schedule vested in Her Majesty for Canada.

Subject to sales, &c.

2 Nothing in this Act shall affect any right of any party claiming any of the said lands.

Rights saved.

3 The said lands shall be divided by the Governor in Council into two classes, to be denominated respectively: Class one and Class two.

To be divided into two classes.

2 Lands in either class may from time to time be placed or replaced in the other class by the Governor in Council.

4 Class one shall consist of such parts of the said lands as may from time to time be placed in that class, by order of the Governor in Council.

Class one.

2 Lands in Class one shall be retained by the Government of Canada for the defence of Canada.

3. Such of the lands in Class one as it is deemed necessary by the Governor in Council to occupy for the defence of Canada in time of peace may be so occupied by such force as shall be lawfully directed by the Governor in Council.

4. Such of the lands in Class one as it is not deemed necessary so to occupy may be leased, or otherwise used, as the Governor in Council may think best for the advantage of Canada 5

Class two. 5. Class two shall consist of such parts of the said lands as may not be in Class one. 10

2. Lands in Class two may be sold, leased or otherwise used as the Governor in Council from time to time may think meet: Provided always, that such sales shall only be made at public auction, except in the case of lands sold to the Government of a Province for provincial purposes, but no such sale shall prejudice the right acquired by any private party. 15

3. Provided always, that when any portions of the said lands are in the actual occupation of any person or persons with the assent of the Crown, and improvements thereon have been made, such improvements shall be paid for at a fair valuation before exposing the land to competition, or the Crown may, by private contract, sell the portion or portions of land so occupied to the person or persons in possession without resorting to public auction. 20 25

As to proceeds of sales and leases. 6. The moneys arising from the sale or lease of any of the said lands shall be paid over to the Receiver General, and shall form part of the Consolidated Revenue Fund of Canada, and a separate account shall be kept thereof.

Repeal. 7. All Acts and parts of Acts inconsistent with the provisions of this Act are hereby repealed. 30

SCHEDULE.

(Referred to in the First Section of this Act.)

NEW BRUNSWICK.

Local Name of the Property, &c.	Origin of the Title.	Contents (nearly).		
		A.	R.	P.
ST. JOHN AND VICINITY.				
Fort Howe, Portland, and land attached.....	Acquired by deed of exchange, 9th June, 1789 (place of deposit of the deed unknown). Registry Office, Book B., page 170. No. 317.	(Revised.)		
		16	0	0
Carleton, Martello Tower and Old Block House properties, and the site of Old Fort Point.....	Acquired partly by purchase in 1827 and partly by undisputed military occupation. Act of Provincial Legislature, 1st May, 1856.	(Approximate.)		
		5	3	37
Carleton, Reserve Z.....	Marked "Reserve Z," in City Plan.	(Not given.)		
Carleton, Negro Point Battery and land attached, commanding harbour.....	Purchased by the Provincial Government in 1864 and made over to the Imperial Government, 15th December, 1864, under certificate of the Solicitor-General of New Brunswick	7	0	28
Red Head Battery, east side of entrance into harbour.....	Purchased by the Provincial Government in 1864 and made over to the Imperial Government, 15th December, 1864, under certificate of the Solicitor-General of New Brunswick	8	1	3
Partridge Island Battery, barracks, &c., with Queen's Wharf and right of way to battery, &c.....	Works of defence erected by virtue of a reservation in the City Charter. The free use of a landing place and roadway were also conceded to the War Department, 19th July, 1859, by the Board of Health	0	2	8
ST. JOHN.				
"Lower Cove Grounds," Dorchester, and other Batteries, Infantry and Artillery Barracks, with accessories, &c.....	<i>Common Lands.</i>			
	By reservation in City Charter, the Crown had the right to erect barracks, works of defence, &c., commencing about 1794; <i>vide</i> also agreement with the Corporation of St. John, dated 16th January, 1858, original in Common Clerk's Office.	26	0	25

SCHEDULE.—New Brunswick.—Continued.

Local Name of the Property, &c.	Origin of the Title.	Contents (nearly).		
		A.	R.	P.
FREDERICTON CITY.				
Property known as the "Stone Barracks" (Infantry) and accessories attached complete. Also Officers' Barracks, &c between Queen Street and River St. John, County York...	Originally a military reserve, and under certain deeds of exchange between the War Department and the City Corporation, 1866. <i>See also</i> Provincial Acts, 9 Vic., c. 73, and 28 Vic., c. 61.....	8	0	3
Artillery Park Barracks, and several other buildings accessories thereto, on George and Regent Streets, County York.....	No record furnished how this property came into possession of the War Department.....	1	2	26
ST. ANDREWS AND VICINITY.				
West Battery Block-house, &c., &c., County Charlotte.....	Reserved for military purposes in the Campbell Grant, 11th October, 1823. ...	2	0	3½
Joe's Point Block-house, near River Ste. Croix, County Charlotte.....	Reserved for military purposes in the Campbell Grant, 11th October, 1823.....	1	0	0
Simpson Reserve on River Ste. Croix, County Charlotte.....	No record of title furnished by Imperial Government.....	22	1	12
Fort Tipperary, Barracks and accessories, Tompkin's Hill, County Charlotte.....	Acquired by exchange and deed of conveyance, 11th March, 1815, and Legislative Act, 7th March, 1814.	9	1	34
OROMOCTO OR THREE TREE CREEK.				
County Sunbury	Reserved for military purposes No date furnished as to the precise time.....	200	0	0
BEAVER HARBOUR.				
East of L'Etang, County Charlotte, near St. Andrews	Reserved for military purposes in 1784.	8	0	0
(Reserve) POMEROY BRIDGE.				
Magaguadavic River, County Charlotte.....	Reserved or acquired for military purposes. Title dated 14th July, 1837. Place of deposit unknown	6	2	0
PRESQU'ILE (Original Record.)				
River St. John, County Charlotte.....	Reserved for military purposes in the Wakefield Grant, 20th June, 1809. Lieut. Governor's warrant of survey, dated 22nd Oct., 1827, in the Provincial Surveyor General's Office.....	676	0	0

SCHEDULE.—New Brunswick.—Continued.

Local Name of the Property, &c.	Origin of the Title.	Contents (nearly.)		
		A.	R.	P.
GRAND FALLS.				
River St. John, County Victoria or Carleton.....	Reserved for military purposes, as shewn on plan in the Surveyor General's Office since 1800. Provincial grant to the Ordnance, dated 23rd April, 1845	Total by schedule.		
		1,548	1	0
LITTLE FALLS.				
Madawaska River, County Victoria or Carleton.....	<i>For site of Block-house, &c.</i> By deed of sale from Joseph Hébert, to the Ordnance, dated 22nd August, 1843. No. 9,549, Louis Panet, N.P., Quebec	Total by title deed.		
		1,571	3	0
		By Survey.		
		20	3	23
		By title deed.		
		24	3	6
DALHOUSIE.				
Bay Chaleurs, County Restigouche....	Provincial Grant as a military reserve, 7th August, 1838	18	0	0
(Reserve) FORT CUMBERLAND.				
N.E. Shore, Bay of Fundy, County Westmoreland.....	Site of a defensive post, captured from French in June, 1755, known at that time as "Fort Beauséjour."	72	0	0
		2,658	1	2½
NOVA SCOTIA.				
Shelburne Harbour, Navy and Commissary Islands.....	Under Order in Council, 26th June, 1874, and by deed of conveyance from the Admiralty dated 28th November, 1874...	27	3	0

1st Session, 4th Parliament, 42 Victoria, 1879.

M

BILL.

An Act respecting certain Ordinance and Admiralty Lands in the Provinces of New Brunswick and Nova Scotia.

Received and read, first time, Wednesday,
23rd April, 1879.

Second reading, Friday, 25th April, 1879.

Hon. Mr. CAMPBELL.

OT T A W A:
Printed by MACLEAN, ROGER & Co.
1879

MEMORANDUM

To accompany the Bill to amend and consolidate the Acts respecting the Public Lands of the Dominion.

NOTE.—The following sections or parts of sections are those of the existing Acts which will be repealed or materially amended by the said Bill. The notes at the bottom of each indicate the Acts and sections or sub-sections from which they are taken, and the sections of the Bill containing the amended or substituted provisions, in the margin opposite each of which they are referred to by the capital letters prefixed to them respectively.

A. The entry of a person as aforesaid for a homestead right shall entitle him to receive at the same time therewith an entry for any adjoining quarter-section then unclaimed, and such entry shall entitle such person to take and hold possession of and cultivate such quarter-section in addition to his homestead, but not to cut wood thereon for sale or barter, and, at the expiration of the period of three years, or upon the sooner obtaining a patent for the homestead, under the fifteenth sub-section of this section, shall entitle him to a pre-emption of the said adjoining quarter-section at the Government price of one dollar per acre; but the right to claim such pre-emption shall cease and be forfeited, together with all improvements on the land, upon any forfeiture of the homestead right under this Act. 39 V., c. 19, s. 5;

To be amended as shewn in S. 34, sub-sec. 18 of the Bill.

B. The above provisions relating to homesteads shall only apply to agricultural lands; that is to say, they shall not be held to apply to lands set apart as timber limits, or as hay lands, or to lands valuable for stone or marble quarries, or to those having water power thereon which may be useful for driving machinery. 39 V., c. 19, S. 14, sub-sec. 18.

To be amended as shewn in S. 34, sub-sec. 18 of the the Bill.

C. Provided, that any homestead claimant, who, previous to the issue of the patent, shall sell any of the timber on his claim or on the wood lot appertaining to his claim, to saw mill proprietors or to any other than settlers for their own private use, shall be guilty of a trespass, and may be prosecuted therefor before a Justice of the Peace, and upon conviction thereof, shall be subject to a fine or imprisonment, or both; and further, such person shall forfeit his claim absolutely. S. 46, sub-sec. 6.

To be amended as shewn in S. 47, sub-sec. 6 of the Bill.

FOREST TREE CULTURE.

D. Any person, male or female, being a subject of Her Majesty by birth or naturalization, and having attained the age of eighteen years, shall be entitled to be entered for one quarter-section, or less quantity of unappropriated Dominion lands as a claim for forest tree planting. 39 V., c. 19, S. 20.

N—a

E. Application for such entry shall be made in Form F in the schedule hereto, and the person so applying shall make an affidavit before the local agent according to G in the schedule hereto, and shall pay at the time of applying an office fee of ten dollars, for which he or she shall receive a receipt and also a certificate of entry, and shall thereupon be entitled into entry into possession of the land. 39 V., c. 19, S. 21.

F. No patent shall issue for the land so entered until the expiration of six years from the date of entering into possession thereof, and any assignment of such land shall be null and void unless permission to make the same shall have been previously obtained from the Minister of the Interior. 39 V., c. 19, S. 22.

G. At the expiration of six years the person who obtained the entry, or, if not living, his or her legal representative or assigns, shall receive a patent for the land so entered on proof to the satisfaction of the local agent as follows:—

1. That eight acres of the land entered had been broken and prepared for tree planting within one year after entry, an equal quantity during the second year, and sixteen additional acres within the third year after such date;

2. That eight acres of the land entered had been planted with forest trees during the second year, an equal quantity during the third year, and sixteen additional acres within four years from the date of entry,—the trees so planted being not less than twelve feet apart each way;

3. That the above area, that is to say, one-fifth of the land has, for the last two years of the term, been planted with timber, and that the latter has been regularly and well cultivated and protected from the time of planting: Provided that in cases where the land entered is less in extent than one quarter-section, or one hundred and sixty acres, then the respective areas required to be broken and planted under this and the two next preceding sub-sections shall be proportionately less in extent. 39 V., c. 89, S. 23.

These four sections are to be amended as shewn in the sections bearing the numbers 66, 67, 68, 69, in the Bill.

WHO SHALL BE COMPETENT TO SURVEY THE DOMINION LANDS.

H. No person shall act as surveyor of Dominion Lands unless he shall, previously to the passing of this Act, have been duly qualified by certificate, diploma or commission, to survey the Crown lands in some one of the Provinces of the Dominion, or shall have become qualified under the provisions hereinafter set forth, that is to say:—

1. Except such persons as at the time of the passing of this Act hold certificates, diplomas or commissions to practice as surveyors, as hereinbefore set forth, no person shall be competent to act professionally as a surveyor of Dominion lands in Manitoba, or the North-West Territories, unless he

shall undergo an examination before the Board of Examiners hereinafter mentioned, or be exempt from undergoing such examination under provisions herein after contained, and receive a commission certifying that he is qualified to act as such.

2. Persons so qualified shall be styled "*Dominion Land Surveyors.*", S. 73, and 37 V., c. 19, S. 22.

To be amended as shewn in Section 83 of the Bill.

I. It shall not be necessary for any person who may, after the passing of this Act, become duly qualified by diploma, certificate or commission, to survey the Crown Lands in some one of the Provinces of the Dominion, to serve under articles as aforesaid to entitle such person to examination by the said Board for a commission as a Dominion Land Surveyor, but such person shall be entitled to such examination without further service, at any regular meeting of the board, and if found competent, shall receive such commission: Provided, nevertheless, that in case such person should not on the first examination be found qualified, the board may grant him a second examination after he shall have passed through such further course of theory or practice as may have been recommended by the board: Provided further that any person who may have acquired a certificate, diploma or commission in any of the Provinces of the Dominion where the course and examination prescribed are similar to those in clause seventy-five of this Act, shall not be required to be re-examined by the board, but shall, upon proof of the facts, and payment of the admission fee fixed by sub-clause four of the clause eighty-four of this Act, receive from the board a commission as a Dominion Land Surveyor. S. 77.

This Section is repealed, and Section 91 of the Bill substituted for it.

J. Every person desiring to be examined before the said Board for a commission as a Dominion Land Surveyor, shall give due notice thereof in writing to the Secretary at least two months previous to the meeting of the Board, enclosing with such notice the fee of two dollars. S. 83.

To be amended as shewn in S. 91 of the Bill.

Section 81 of the Act 35 V., c. 23, is amended by substituting "one year" for six months," in line 7, Sec. S. 92 of the Bill.

K. Candidates for examination for commissions as Dominion Land Surveyors may, at their own request, in addition to the foregoing, be examined as to the knowledge they may possess of the following subjects relating to the higher surveying, qualifying them for the prosecution of extensive governing or topographic surveys, or those of geographic exploration, that it to say:—

1 Algebra, including quadratic equations, series, and calculation of logarithms,

2. The analytic deduction of formulas and series, of plane and spherical trigonometry;

3. The plane co-ordinate geometry of the point, straight line, transformation of co-ordinates, circle and ellipse ;

This portion of Section 31 of 39 V., c. 19, is to be amended as shewn in Section 98 of the Bill, and the proviso at the end is to be omitted.

L. Gentlemen who may have become qualified to act as Dominion Land Surveyors previous to the passing of this Act, may, if desirous of so doing, and having given notice in writing to the Secretary, at least two months previous to the meeting of the Board, of such desire, be examined as to their knowledge of the higher branches of surveying, and other subjects under the preceeding section ; and all candidates for such examination, whether holding commissions previously or otherwise, on passing the same, shall have the fact certified by the board. 39 V., c. 19, S. 32.

To be amended as shewn in Section 99 of Bill.

M. The following fees shall be paid under the provisions of this Act :—

1. To the secretary of the board, by each pupil, on giving notice of his desire for examination preliminary to being articulated, one dollar ;

2. To the secretary of the board, as the fee due on such examination, ten dollars, and a further sum of two dollars for certificate ;

3. To the secretary of the board, by each pupil, at the time of transmitting to such secretary the indentures or articles of such pupil, two dollars ;

4. To the secretary of the board, by each candidate for final examination, with his notice thereof, two dollars ;

5. To the secretary of the board, by each applicant obtaining a commission, as his fee thereon, two dollars ;

6. To the secretary of the board, as an admission fee by the candidate receiving the commission, twenty dollars, which sum shall also cover any certificate by the board in the case of a candidate passing the higher examination ; but such amount, as also the ten dollars required to be paid under sub-section two of this section, shall be paid to the Receiver-General to the credit of Dominion Lands. 39 V., c. 19, s. 33.

To be amended as shewn in S. 100 of the Bill.

N. The said board may, in their discretion, suspend or dismiss from the practice of his profession any Dominion Land Surveyor whom they may find guilty of gross negligence or corruption in the execution of the duties of his office ; but the board shall not suspend or dismiss such Dominion Land Surveyor without having previously summoned him to appear in order to be heard in his defence, nor without having heard the evidence offered either in

support of the complaint, or on behalf of the Dominion Land Surveyor inculpated. S. 86.

To be amended as shewn in S. 102 of the Bill.

PARTIES SETTTLING LARGE TRACTS.

O. If any person or persons undertake to settle any of the public lands of the Dominion free of expense to the Government, in the proportion of one family to each alternate quarter section, or not less than sixty-four families in any one township, under the Homestead provisions of this Act, the Governor in Council may withdraw any such township from public sale and general settlement; and may, if he thinks proper, having reference to the settlement so effected and to the expense incurred by such person or persons in procuring the same, order the sale of any other and additional lands in such township to such person or persons at a reduced price, and may make all necessary conditions and agreements for carrying the same into effect. 37 V., c. 19, s. 14.

P. The expenses, or any part thereof, incurred by any person or persons for the passage-money, or subsistence, in bringing out an immigrant, or for aid in erecting buildings on the homestead, or in providing farm implements or seed for such immigrant, may, if so agreed upon by the parties, be made a charge on the homestead of such immigrant; and in case of such immigrant attempting to evade such liability by obtaining a homestead entry outside of the land withdrawn under the provisions of the next preceding section, then, and in such case, the expense incurred on behalf of such immigrant, as above, shall become a charge on the homestead so entered, which, with interest thereon, must be satisfied before a patent shall issue for the land:—Provided as follows:—

(a). That the sum or sums charged for the passage-money and subsistence of such immigrant shall not be in excess of the actual cost of the same as proved to the satisfaction of the Minister of the Interior;

(b). That an acknowledgement by such immigrant of the debt so incurred shall have been filed in the Dominion Lands office;

(c). That, in no case, shall the charges for principal moneys advanced against such homestead, exceed in amount the sum of two hundred dollars;

(d). That no greater rate of interest than six per cent. per annum shall be charged on the debt so incurred by such immigrant. 39 V., c. 19, s. 35.

These two sections are omitted in the Bill and are repealed.

Q. The Governor in Council shall, at any time hereafter, subject to then existing rights, as defined or created under this Act, withdraw from the operation of this Act, such

lands as have been reserved for Indians or may be required to satisfy the Half-Breeds' claims created under section thirty-one of the Act thirty-three Victoria, chapter three, and also land to such extent as may be required for railway purposes, and further, may, from time to time, make such orders as he may deem necessary to carry out the provisions of this Act according to their true intent, or to meet any cases which may arise and for which no provision is made by this Act, and may, from time to time, alter or revoke the same and make others in their stead, and such orders shall be published in the *Canada Gazette*, and in such newspapers as the Minister of the Interior may direct, and shall be laid before Parliament within the first ten days of the session next after the date thereof. S. 105.

This section is omitted in the Bill, and Section 125 substituted for it.

B I L L .

An Act to amend and consolidate the several Acts respecting the Public Lands of the Dominion.

NOTE.—The note at the end of each section or sub-section shews the Act, section and sub-section from which it is taken. When they are taken from *The Dominion Lands Act* (35 Vic., c. 23) this is indicated by the letter S and the number of the section or sub-section: when they are taken from an amending Act, the year of the reign and the chapter are also mentioned. When the section or part of it is new, this is indicated by the word "New" in the margin, but if it is only amended this is indicated by the word "Amended" in the margin—and the capital letter, under which, in the Memorandum prefixed, the provision amended will be found *as it stands in the law now in force*: so that the amendment made can be readily seen.

WHEREAS it is expedient with a view to the proper and efficient administration and management of certain of the public lands of the Dominion, that the same should be regulated by statute, and divers Acts have been passed for that purpose which it is expedient to amend and consolidate: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

PRELIMINARY—INTERPRETATION.

10 1. This Act shall apply exclusively to the Lands included in Manitoba and the several Territories of the Dominion, which lands shall be styled and known as *Dominion Lands*; and this Act shall be known and may be cited as the "*Dominion Lands Act 1879*," and the following terms and expressions therein shall be held to have the meaning hereinafter assigned them, unless such meaning be repugnant to the subject or inconsistent with the context; that is to say:

1. The term *Minister of the Interior*, means the Minister of the Interior of Canada.

20 2. The term *Surveyor-General* means the said officer, or, in his absence, the chief clerk performing his duties for the time being.

3. The term *Agent* or *Officer* means any person or officer employed in connection with the administration and management, sale or settlement of Dominion lands; and the term *Local Agent* means the Agent for Dominion lands employed as aforesaid, with respect to the lands in question; and the term *Land Office* means the office of any such Agent.

4. The term *Dominion Land Surveyor* mean a Surveyor duly authorized under the provisions of this Act to survey Dominion lands.

- " Crown
Timber
Agent." 5. The term *Crown Timber Agent* means the local officer appointed to collect dues and to perform such other duties as may be assigned to such officer, in respect to the timber on Dominion lands.
- " Island." 6. The term *Island*, as used in connection with timber, 5 means an isolated grove or clump of timber in Prairie.
- " Belt." 7. The term *Belt*, as used in connection with timber, means a strip of timber along the shore of a lake, river or water course.
- " Section."
" Sub-Section "
8. The term
- section*
- means a section of this Act distinguished 10 by a separate number, and the term
- sub-section*
- means a subdivision of any clause distinguished by a separate number or letter, in smaller type.
- " Canada
Gazette." 9. The term *Canada Gazette* means the official Gazette of the Government, published at Ottawa. S. 1. 15

DOMINION LANDS OFFICE.

- Administra-
tion and
management
of Dominion
Lands.
Office. 2. The Department of the Minister of the Interior of Canada, shall be charged with the administration and management of the Dominion lands.
1. Such administration and management shall be effected 20 through a Branch of the said Department, to be known and designated as "*The Dominion Lands Office*."
- Copies of
Documents
Certified. 2. Copies of any records, documents, plans, books, or papers belonging to or deposited in the said office, attested under the signature of the Minister of the Interior or of the Surveyor- 25 General, and of plans or documents in any Dominion lands or Surveys office in Manitoba or the North-West Territories, attested under the signature of the Agent or Inspector of Surveys, as the case may be, in charge of such office, shall be competent evidence in all cases in which the original records, 30 documents, books, plans, or papers could be evidence.
- Employees
not to pur-
chase lands,
&c. 3. No person employed in or under the Dominion Lands Office shall purchase any of such lands, except under authority of an Order in Council, or shall locate military or bounty land warrants, or land scrip, or act as agent of any other persons 35 in such behalf,—S. 2 and 39 Victoria, Chapter 19, ss. 1 and 2.

SYSTEM OF SURVEY.

- System of
Survey 3. Subject always to the provisions hereinafter made with respect to special cases,—
- Townships to
contain thirty
six square
miles exclu-
sive of road
allowances. 1. The Dominion lands shall be laid off in quadrilateral 40 Townships, containing thirty-six sections of one mile square in each, (except in the case of those sections rendered irregular by the convergence or divergence of meridians as hereinafter mentioned) together with road allowances of one chain and fifty links in width, between all townships and 45 sections.

2. The sections shall be bounded and numbered as shewn Sections by the following diagram :

N.

	31	32	33	34	35	36	
	30	29	28	27	26	25	
	19	20	21	22	23	24	
W.	18	17	16	15	14	13	E.
	7	8	9	10	11	12	
	6	5	4	3	2	1	

S.

3. The township therefore will, subject to deficiency or surplus from converging or diverging meridians, as the case may be, measure on each side, from centre to centre of the road allowances bounding the same, four hundred and eighty-nine chains; Provided that the Governor in Council may hereafter, should the same be deemed expedient, reduce the width of the road allowances on township and section lines in that part of the territory lying north of the line between townships eighteen and nineteen, and east of the tenth range east of the principal meridian, and west of the fourteenth range west of the said meridian. S. 3.

Townships to measure on each side 489 chains.

Proviso: as to reduction of width of road allowances, in certain places.

4. The lines bounding townships on the east and west sides shall in all cases be true meridians, and those on the north and south sides shall be cords intersecting circles of latitude passing through the angles of the townships. S. 4.

Lines bounding townships.

5. The townships shall be numbered in regular order northerly from the international boundary or forty-ninth parallel of latitude, and shall lie in ranges numbered, in Manitoba, east and west from a certain meridian line run in the year 1869, styled the "Principal Meridian," drawn northerly from the said forty-ninth parallel at a point ten miles or thereabouts westerly from Pembina. S. 5.

Townships shall be numbered.

6. In the territories east and west of Manitoba such other governing or guide meridians may be adopted and confirmed by the Governor in Council as may from time to time become expedient. S. 6.

Other governing or guide meridians.

7. The townships shall be laid out the precise width of four hundred and eighty-nine chains, as aforesaid, on the base lines hereinafter mentioned, and the meridians between townships shall be drawn from such bases, north or south to the depth of two townships, that is to say, to the correction lines hereinafter mentioned. S. 7.

Townships to be 489 chains wide on the base lines.

8. The said forty-ninth parallel or international boundary shall be the first base line, or that for townships one and two. The second base line shall be between townships four and five, the third between townships eight and nine, the fourth

Base lines for townships.

between townships twelve and thirteen, the fifth between townships sixteen and seventeen, and so on northerly in regular succession. S. 8.

Correction lines, what township lines to be.

9. The correction lines, or those upon which the "jog" resulting from the want of parallelism of meridians shall be allowed, will be as follows, that is to say:—On the line between townships two and three, on that between six and seven, on that between ten and eleven, and so on. In other words, they will be those township lines running east and west which are equi-distant from the bases, at the depth of two townships. S. 9.

Division of sections.

10. Each section shall be divided into quarter sections of one hundred and sixty acres, more or less, subject to the provisions hereinafter made. S. 10.

Allowances for deficiency or surplus in survey of townships.

11. In the survey of any and every township, the deficiency or surplus, as the case may be, resulting from convergence or divergence of meridians shall be allowed in the range of quarter sections adjoining the west boundary of the township, and the north and south error in closing on the correction lines from the north or south shall be allowed in the ranges of quarter sections adjoining, and north or south respectively of the said correction lines. Section 11.

Dimensions and area of irregular quarter-sections, how to be returned.

12. The dimensions and area of the irregular quarter sections resulting from the provision in the next preceding clause, whether the same be deficient or in excess, shall, in all cases, be returned by the surveyor at their actual measurements and contents. S. 12.

Country to be laid out into blocks of four townships each in the first instance, and how.

13. Preliminary to the sub-division into townships and sections of any given portion of country proposed to be laid out for settlement, the same shall be laid out into blocks of four townships each, by projecting the base and correction lines, and east and west meridian boundaries of each block:

Corners.

1. On these lines, at the time of the survey, all township section and quarter section corners shall be marked, which corners shall govern, respectively, in the subsequent sub-division of the block.

Posts and monuments.

2. Only a single row of posts or monuments to indicate the corners of townships, or sections (except as hereinafter provided), shall be placed on any survey line. These posts or monuments, as an invariable rule (with the exception above referred to,) shall be placed in the west limit of the road allowances, on north and south lines, and in the south limit of road allowances, on east and west lines; and in all cases shall fix and govern the position of the boundary corner between the two adjoining townships, sections, or quarter sections on the opposite side of the road allowance.

Proviso: as to correction lines.

3. Provided that in the case of the township, section and quarter section corners on correction lines, posts or monuments shall in all cases be planted and marked independent-

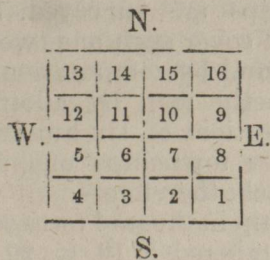
ly for the townships on either side ; those for the townships north of the line, in the north limit of the road allowance ; and those for the townships south, in the south limit. S. 13.

5 **14.** The township sub-division surveys of the Dominion lands, according to the system above described, shall be carried out and shall be performed by contract at a certain rate per mile or per acre, fixed from time to time by the Governor in Council. S. 14, and 37 Victoria, Chapter 19, s. 1. Surveys to be performed by contract.

10 **15.** Legal sub-divisions as applicable to the survey, sale and granting of the Dominion lands, shall be as follows : and it shall be sufficient that such legal subdivisions be severally, as the case may require, designated and described by such names or numbers and areas for letters patent, that is to say : Legal sub-divisions of townships.

- 15 1. A section or 640 acres ;
 A half section or 320 acres ;
 A quarter section or 160 acres ;
 A half quarter section or 80 acres.
 A quarter quarter section or 40 acres.

20 2. To facilitate the descriptions for Letters Patent of less than a half quarter section, the quarter sections composing every section in accordance with the boundaries of the same as planted or placed in the original survey, shall be supposed to be divided into quarter quarter sections, or forty acres, and such quarter quarter sections shall be numbered as shewn in the following diagram, which is intended to shew the above proposed subdivisions of a section. Quarter quarter sections.



30 3. The area of any legal subdivision as above set forth, in Letters Patent, shall be held to be more or less, and shall in each case be represented by the exact quantity as given to such subdivision in the original survey. S. 15, and 37 Victoria, Chapter 19, s. 2. Areas to be more or less.

35 **16.** Provided that nothing in this Act shall be construed to prevent the lands upon the Red and Assineboine Rivers surrendered by the Indians to the late Earl of Selkirk, from being laid out in such manner as may be necessary in order to carry out section thirty-two of the Act thirty-third Victoria, chapter three, or to prevent fractional sections or lands bordering on any river, lake, or other water course or public road, from being divided ; or such lands from being laid out in lots of any certain frontage and depth, in such manner as Proviso : as to the laying out and description of lands in certain localities.

may appear desirable ; or to prevent the subdivision of sections or other legal subdivisions into wood lots as hereinafter provided ; or from describing the said lands upon the Red and Assineboine Rivers, or such subdivisions of fractional sections, or other lots, or wood lots, for patent, by numbers according to a plan of record, or by metes and bounds, or by both, as may seem expedient. S. 16. 5

DISPOSAL OF THE DOMINION LANDS.

LANDS RESERVED BY THE HUDSON'S BAY COMPANY.

Recital. **17.** Whereas by article five of the terms and conditions in the deed of surrender from the Hudson's Bay Company to the Crown, the said Company is entitled to one-twentieth of the lands surveyed into townships in a certain portion of the territory surrendered, described and designated as the " Fertile Belt : " 10 15

Recital. And whereas by the terms of the said deed, the right to claim the said one-twentieth is extended over the period of fifty years, and it is provided that the lands comprising the same shall be determined by lot ; and whereas the said Company and the Government of the Dominion have mutually agreed that with a view to an equitable distribution throughout the territory described, of the said one twentieth of the lands, and in order further to simplify the setting apart thereof, certain sections or parts of sections, alike in numbers and position in each township throughout the said territory, shall, as the townships are surveyed, be set apart and designated to meet and cover such one-twentieth : 20 25

Recital. And whereas it is found by computation that the said one-twentieth will be exactly met, by allotting in every fifth township two whole sections of six hundred and forty acres each, and in all other townships one section and three quarters of a section each, therefore— 30

Certain sections and parts of sections in certain townships to be known as Hudson's Bay Company's lands. In every fifth township in the said territory ; that is to say : in those townships numbered 5, 10, 15, 20, 25, 30, 35, 40, 45, 50, and so on in regular succession northerly from the international boundary, the whole of sections Nos. 8 and 26, and in each and every of the other townships, the whole of section No. 8, and the south half and north-west quarter of section 26 (except in the cases hereinafter provided for) shall be known and designated as the lands of the said Company. 35 40 S. 17.

The Company's one-twentieth in fractional townships. **18.** Provided that the Company's one twentieth of the lands in fractional townships shall be satisfied out of one, or other, or both, as the case may be, of the sections numbers eight and twenty-six as above, in such fractional townships, the allotment thereof to be effected by the Minister of the Interior and the said Company, or some person duly authorized by them respectively. 37 Vic. Cap. 19, s. 3. 45

19. Provided further, that on the survey of a township being effected, should the sections so allotted, or any of them, or any portion of them, be found to have been *bonâ fide* settled on under the authority of any Order in Council, or of this Act, then if the Company forego their right to the sections settled upon as aforesaid, or any one or more of such sections, they shall have the right to select a quantity of land equal to that so settled on, and in lieu thereof, from any lands then unoccupied. S. 19.

Company may select land in lieu of allotted land found to be settled upon under authority.

20. Provided also, as regards the sections and parts of section as mentioned in clause seventeen, that where the same may be situate in any township withdrawn from settlement and sale, and held as timber lands under the provisions hereinafter contained, the same shall form no part of the timber limit or limits included in such townships, but shall be held to be the property of the Company.

Company's lands to form no part of timber limits

2. Provided further, that one-twentieth of the revenue derived from timber limits which may be granted in unsurveyed territory within the fertile belt, as hereinafter provided, shall be annually, so long as the townships comprised in the same remain unsurveyed, paid and accounted for to the Company, such one-twentieth to cease or to be diminished in proportion as the townships comprised in such limits, or any of them, may be surveyed, in which event the Company shall receive their one-twentieth interest in the lands in such townships in sections eight and twenty-six as hereinbefore enacted: Provided, nevertheless, that on such sections being surveyed as aforesaid, should the same or either of them prove to have been denuded of timber by the lessee, to the extent of one-half or more, then, in such case the Company shall not be bound to accept such section or sections so denuded, and shall have the right to select a section or sections to an equal extent in lieu thereof from any unoccupied lands in such township. S. 20 and 37 Vic. Cap. 19, s. 4.

The Company to be paid one-twentieth of the revenues from timber limits in unsurveyed territory within the fertile belt.

Proviso.

21. As townships are surveyed and the respective surveys therefore confirmed, or as townships or parts of townships are set apart and reserved from sale as timber lands, the Governor of the said Company shall be duly notified thereof by the Surveyor-General, and thereupon this Act shall operate to pass the title in fee simple in the sections or three-quarter parts of sections to which the Company will be entitled under clause seventeen, as aforesaid, and to vest the same in the said Company, without requiring a patent to issue for such lands; and as regards the lands set apart by lot, and those selected to satisfy the one-twentieth in townships other than the above, as provided in clauses eighteen and nineteen, returns thereof shall be made in due course by the Local Agent or Agents to the Dominion Lands Office, and patents shall issue for the same accordingly. S. 21

Title to lands to pass to Company without Patent in certain cases, and under Patents in other cases.

EDUCATIONAL ENDOWMENT.

Sections 11 and 29 in every township set apart as an educational endowment.

22. And whereas it is expedient to make provision in aid of education in Manitoba, and the North-West Territories, therefore sections eleven and twenty-nine in each and every surveyed township throughout the extent of the Dominion lands, shall be and are hereby set apart as an endowment for purposes of education. 5

Such sections not to be subject to right of purchase by private entry or pre-emption or homestead right.

1. The sections so dedicated shall be designated "school lands," and shall be dealt with in manner as hereinafter provided, and the same are hereby withdrawn from the operation of the clauses in this Act relating to purchase by private entry and to homestead right, and it is hereby declared that no such right of purchase by private entry or homestead right shall be recognized in connection with the said sections or any part or parts thereof: 15

Proviso: if such sections are found settled on and improved.

2. Provided, that on a township being surveyed, should such sections, or either of them, or any part of either, be found to have been settled on and improved, then and in such case the occupant or occupants conforming to the requirements of this Act shall be confirmed in such possession and the Minister of the Interior shall select a quantity equal to that found to have been so settled on from the unclaimed lands in such township, and shall withdraw the land so selected from sale and settlement, and shall set apart and publish the same as school lands, by notice in the *Canada Gazette*. S. 22. 20 25

Proviso: Homestead lands.

New.

3. Provided further, that the land found to have been settled upon and improved as above is not embraced within the class of lands reserved from the operation of the Homestead provisions of this Act by sub-section eighteen of section thirty-four thereof. 30

DISPOSAL OF SCHOOL LANDS.

How to be administered. New Section.

2. The school lands shall be administered by the Governor in Council, through the Minister of the Interior:

Sales to be by auction; upset price limited.

1. Provided that all sales of school lands shall be at public auction, and that in no case shall such lands be put up at an upset price less than the fair value of corresponding unoccupied lands in the township in which such lands may be situate. 35

Terms of payment.

2. Provided, also, that the terms of sale of school lands shall be one-fifth in cash at the time of sale, and the remainder in nine equal successive annual instalments, with interest at the rate of six per cent. per annum, to be paid with each instalment on the balance of purchase-money from time to time remaining unpaid. 40 45

Investment of moneys arising from sales; dis-

3. Provided, also, that all moneys from time to time realized from the sale of school lands shall be invested in Dominion securities, and the interest arising therefrom, after

deducting the cost of management, shall be paid annually to the Government of the Province or Territory within which such lands are situated towards the support of public schools therein; the moneys so paid to be distributed with such view by the Government of such Province or Territory in manner as may be deemed most expedient.

posal of interest on securities.

MILITARY BOUNTY LAND CLAIMS.

24. In all cases in which land has heretofore been or shall hereafter be given by the Dominion for military services, warrants shall be granted in favor of the parties entitled to such land by the Minister of Militia and Defence, and such warrants shall be recorded in the Dominion Lands Office in books to be kept for the purpose, and shall be located as hereinafter provided, and patents for the lands so located shall be issued accordingly.

Warrants to be granted for lands given for military services.

15 1. Such warrants may be located by the owners thereof, in any of the Dominion lands open for sale, or may be received in payment for a homestead claim for the same number of acres, or in payment in part or in full, as the case may be, for the purchase at public or private sale of Dominion lands, at the value shewn upon their face, estimating the number of acres in the warrant at the price mentioned therein. Provided always, that no greater area than twenty per cent. of the land, exclusive of school and Hudson Bay Company lands, in any township, shall be open for entry by Military Bounty warrants issued after the passing of this Act.

Such warrants may be located in lands open for sale, or be given in payment for lands.

Proviso.

2. In accepting warrants as so much purchase-money, any deficiency shall be payable in cash. But should any payment by warrant or by amount in warrants, be in excess, the Government will not return any such excess.

As to warrants accepted as purchase money.

3. In locating a warrant, should the same be for any aliquot part of a section, it must be located in a legal subdivision of corresponding extent; for instance, a warrant calling for one hundred and sixty acres must be located in a certain quarter section intact. S. 23, and 39 Vic., cap. 19, s. 3.

As to locating warrants.

25. Assignments of Military Bounty land warrants duly made and attested before any person entitled by law to take affidavits shall be recognized as conveying the beneficial interest therein, but no assignment of the interest of the original owner (except in the case of Red River soldiers' warrants as hereinafter mentioned) will be held as transferring such interest, unless the assignment be endorsed on the back of the warrant; and in subsequent assignments the warrant, unless the same has been lost (as hereinafter mentioned), must be attached to and form part of the claimant's or locatee's papers. S. 24.

Assignments of Military Bounty Land Warrants.

26. In all cases where an officer or soldier entitled to Military Bounty land dies before the issue of the warrant, or between the issue of the warrant and the location thereof,

Warrant or patent to issue in favor of legal repre-

sentatives of
deceased offi-
cer or soldier.

the warrant or the patent, or both, as the case may be, shall issue in favor of the legal representatives of such deceased officer or soldier, according to the law of the Province or Territory where the lands in question lie, who shall be ascertained in such manner and by such Court, Commis- 5
sioners or other tribunal, as the Legislature of such Province shall prescribe by any Act passed for that purpose, and shall be certified to the Governor under such Act,—or if the lands be in any territory in which there is then no Legislature, then in such manner and by such Commissioners as the 10
Governor in Council may from time to time direct,—and any Order in Council in that behalf may vest in any Commissioners under it power to summon witnesses and examine them on oath and to compel the production of documents, and generally may vest in them all such powers, and impose 15
upon all other persons all such obligations, as the Governor in Council may deem necessary in order to ascertain and certify to the Governor the person or persons to whom the Patent ought to issue,—and on any such certificate under this clause the Patent shall issue in accordance there- 20
with. S. 25.

Provision in
case of there
being no
Court to de-
termine the
legal repre-
sentative.

2. Provided that in the absence of any court, commis- sioners, or other tribunal established by the Legislature of the Province or Territory within which the lands in ques- 25
tion lie, to determine the legal representatives of such deceased officer or soldier, the Minister of the Interior may refer any case arising under the provisions of this section to the court authorized to be established under the Act passed in the thirty-sixth year of Her Majesty's reign, chapter six, intituled "*An Act respecting claims to Lands in Manitoba for 30
which no Patents have issued;*" and the provisions thereof shall be and are hereby declared to be in this respect applic-
able to cases arising under this section. 37 V., c. 19, s. 5.

New warrant
in case of one
lost or de-
stroyed.

27. Whenever any warrant for military bounty land, issued in pursuance of this Act, is lost or destroyed, whether 35
the same may or may not have been sold and assigned by the original owner, the Minister of Militia and Defence (such loss or destruction having been proved to his satisfac-
tion) may, and he is hereby required to cause a new warrant of like tenor to be issued in lieu thereof, in favor of the per- 40
son to whom the warrant belonged at the time of its loss or destruction, if he be still living, or of his legal representatives as aforesaid, if he be no longer living, which new warrant may be assigned, located, and patented, and shall be of like value in every respect, with the original warrant; and in 45
any and all such cases of re-issue, the original warrant, in whosoever hands it may be, shall be null and void. S. 26.

Recital.

28. And whereas by Order of the Governor in Council, dated the 25th April, 1871, it is declared that,—

Free grants
under Order
in Council
confirmed.

The officers and soldiers of the 1st or Ontario and the 2nd 50
or Quebec Battalion of Rifles, then stationed in Manitoba, whether in the service or dépôt companies, and not having been dismissed therefrom, should be entitled to a free grant of land, without actual residence, of one quarter section,—

such grant is hereby confirmed, and the Minister of Militia and Defence is hereby authorized and required to issue the necessary warrants therefor accordingly. S. 27.

29. And whereas effect could not be given to the above-mentioned Order in Council, until the lands in Manitoba had been surveyed, and in the mean time many of the said men so entitled as above have assigned their interest in such free grants,—such assignments duly made and attested, and having the certificate of discharge in the case of non-commissioned officers or private soldiers attached thereto, and filed in the Dominion Lands Office before the issue of the warrant, shall be held to transfer in each case the interest of the man so entitled in the warrant when issued, which latter, in every such case, shall be attached, after registry, to the assignment on file, and held for delivery to the party entitled thereto, or for location. S. 28.

Assignments of interest in Government grants recognized.

ORDINARY PURCHASE AND SALE OF LANDS.

30. Unappropriated Dominion lands, the surveys of which may have been duly made and confirmed, shall, except as otherwise hereinafter provided, be open for purchase at the rate of one dollar per acre; but no such purchase of more than a section, or six hundred and forty acres, shall be made by the same person; provided that whenever so ordered by the Minister of the Interior such unoccupied lands as may be deemed by him expedient from time to time may be withdrawn from ordinary sale or settlement, and offered at public sale (of which sale due and sufficient notice shall be given) at the upset price of one dollar per acre, and sold to the highest bidder. S. 29, and 37 V., c. 19, s. 6.

Surveyed Dominion Lands open to purchase at \$1 per acre.

Proviso.

2. Provided further, that any legal sub-division or other portion of unappropriated Dominion land which may include a water power, harbor or stone-quarry, shall not be open for purchase at the rate of one dollar per acre, but the same shall be reserved from ordinary sale, to be disposed of in such manner, and on such terms and conditions, as may be fixed by the Governor in Council on the report of the Minister of the Interior.

Proviso added.

New.

PAYMENTS FOR LANDS.

31. Payments for lands, purchased in the ordinary manner, shall be made in cash, except in the case of payment by scrip or in military bounty warrants as hereinbefore provided. S. 30, and 37 V., c. 19, s. 7.

Payments in cash. Exceptions.

TOWN PLOTS, &c.

32. The Minister of the Interior shall have power, from time to time, to set apart and withdraw from purchase and from the homestead clauses of this Act, any tract or tracts of land which it may be considered by him expedient to lay out into Town or Village Plots, and to cause the same to be surveyed and laid out, and the lots so laid out to be sold, either

Minister may reserve tracts for Town or Village plots.

by private sale and for such price as he may see fit, or at public auction. S. 31.

Governor in Council may set lands apart for other public purposes.

33. The Governor in Council may also set apart and appropriate such Dominion lands as he may deem expedient, for the sites of market places, gaols, court houses, places of public worship, burying grounds, schools, benevolent institutions, squares and for other like public purposes, and at any time before the issue of letters patent therefor, may alter or revoke such appropriation, as he deems expedient, and he may make free grants for the purposes aforesaid of the lands so appropriated, the trusts and uses to which they are to be subject being expressed in the letters patent. S. 32.

HOMESTEAD RIGHTS OR FREE GRANT LANDS.

Entry for homestead right.

34. Any person, male or female, who is the sole head of a family, or any male who has attained the age of eighteen years, shall be entitled to be entered for one hundred and sixty acres, or for a less quantity, of unappropriated Dominion lands, for the purpose of securing a homestead right in respect thereof. (Form A.) 39 V., c. 19, s. 4.

Proviso as to settlers under Act of 1874.

But a person obtaining such homestead entry shall be liable to the forfeiture thereof should he not become a *bonâ fide* occupant of the land so entered within two months of the date of entry, and thenceforth continue to occupy and cultivate the same as hereinafter provided.

New.

Rights obtained by entry.

1. The entry of a person as aforesaid for a homestead right shall entitle him, on payment of a fee equal in amount to that hereinafter prescribed for such homestead entry, to receive at the same time therewith an entry for any adjoining one hundred and sixty acres, or less quantity, of Dominion land then unclaimed, and such entry shall entitle such person to take and hold possession of and cultivate such land so entered in addition to his homestead, but not to cut wood thereon for sale or barter, and, at the expiration of the period of three years, or upon the sooner obtaining a patent for the homestead under the fifteenth sub-section of this section, shall entitle him to a pre-emption of the said land so entered at the Government price of one dollar per acre; but the right to claim such pre-emption shall cease and be forfeited, together with all improvements on such land, upon any forfeiture of the homestead right under this Act:

Amended, see A.

Forfeiture in certain cases.

When two or more claim.

2. When two or more persons have settled on and seek to obtain a title to the same land, the homestead right shall be in him who made the first settlement.

If both have improved.

3. Provided, that in cases where both parties may have made valuable improvements, the Minister of the Interior may order a division of such land, in legal subdivisions, in such manner as may preserve to the said parties, as far as practicable, their several improvements, and further, may direct that what the land of each of such parties, as so divided, may be deficient of a quarter-section, shall be severally made up to them in legal subdivisions from unoccupied quarter-sections adjoining.

4. Questions as to the homestead right arising between different settlers shall be investigated by the Local Agent of the division in which the land is situated, whose report and recommendation, together with the evidence taken, shall be referred to the Minister of the Interior for decision.

Interfering claims, how settled.

5. Every person claiming a homestead right on surveyed land must, previously to settlement on such land, be duly entered therefor with the Local Agent within whose district such land may be situate; but in case of a claim from actual settlement in then unsurveyed lands, the claimant must file such application within three months after due notice has been received at the local office of such land having been surveyed and the survey thereof confirmed, and proof of settlement and improvement shall be made to the Local Agent at the time of filing such application, whereupon such claimant shall be allowed to enter, to the extent of one hundred and sixty acres, as a homestead, the land as the same may have been surveyed and laid out, upon which he may be resident, in such manner as to cover his most valuable improvements. Provided that on the survey of a Township being made, the Government shall not be bound to protect any person found to have settled on land which, by law or by allotment duly made, may be claimed by the Hudson's Bay Company. 39 V., c. 19, s. 6, amended.

Homestead claims on surveyed land.

On unsurveyed land.

6. Persons owning and occupying Dominion lands may be entered for other land lying contiguous to their lands, but the whole extent of land, including that previously owned and occupied, must not exceed one hundred and sixty acres, and must be in legal subdivisions. Sub. 6.

Occupants of contiguous lands.

7. In entries of contiguous lands, the settler must describe in his affidavit the tract he owns and is settled upon as his original farm. Actual residence on the contiguous land entered is not required, but *bonâ fide* improvement and cultivation of it must be thereafter shewn for the period required by the provisions of this Act. Subs. 9 and 39 Vic., c. 19, s. 8.

Entry of contiguous lands.

8. A person applying for leave to be entered for lands with a view of securing a homestead right therein, shall make affidavit before the Local Agent according to the form B in the Schedule to this Act. 39 V. c. 19, s. 7.

Affidavit to be made in Form B.

9. Upon making this affidavit, and filing it with the Local Agent, and on payment to him of an office fee of ten dollars for which he shall receive a receipt from the Agent, he shall be permitted to enter the land specified in the application. Subs. 8 and 39 Vic., c. 19, s. 8.

Entry.

10. No patent shall be granted for the land until the expiration of three years from the time of entering into possession of it, except as hereinafter provided.

No patent for 3 years.

11. At the expiration of three years the settler or his widow, her heirs or devisees, or if the settler leaves no

Rights of Representatives of settler.

- tlers, after 3 years. widow, his heirs or devisees, upon proof to the satisfaction of the local agent, that he or his widow or his or her representatives as aforesaid, or some of them, have (except in the case of entry upon contiguous lands as hereinbefore provided) resided upon and cultivated the land for the three years 5 next after the filing of the affidavit for entry, or in the case of a settler on unsurveyed land, who may, upon the same being surveyed, have filed his application as provided in sub-section five, upon proof, as aforesaid, that he or his widow, or his or their representatives, as aforesaid, or some 10 of them, have resided upon and cultivated the land for the three years next preceding the application for patent, shall be entitled to a patent for the land, provided such claimant is then a subject of Her Majesty by birth or naturalization.
- Proviso. Provided always, that the right of the claimant to obtain 15 a patent under the said sub-section as amended, shall be subject to the provisions of section *fifteen* of this Act. 37 V., c. 19, s. 8.
- Proviso : as to settlements by communities. Provided further that, in the case of settlements being 20 formed of immigrants in communities, (such for instance as those of Mennonites or Icelanders,) the Minister of the Interior may vary or waive, in his discretion, the foregoing requirements as to residence and cultivation on each separate quarter-section entered as a homestead. 39 V. c. 19, s. 9.
12. When both parents die, without having devised the 25 land, and leaving a child or children under age, it shall be lawful for the executors (if any) of the last surviving parent, or the guardian or guardians of such child or children, with the approval of a Judge of a Superior Court of the Province or Territory in which the lands lie, to sell the lands for the 30 benefit of the infant or infants, but for no other purpose; and the purchaser, in such case, shall receive a patent for the land so purchased. Subs. 12 and 39 V., c. 19, s. 10.
- Title in Crown until patent. 13. The title to lands shall remain in the Crown until the 35 issue of the patent therefor, and such lands shall not be liable to be taken in execution before the issue of the patent.
- Settler abandoning his claim. 14. In case it is proved to the satisfaction of the Minister 40 of the Interior that the settler has voluntarily relinquished his claim, or has been absent from the land entered by him for more than six months in any one year without leave of absence from the Minister of the Interior, then the right to such land shall be liable to forfeiture, and may be cancelled by the said Minister, and the settler so relinquishing or abandoning his claim shall not be permitted to make more 45 than a second entry. 39 V., c. 19, s. 11.
- Patent before end of 3 years on payment of price, &c. 15. Any person who has availed himself of the foregoing 50 provisions may, before the expiration of the three years, obtain a patent for the land entered upon by him, including the wood lot, if any, appertaining to the same, as hereinafter provided, on paying the Government price thereof at the date of entry, and making proof of settlement and cultivation for not less than twelve months from the date of entry. Subs. 15 and 37 V. c. 19, s. 8.

16. Proof of actual settlement and cultivation shall be made by affidavit of the claimant before the Local Agent, corroborated on oath by two credible witnesses. Proof of improvement

The Minister of the Interior may at any time order an inspection of any homestead or homesteads in reference to which there may be reason to believe the foregoing provisions, as regards settlement and cultivation, have not been, or are not being carried out, and may, on a report of the facts, cancel the entry of such homestead or homesteads. Inspection by order of Minister.

10 Subs. 16 *and* (37 V., c. 19, s. 8.)

And in the case of a cancelled homestead, with or without improvements thereon, the same shall not be considered as of right open for fresh entry, but may be held for sale of the land and of the improvements, or of the improvements thereon, in connection with a fresh homestead entry thereof, at the discretion of the Minister of the Interior. 39 V., c. 19, s. 12. Provision in case of a cancelled homestead.

17. All assignments and transfers of homestead rights before the issue of the patent shall be null and void, but shall be deemed evidence of abandonment of the right; and the person so assigning or transferring shall not be permitted to make a second entry. Assignments void.

Provided that the provisions of this sub-section shall be subject to the provisions of section _____ of this Act, so that an assignment or transfer of a homestead right before the issue of the patent shall be valid if made for a charge created under the said section. 37 V. c. 19, s. 8, Subs. 6. Proviso: for special case.

Any person who may have obtained a homestead entry, shall be considered, unless and until such entry be cancelled, as having an exclusive right to the land so entered as against any other person or persons whomsoever, and may bring and maintain actions for trespass committed on the said land or any part thereof. 39 V., c. 19, s. 13. Homestead to give certain rights.

18. The above provisions relating to homesteads shall only apply to agricultural lands; that is to say, they shall not be held to apply to lands set apart as timber limits, or as hay lands, or to those lands on which coal or other valuable mineral is, at the time known to exist, or to lands valuable for stone or marble quarries, or to those having water power thereon which may be useful for driving machinery. 39 V., c. 19, s. 14, *amended B.* Certain provisions to apply only to agricultural lands.
Amended B.

GRAZING LANDS.

35. The Governor in Council may, from time to time, grant leases of unoccupied Dominion lands for grazing purposes to any person or persons whomsoever, for such term of years and at such rent in each case as may be deemed expedient; but every such lease shall, among other things, contain a condition by which, if it should thereafter be thought expedient by the Minister of the Interior to offer the land covered thereby for settlement, the said Minister may, on giving the lessee two years' notice, cancel the lease at any time during the term. 39 V., c. 19, s. 15. Special provision as to leases of grazing lands

HAY LANDS.]

Leases of hay lands for purpose of cutting.

Proviso: not to prevent settlement.

36. Leases of unoccupied Dominion lands, not exceeding in any case a legal subdivision of forty acres, may be granted, for the purpose of cutting hay thereon, to any person or persons whomsoever being *bonâ fide* settlers in the vicinity of such hay lands, for such term and at such rent fixed by public auction or otherwise as the Minister of the Interior may deem expedient; but such lease, except as may be otherwise specially agreed upon, shall not operate to prevent, at any time during the term thereof, the sale or settlement of the lands described therein under the provisions of this Act, —the lessee being paid in such case by the purchaser or settler, for fencing or other improvements made on such land, such sum as shall be fixed by the Local Agent, and allowed to remove any hay he may have made. 39 V., c. 19, s. 16.

MINING LANDS.

Mines or minerals not to be reserved in patents of lands.

Any person may explore and purchase mining lands.

Mining lands in surveyed townships to be sold in legal subdivisions.

Those in unsurveyed territory, without the limits of the Fertile Belt, to be sold in blocks, to be called mining locations.

Description of such blocks.

Proviso: as to rich mineral lands.

Proviso or rent.

Proviso: sale when no prior right.

37. No reservation of gold, silver, iron, copper, or other mines or minerals shall be inserted in any patent from the Crown granting any portion of the Dominion lands. S. 36.

38. Any person or persons may explore for mines or minerals on any of the Dominion lands, surveyed or unsurveyed, and not then marked or staked out and claimed or occupied, and may, subject to the provisions hereinafter contained, purchase the same. S. 37

39. Mining lands, if in surveyed townships, may be acquired under the provisions herein contained, and shall be sold in legal subdivisions. When situated in unsurveyed territory and without the limits of the Fertile Belt, such lands shall be sold in blocks to be called mining locations; and every such mining location, except as hereinafter provided, shall be bounded by lines due north and south and due east and west, astronomically; and each such location shall correspond with one of the following dimensions, namely, eighty chains in length by forty in width, containing three hundred and twenty acres, —or forty chains square, containing one hundred and sixty acres, —or forty chains in length by twenty in width, containing eighty acres. 35

1. Provided further that in case of certain lands proving to be rich in minerals, the Minister of the Interior shall have the power to withdraw such lands from sale, and in lieu thereof institute a system of lease.

2. The rent payable to the Crown under any such lease shall be a royalty, not to exceed two and a-half per cent. on the net profits of working.

3. Provided further, that when there are two or more applicants for the same tract, and a prior right in either or any of the applicants is not established to the satisfaction of the Minister of the Interior, the same may be tendered for by the claimants on stated terms of lease, and sold to the highest bidder. 45

4. Provided also that in territory supposed to contain minerals the Minister of the Interior may in his discretion reserve from sale, alternate locations, or quarter-sections, or other legal subdivisions with the view of subsequently offering the same either for sale or lease at public competition. S. 38.

Further provision for reservation.

40. Mining locations in unsurveyed territory shall be surveyed by a Dominion Land Surveyor, and shall be connected with some known point in previous surveys, or with some other known point or boundary (so that the tract may be laid down on the maps of the territory in the Dominion Lands Office) at the cost of the applicants, who shall be required to furnish, with their application, the Surveyor's plan, field notes and description thereof. S. 39.

Mining locations to be surveyed.

41. No distinction in price shall be made between lands supposed to contain mines or minerals and farming lands, but both classes shall be sold at the uniform price of one dollar per acre; provided that *section thirty* of this Act as regards offering lands at public sale shall apply to coal and mineral lands also, when the same are in surveyed townships. S. 40.

Lands supposed to contain minerals, to be sold at the same price as farming lands.

Proviso.

42. It shall also be lawful for the Minister of the Interior to exempt from the preceding provisions of this Act, such of the Dominion lands upon or adjoining the banks of rivers or other waters as may be supposed to contain valuable "Bar," "Bench," or "Dry" "Diggings" for gold or other precious metals; and the Governor in Council shall regulate, from time to time, as the same may become necessary and expedient, the nature and size of the claims containing such diggings, and shall fix the terms and conditions upon which the same shall be held and worked, and the royalty payable in respect thereof, and shall appoint and prescribe the duties of such officers as may be necessary to carry out such regulations. S. 41.

Exemption of certain lands from preceding provisions.

Governor in Council to regulate.

INDIAN TITLE.

43. None of the provisions of this Act respecting the settlement of Agricultural lands, or the lease of Timber lands, or the purchase and sale of Mineral lands, shall be held to apply to territory the Indian title to which shall not at the time have been extinguished. S. 42.

As to lands still under Indian title.

COAL LANDS.

44. Coal lands designated by the Government as such are hereby withdrawn from the operation of this Act as regards the rights of squatters to homesteads on the Dominion lands in advance of the Surveys. S. 43.

Excepted from homestead claims.

45. The Minister of the Interior shall have power to protect any person or persons desiring to carry on coal mining in unsurveyed territory, in the possession of the lands on which such mining may be carried on,—provided, that

Provision as to working coal mines.

before entering on the working of such mines, such person or persons make written application to the Local Agent to purchase such land; such application must be accompanied by a description by a Dominion Land Surveyor setting forth generally the situation and the dimensions of such land, and shall also be accompanied by payment of the price thereof, estimating the number of acres (which shall be in the discretion of the Minister but shall in no case exceed three hundred and twenty) at the rate of one dollar per acre. Such application shall be filed by the agent receiving the same— and on the survey of the township containing the land applied for being effected, the claimant or claimants shall be entitled to a patent for such number of acres, in legal subdivisions, including and covering the mine worked, as shall correspond to the application and to the extent of land paid for :

Proviso : as to H. B. Co.

Further proviso.

Provided that all operations under this section shall be subject to the rights of the Hudson's Bay Company to sections 8 and 26 as hereinbefore enacted : Provided further, that the survey of the township within which such land may be situate, shall not be delayed beyond a period of five years after the date of the purchase of such land, without the consent of the Hudson's Bay Company thereto first had and obtained :

Proviso for continuous working.

Provided further that such mine shall have been continuously worked, to the satisfaction of the Minister of the Interior, during the interim between the application and the survey; but if the same should at any time during such interim cease to be worked for twelve consecutive months, unless the lands in question be no longer valuable for mining purposes, then the claim of the parties to the land shall lapse, and the mine shall be forfeited to the Crown, together with any and all purchase-money which may have been paid to the Government on account thereof. 37 V., c. 19, s. 9.

Coal lands may be exempted from sale and settlement under this Act.

46. The Minister of the Interior, with the view of preventing undue monopoly in coal lands, may in his discretion, on a township being surveyed, exempt from the sale and settlement provisions of this Act, the sections or other legal subdivisions of land which may be said to contain coal, except those on which mining may have been carried on under the next preceding clause; and the same shall be subsequently sold or otherwise dealt with in such manner as may be deemed expedient by the Governor in Council. S. 45.

TIMBER AND TIMBER LANDS.

TIMBER IN TOWNSHIPS SURVEYED FOR SETTLEMENT.

Timber forming islands or belts in townships thrown open for

47. And whereas it is expedient that the timber forming Islands or Belts in townships thrown open for settlement, should be so disposed of as to benefit the greatest possible number of settlers and to prevent petty monopoly, it is therefore enacted as follows :—

1. The Minister of the Interior may direct that in the sub-division of townships which may consist partly of prairie and partly of timber land, such of the sections or subdivisions of sections containing Islands, Belts, or other tracts of timber, shall be subdivided into such number of wood lots of not less than ten, and not more than twenty acres in each lot, as will afford, so far as the extent of wood land in the township may permit, one such wood lot to each quarter-section prairie farm in such township. settlement, to be disposed of so as to benefit the greatest possible number of settlers and prevent petty monopoly, and how.
- 10 2. Provided, that neither the sections and parts of sections in each township vested in the Hudson's Bay Company by this Act nor those sections set apart herein for schools, shall be subject in any way to the operation of the next preceding sub-clause. Proviso as to school sections.
- 15 3 The division of such wood lots shall be by squared posts, numbered from one upwards, marked with a marking iron, and planted in the section lines bounding the timber tract so laid out; and each wood lot shall front on a section road allowance. Marking out wood lots.
- 20 4. Provided, that in case an Island or Belt of timber be found in the survey of any township to lie in a quarter-section or several quarter-sections, but in such manner that no single quarter-section shall have more of such timber than twenty-five acres, such timber shall be taken to be appurtenant to such quarter-section or quarter-sections, and shall not be further divided into wood lots. S. 46. Proviso in case of island or belt of timber.
5. The Local Agent, as settlers shall apply for homestead rights in the township, and in the same order as such applications shall be made, shall, if so requested, apportion a wood lot to each quarter-section so applied for not having thereon more than ten acres of timber, and such wood lot shall be paid for by the applicant at the rate of one dollar per acre, and shall be entered on the Local Agent's books and be returned by him as in connection with the homestead so entered; and on such homestead claimant fulfilling all the requirements of this Act in that behalf, but not otherwise, a patent shall issue to him for such wood lot. (37 V., c. 19, s. 10.) Provided always, that any person to whom a wood lot was apportioned in connection with a homestead under the provisions of sub-section five of section forty-six of *The Dominion Lands Act of 1872*, having duly fulfilled the conditions of such homestead grant required by the said Act, shall receive a patent for such wood lot as a free grant, as provided in the said sub-section, notwithstanding the repeal of the said sub-section by the Act of 1874. Provided further, that the cancellation of a homestead shall carry with it the cancellation of the wood lot which may have been apportioned thereto, and also the forfeiture of the purchase money of such wood lot. 39 V., c. 19, s. 18, amended. Apportionment of wood lots to settlers. Proviso: wood lots to be free grants in certain cases. New Proviso.
6. Provided, that any homestead claimant, who, previous to the issue of the patent shall sell any of the timber on his Proviso: against sale

of timber to saw millers, &c. *Amendment, See C.* claim or on the wood lot appertaining to his claim, to saw-mill proprietors or to any other than settlers for their own private use, without having previously obtained permission so to do from the Minister of the Interior, shall be guilty of a trespass, and may be prosecuted therefor before a Justice of the Peace, and upon conviction thereof, shall be subject to a fine or imprisonment, or both; and further, such person shall forfeit his claim absolutely. S. 46, Sub -s. 6. 5

TIMBER AND TIMBER LANDS.

Reservation of timber lands. 48. Any tract of land covered by forest timber may be set apart as timber lands, and reserved from sale and settlement. S. 47. 10

Timber limits. 49. Except where it may be thought expedient by the Minister of the Interior to divide a township into two or more timber limits, the several townships composing any such tract shall each form a limit. S. 48. 15

Word "timber" defined. 50. In the enactments and provisions under the present heading, *Timber and Timber Lands*, the word "timber" includes all lumber, and all products of timber hereinafter mentioned, or of any other kind whatever, including firewood or bark. S. 49. 20

Right of cutting to be sold. 51. The right of cutting timber on such limits shall be put up at a bonus per square mile, varying according to the situation and value of the limit, and sold to the highest bidder by competition, either by tender or at public auction. S. 50. 25

Purchaser to have lease. 52. The purchaser shall receive a lease granting the right of cutting timber on the land for twenty-one years, and containing the following conditions, with such others as shall have been embodied in the notice of sale, that is to say:— 30

Conditions of lease. Mills. 1. The lessee to erect a sawmill or mills in connection with such limit and lease, and subject to any special conditions which may be agreed upon and stated in the lease, such mill or mills to be of capacity to cut at the rate of a thousand feet, board measure, in twenty-four hours, for every two and a half square miles of limits in the lease, or shall establish such other manufactory of wood goods as may be agreed upon as the equivalent of such mill or mills, and the lessee to work the limit, in the manner and to the extent provided in the lease, within two years from the date thereof, and during each succeeding year of the term. 40

To take all timber. 2. To take from every tree he cuts down all the timber fit for use, and manufacture the same into sawn lumber or some other such saleable product as may be provided in the lease or by any regulations made under this Act. 45

To prevent destruction. 3. To prevent all unnecessary destruction of growing timber on the part of his men, and to exercise strict and constant supervision to prevent the origin or spread of fires.

4. To make returns to the Government monthly, or at such other periods as may be required by the Minister of the Interior, or by regulations under this Act, sworn to by him or by his agent or employee, cognizant of the facts, declaring
 5 the quantities sold or disposed of as aforesaid, of all sawn lumber, timber, railway-car stuff, ship timbers and knees, shingles, laths, cordwood or bark, or any other product of timber from the limit, in whatever form the same may be, sold or otherwise disposed of by him during such month or
 10 other period, and the price or value thereof.

To make
monthly
returns.

5. To pay, in addition to the bonus, an annual ground
 rent of two dollars per square mile, and further a royalty of
 five per cent. on his monthly account.

Rent.

6. To keep correct books of such kind and in such form as
 15 may be provided by his lease or by Regulation under this Act, and to submit the same for the inspection of the collector of dues whenever required, for the purpose of verifying his returns aforesaid.

To keep
books.

7. The lease shall describe the lands upon which the
 20 timber may be cut, and shall vest in the lessee during its continuance, the right to take and keep exclusive possession of the lands so described, subject to the conditions hereinbefore provided or referred to; and such lease shall vest in the holder thereof all right of property whatsoever in all trees,
 25 timber, lumber, and other products of timber cut within the limits of the lease during the continuance thereof, whether such trees, timber and lumber or products be cut by authority of the holder of such lease or by any other person, with or without his consent; and such lease shall entitle
 30 the lessee to seize in replevin, revendication or otherwise, as his property, such timber where the same is found in the possession of any unauthorized person, and also to bring any action or suit, at law or in equity, against any party unlawfully in possession of any such timber, or of any land so leased,
 35 and to prosecute all trespassers thereon and other such offenders as aforesaid, to conviction and punishment, and to recover damages, if any: and all proceedings pending at the expiration of any such lease may be continued and completed as if the lease had not expired.

Rights of
the lessee.

40 8. Such lease shall be subject to forfeiture for infraction of any one of the conditions to which it is subject, or for any fraudulent return; and in such case the Minister of the Interior shall have the right, without any suit or other proceeding at law or in equity, or compensation to the lessee, to cancel
 45 the same, and to make a new lease or disposition of the limit described therein, to any other party, at any time during the term of the lease so cancelled: Provided, that the Minister of the Interior, if he sees fit, may refrain from forfeiting such lease for non-payment of dues, and may enforce payment of such dues in the manner hereinafter provided.

Forfeiture
of the lease.

50 9. The lessee who faithfully carries out the above conditions shall have the refusal of the same limits, if not

Renewal
of lease.

required for settlement, for a further term not exceeding twenty-one years, on payment of the same amount of bonus per square mile as was paid originally, and on such lessee agreeing to such conditions, and to pay such other rates as may be determined on for such second term. S. 51. 5

Leases to cut timber on unsurveyed lands.

10. Provided, that in cases where application may be made for limits on which to cut timber in unsurveyed territory, the Governor in Council may, on the recommendation of the Minister of the Interior, authorize the same to be leased for such bonus as may be deemed fair and reasonable 10 —such leases to be subject nevertheless to the foregoing conditions of this section, except as to that part of sub-section one, which provides for the erection of mills, which provision, in respect to limits in unsurveyed territory may, if considered expedient by the Minister of the Interior, be dis- 15 pensed with. 37 V., c. 19, s. 11.

What may be considered surveyed Territory.

Leases of unsurveyed, from year to year.

New Provis.

“ Provided also, that territory in which the block outlines only of townships may have been run and marked, shall be considered surveyed territory; and provided further, that the Governor in Council may, on the recommendation of 20 the Minister of the Interior, in special cases where the same may be deemed expedient, grant licenses in either surveyed or unsurveyed territory, as the case may be, to cut timber for one year, and renewable from year to year, in the discretion of the Minister of the Interior, at such ground rent as the 25 Minister may deem fair and reasonable; such license to be subject in all respects to the other provisions of this section, except where the same may be inconsistent herewith.

Lease of land previously leased, sold granted or set apart to be void.

53. If, in consequence of any incorrectness in survey, or 30 other error or cause whatsoever, a lease is found to comprise lands included in one of prior date, or any lands sold, granted, leased or lawfully set apart for any other purpose under this Act, the lease first mentioned shall be void in so far as it interferes with any such previous lease, sale, grant 35 or setting apart. S. 52.

FURTHER OBLIGATIONS OF PARTIES OBTAINING LICENSES.

Dues to the Crown to bear interest and be a lien on timber cut, on limits. Such timber may be seized and sold in payment.

54. Any ground-rent, royalty or other dues to the Crown, on timber cut within any such limit, which are not paid at the time when they become due and payable, shall bear interest at the rate of six per cent. per annum, until paid, 40 and shall be a lien on any timber cut within such limits. And whenever the ground-rent on any limit, or any royalty on any timber is not paid within three months after it becomes due under the lease or regulations in that behalf, the Crown Timber Agent may, with the sanction of the Minister 45 of the Interior, seize so much of the timber cut on such limits, and in the possession of the lessee or on his premises, whether sold or unsold, as will in his opinion be sufficient to secure the payment of such rent and royalty on the timber 50 seized, and all interest and expenses of seizure and sale, and may detain the same as security for the payment thereof;

and if such payment be not made within three months after such seizure, the Crown Timber Agent may, with such sanction as aforesaid, sell such timber by public auction, and after deducting the sum due to the Crown, the interest thereon and expenses aforesaid, he shall pay over the balance, if any, to the lessee or owner of the timber. S. 53.

55. All timber cut under lease shall be liable for the payment of the Crown dues thereon, so long as and where-soever the said timber or any part of it may be found (whether it be or be not manufactured into deals, boards or any other products); and all officers or agents employed in the collection of such dues may follow all such timber and may seize and detain the same wherever they are found until the dues thereon are paid or secured, and if payment be not made or secured within three months after such seizure, the timber may be sold by the Crown Agent, and the proceeds disposed of as provided by the next preceding section. S. 54.

Timber cut under lease liable for dues.

56. And in case the payment of the Crown dues on any timber has been evaded by any lessee or other party, by the removal of such timber or products out of Canada, or otherwise, the amount of dues so evaded, and any expenses incurred by such officer or the Government in enforcing payment of the said dues under this Act, may be added to the dues remaining to be collected on any other timber cut on Dominion lands by the same lessee or by his authority, and be levied and collected or secured, on such timber, together with such last-mentioned dues, in the manner provided by section *fifty-four*; or the amount due to the Crown, of which payment has been evaded, may be recovered by action at law, in the name of the Minister of the Interior or his resident Agent, in any Court having jurisdiction in civil cases to the amount. S. 55.

Enforcement of payment in case of removal of timber out of Canada.

57. The Minister of the Interior may, in his discretion, take or authorize the taking of bonds or promissory notes for any money due to the Crown, interest and costs, as aforesaid, or for double the amount of all dues, fines and penalties and costs, incurred or to be incurred, and may then release any timber upon which the same would be leviable, whether under seizure or not; but the taking of such bonds or notes shall not affect the lien and right of the Crown to enforce payment of such money on any other timber cut on the same limit, if the sums for which such bonds or notes are given are not paid when due. S. 56.

Bonds may be taken for dues, without prejudice to lien.

LIABILITY OF PERSONS CUTTING WITHOUT AUTHORITY.

58. If any person without authority cuts, or employs or induces any other person to cut or assist in cutting, any timber of any kind, on any Dominion lands wheresoever situate, or removes or carries away, or employs or induces, or assists any other person to remove or carry away any timber of any kind, so cut from any Dominion lands as aforesaid, he shall not acquire any right to the timber so cut,

Penalty for cutting timber without authority on Dominion Lands.

or any claim for remuneration for cutting the same, preparing the same for market, or conveying the same to or towards market; and when the timber has been removed out of the reach of the Crown Timber Officers, or it is otherwise found impossible to seize the same, he shall, in addition to the loss 5 of his labour and disbursements, forfeit a sum not exceeding three dollars for each tree, which, or any part of which he is proved to have cut or carried away; and such sum shall be recoverable with costs, at the suit and in the name of the Crown, in any Court having jurisdiction in civil matters to 10 the amount of the penalty,—and in all such cases the burden of proof of his authority to cut and take the timber shall lie on the party charged, and the averment of the party seizing or prosecuting, that he is duly employed under the authority of this Act, shall be sufficient proof thereof, unless the 15 defendant proves the contrary.

Seizure on affidavit.

1. Whenever satisfactory information, supported by affidavit made before a Justice of the Peace, or before any other competent officer or person, is received by any Crown Timber Officer or Agent, that any timber has been cut without 20 authority on Dominion Lands, and describing where the same can be found,—or if any Crown Timber Officer or Agent, from other sources of information, or his own knowledge, is aware that any timber has been cut without authority on such lands, the said agent, or officer, or either of them, may 25 seize or cause to be seized in Her Majesty's name, the timber so reported or known to be cut, wherever it is found, and place the same under proper custody, until a decision can be had in the matter by competent authority;

If the timber has been mixed with other timber.

2. And where the timber so reported or known to have 30 been cut without authority, has been made up with other timber into a crib, dram, or raft, or in any other manner has been so mixed up at any mill or elsewhere, as to render it impossible or very difficult to distinguish the timber so cut without authority from other timber with which it is 35 mixed up, the whole of the timber so mixed shall be held to have been cut without authority, and shall be liable to seizure and forfeiture accordingly, until satisfactorily separated by the holder.

Timber may be released on security given.

3. In case any timber cut without authority on Dominion 40 lands, or any product thereof, is seized under the provisions of this Act, by any Crown Timber Agent or Officer, he may allow such timber or product thereof to be removed and disposed of, on receiving sufficient security, by bond or otherwise, to his satisfaction for the full value thereof, or for 45 payment of double the amount of all dues, fines, penalties and costs incurred or imposed thereon, as the case may be. S. 57.

RESISTING SEIZURE—REMOVING TIMBER SEIZED—CONDEMNATION OF SUCH TIMBER.

Officer seizing may call in assistance.

59. Any officer or person seizing timber in the discharge of his duty under this Act may, in the name of the Crown, 50

call in any assistance necessary for securing and protecting the timber so seized; and if any person under any pretence, either by assault, force or violence, or by threat of such force or violence, in any way resists or obstructs any officer or person acting in his aid, in the discharge of his duty under this Act, such person shall be guilty of felony, and being convicted thereof, shall be punishable accordingly. S. 58.

60. If any person, whether pretending to be the owner or not, either secretly or openly, and whether with or without force or violence, takes or carries away, or causes to be taken and carried away without permission of the officer or person who seized the same or of some competent authority, any timber seized and detained for any lawful cause under this Act, before the same has been declared by competent authority to have been seized without due cause, such person shall be deemed to have stolen such timber, being the property of the Crown, and to be guilty of felony, and being convicted thereof, shall be punishable accordingly. S. 59.

Carrying away timber seized, without permission, a felony.

61. All timber seized under this Act on behalf of the Crown as being forfeited, shall be deemed to be condemned, unless the person from whom it was seized, or the owner thereof, within one month from the day of the seizure, gives notice to the seizing officer, or to the Crown Timber Agent or Officer, under whose authority the seizure was made, that he claims or intends to claim the same; pending which the Officer or Agent seizing shall report the facts to the Minister of the Interior, who may order the sale of the said timber, by the said Officer or Agent, after a notice on the spot, or at the residence or office of the person from whom it was seized, of at least thirty days; or if, within fifteen days after the claim has been put in, the claimant shall not have instituted proceedings before a court of competent jurisdiction to contest the seizure; or if the decision of the court be against him; or should the claimant fail duly to prosecute such proceedings in the opinion of the Judge before whom such case may be tried (and who may for that cause dismiss the suit on the expiration of three months from the date on which it was instituted, anything to the contrary hereinbefore enacted notwithstanding), the timber may be confiscated and sold for the benefit of the Crown, by order of the Minister of the Interior, after a notice on the spot of at least thirty days: Provided, nevertheless, that in certain cases of timber being ascertained to have been cut without authority on any of the Dominion lands, or admitted to have been so cut by the holder thereof, the Minister of the Interior, should he see cause for doing so, may impose and receive for the Crown a fine or penalty, to be levied on such timber, in addition to all costs incurred, and in default of such fine or penalty and costs being paid forthwith, may sell such timber by public sale after a notice of fifteen days, and may retain the whole proceeds of such sale, or the amount of the penalty and costs only, at the discretion of the Minister of the Interior. S. 60. and 39 V., c. 19, s. 19.

Timber seized as forfeited shall be deemed to be condemned in default of owner claiming it within one month.

Proviso.

Minister may impose and receive a penalty in addition in certain cases.

GENERAL PROVISIONS.

In absence of satisfactory explanation timber may be seized for dues as cut without authority.

62. Whenever any Crown Timber Agent, or other Officer or Agent of the Minister of the Interior is in doubt as to whether any timber has, or has not, been cut without authority, or is, or is not, liable to Crown dues on the whole or any part thereof, he may enquire of the person or persons in possession or in charge of such timber, as to when and where the same was cut: and if no satisfactory explanation, on oath or otherwise, as he may require, be given to him, he may seize and detain such timber until proof be made to the satisfaction of the Minister of the Interior, or of such Crown Timber Agent or Officer, that such timber has not been cut without authority, and is not liable, either in whole or in part, to Crown dues of any kind; and if such proof be not made within thirty days after such seizure, such timber may be dealt with as timber cut without authority, or on which the Crown dues have not been paid according to the circumstances of the case, and the dues thereon may be recovered as provided in the *fifty-sixth* section. S. 61. 5 10 15

The burden of proof where timber was cut, or of payment of dues, to lie on the owner or claimant.

63. And whenever any timber is seized for non-payment of Crown dues, or for any cause of forfeiture, or any prosecution is brought for any penalty or forfeiture under this Act, and any question arises whether the said dues have been paid on such timber, or whether the said timber was cut on other than any of the Dominion lands aforesaid, the burden of proving payment, or on what land the said timber was cut, shall lie on the owner or claimant of such timber, and not on the officer who seizes the same, or the party bringing such prosecution. S. 62. 20 25

SLIDES, &c.

Right to slides, &c., not to be affected by sales or grants of land unless expressly mentioned.

64. No sale or grant of any Dominion lands shall give or convey any right or title to any slide, dam, pier or boom, or other work, for the purpose of facilitating the descent of timber or saw-logs, previously constructed on such land, or on any stream passing through or along such land, unless it be expressly mentioned in the letters patent or other documents establishing such sale or grant, that such slide, dam, pier or boom, or other work, is intended to be thereby sold or granted. 30 35

Free use of slides not affected.

1. The free use of slides, dams, piers, booms or other works on streams, to facilitate the descent of lumber and saw-logs, and the right of access thereto for the purpose of using the same and keeping them in repair, shall not in any way be interrupted or obstructed by or in virtue of any sale or grant of Dominion lands made subsequent to the construction of such works. S. 63. 40

Free use of streams and lakes not affected.

65. The free use, for the floating of saw-logs and other timber rafts and drams, of all streams and lakes that may be necessary for the descent of timber from Dominion lands, and the right of access to such streams and lakes, and of passing and repassing on or along the land on either side 45

thereof, and wherever necessary for such use thereof, and over all existing or necessary portage roads past any rapids or falls, or connecting such streams or lakes, and over such roads, other than road allowances, as owing to natural 5 obstacles, may be necessary for the taking out timber or saw-logs from Dominion lands, and the right of constructing slides where necessary, shall continue uninterrupted, and shall not be affected or obstructed by, or in virtue of, any sale or grant of such lands. S. 64.

FOREST TREE CULTURE.

10 **66.** Any person, male or female, being a subject of Her Majesty by birth or naturalization, and having attained the age of eighteen years, shall be entitled to be entered for one legal sub-division, not in any case, however, exceeding one hundred and sixty acres, of unappropriated Dominion 15 lands as a claim for forest tree planting. 39 V., c. 19, s. 20 *Amended Sec. D.*

Entry for tree planting

Amendment, see D.

67. Application for such entry shall be made in Form F in the schedule hereto, and the person so applying shall make an affidavit before the local agent according to Form 20 G in the schedule hereto, and shall pay at the time of applying an office fee of ten dollars, in case such legal sub-division is one of one hundred and sixty acres, or of five dollars, in case such legal sub-division is one of eighty acres, or of two and a-half dollars, in case such legal sub-division is one of forty 25 acres, for which fee he or she shall receive a receipt and also a certificate of entry, and shall thereupon be entitled to enter into possession of the land. 39 V., c. 19, s. 21 E.

Form of application; affidavit and fee.

Amendment, see E.

68. No patent shall issue for the land so entered until the expiration of eight years from the date of entering into 30 possession thereof, and any assignment of such land shall be null and void unless permission to make the same shall have been previously obtained from the Minister of the Interior. 39 V., c. 19, s. 22, amended sec. F.

When only patent may issue.

Amendment, see F.

69. At the expiration of eight years or at any time within 35 five years after the expiration of the said term, as hereinafter provided, the person who obtained the entry, or, if not living, his or her legal representative or assigns, shall receive a patent for the land so entered on proof to the satisfaction of the local agent as follows:—

Patent after six years on certain conditions.

Amendments in this Section, see G.

40 1. That five acres of the land so entered, in case the same consists of a legal sub-division of one hundred and sixty acres, shall be broken or ploughed the first year after entry, and an equal quantity during the second year after entry.

Five acres to be broken up.

45 2. That the five acres of the land entered, which have been broken or ploughed during the first year, shall be cultivated to crop during the second year, and the five acres broken or ploughed during the second year shall be cultivated to crop during the third year.

And planted.

Cultivating
the timber.

3. That the five acres broken or ploughed during the first year, and cultivated to crop during the second year as above provided, shall be planted in trees, tree-seeds or cuttings during the third year, and the five acres broken or ploughed during the second year, and cultivated to crop during the 5
third year as above provided, shall be planted in trees, tree-seeds or cuttings during the fourth year :

Proviso.

Provided that in cases where the land entered consists of a legal sub-division less than one hundred and sixty acres, then the respective areas requiring to be broken or ploughed 10
cultivated to crop, and planted, under this sub-section and the two sub-sections next preceding, shall be proportionately less in extent :

Proviso.

Provided also, that the Minister of the Interior, in his discretion, and on his being satisfied that any trees, tree-seeds, 15
or cuttings, may have been destroyed from any cause not within the control of the person holding the tree-claim, may grant an extension of time for carrying out the provisions of the three sub-sections next preceding :

Proviso.

Provided also, that at the expiration of the said term of 20
eight years, or at any time within five years thereafter, the person obtaining such tree-claim, on proving to the satisfaction of the Minister of the Interior that he or she has planted not less than two thousand seven hundred trees on 25
each acre of the portion broken or ploughed and cultivated to crop as hereinbefore provided, and that at the time of applying for a patent for the tree-claim, there are then growing thereon at least six hundred and seventy-five living and thrifty trees to each acre, the claimant shall receive a patent for the legal sub-division entered. 39 V. c. 19, s. 23, 30
amended.

Forfeiture for
non-compliance with
conditions.

70. If at any time the claimant fails to do the breaking up or planting or either, as required by this Act, or any part thereof, or fails to cultivate, protect and keep in good condition, such timber, then and upon such event the land entered shall be 35
liable to forfeiture in the discretion of the Minister of the Interior, and may be dealt with in the same manner as homesteads which may have been cancelled for non-compliance with the law as set forth in sub-section *sixteen* of section thirty-three of this Act. 39 V., c. 19, s. 24. 40

Proviso :
who may not
obtain land
for planting.

Option of
changing pre-emption
entry.

71. Provided that no person who may have obtained pre-emption entry of a quarter-section of land in addition to his homestead entry under the provisions of sub-section *one*, of section *thirty-four* of this Act, shall have the right to enter 45
a third quarter-section as a tree planting claim ; but such person, if resident upon his homestead, may have the option of changing the pre-emption entry of the quarter-section, or of a less quantity of such quarter-section, for one under the foregoing provisions, and on fulfilling the preliminary conditions as to affidavit and fee, may receive a certificate for such quarter section, or for such quantity thereof as may 50
have been embraced in the application ; and thereupon the land included in such change of entry shall become subject in all respects to the provisions of this Act relating to tree planting. 39 V., c. 19, s. 25.

72. Any person who may have been entered for a tree planting claim under the foregoing provisions, and whose right may not have been forfeited for non-compliance with the conditions thereof, shall have the same rights of possession, and to eject trespassers from the land entered by him, as are given to persons on homesteads under sub-section *seventeen* of section *thirty-three* of this Act, and the title to land entered for a tree planting claim shall remain in the Government until the issue of a patent therefor, and such land shall not be liable to be taken in execution before the issue of the patent. 39 V., c. 19, s. 26.

Rights of persons entered for tree planting.

73. Persons who may have been entered under the provisions of the Act 39 Victoria, chapter 19, for land as a claim for tree-planting, may, if they choose to do so, avail themselves of the provisions of this Act in that behalf.

And under former Act.

New.

PATENTS.

74. A Deputy Governor may be appointed by the Governor General, who shall have the power in the absence or under instructions of the Governor General, to sign letters patent of Dominion lands; and the signature of such Deputy Governor to such patents, shall have the same force and virtue as if such patents were signed by the Governor General. S. 65.

Deputy Governor for signing patents.

75. Whenever a patent has been issued to or in the name of a wrong party or contains any clerical error, misnomer or wrong or defective description of the land thereby intended to be granted, or there is in such patent an omission of the conditions of the grant, the Minister of the Interior may (there being no adverse claim) direct the defective patent to be cancelled and a correct one to be issued in its stead, which corrected patent shall relate back to the date of the one so cancelled and have the same effect as if issued at the date of such cancelled patent. S. 66.

Patent issued in error may be cancelled.

76. In all cases in which grants or letters patent have been issued for the same land, inconsistent with each other, through error, and in all cases of sales or appropriations of the same land inconsistent with each other, the Minister of the Interior may order a new grant equivalent in value to the land of which any grantee or purchaser is thereby deprived, at the time the same was granted; or may, in cases of sale, cause repayment to be made of the purchase-money with interest; or when the land has passed from the original purchaser, or has been improved before the discovery of the error, or when the original grant was a free grant, the Minister of the Interior may assign land or grant a certificate entitling the party to purchase Dominion lands of such value as to him, the Minister of the Interior, may seem just and equitable under the circumstances; but no claim under this clause shall be entertained unless it is preferred within five years after the discovery of the error. S. 67.

Remedy in cases of sales or patents inconsistent with each other.

Remedy in case of deficiency of quantity mentioned in patent.

77 Whenever by reason of false survey, or error in the books or plans of the Dominion Lands Office, any grant, sale or appropriation of land is found to be deficient, the Minister of the Interior may order a free grant equal in value to the ascertained deficiency at the time such land was granted or sold; or in case any parcel of land contains less than the quantity of land mentioned in the patent therefor, the Minister of the Interior may order the purchase-money of so much land as is deficient, with interest thereon at the rate of six per centum per annum, from the time of the application therefor, to be paid back to the purchaser; or if the land has passed from the original purchaser, then the purchase-money which the claimant (provided he was ignorant of the deficiency at the time of his purchase) has paid for so much of the land as is deficient, with interest thereon, from the time of the application therefor, to be paid to him in land or in money, as he, the Minister of the Interior, may direct: or, in case of a free grant, he may order a grant of other land, equal in value to the land so intended as a free grant, at the time such grant was made; but no such claim shall be entertained unless application has been made within five years from the date of the patent, nor unless the deficiency is equal to one-tenth of the whole quantity described as being contained in the particular lot or parcel of land granted. S. 68.

Proviso.

Patents issued through fraud, or in error or improvidence may be decreed to be void.

78. In all cases wherein patents for lands have issued through fraud, or in error, or improvidence, any Court having competent jurisdiction in cases respecting real property in the Province or place where such lands are situate, may, upon action, bill or plaint respecting such lands and upon hearing of the parties interested, or upon default of the said parties after such notice of proceeding as the said Court shall order, decree such patent to be void; and upon the registry of such decree in the office of the Registrar-General of the Dominion, such patent shall be void to all intents. S. 69.

Remedy in case of refusal to deliver up possession of forfeited land or to vacate land wrongfully held.

79. When any settler, purchaser or other person refuses or neglects to deliver up possession of any land after forfeiture of the same under the provisions of this Act, or whenever any person is wrongfully in possession of Dominion land, and refuses to vacate or abandon possession of the same, the Minister of the Interior may apply to a Judge of any Court having competent jurisdiction in cases respecting real property in the Province or place in which the land lies, for an order in the form of a writ of ejectment or of *habere facias possessionem*, and the said Judge, upon proof to his satisfaction that such land was so forfeited, and should properly revert to the Crown, shall grant an order upon the settler or person or persons in possession, to deliver up the same to the Minister of the Interior or person by him authorized to receive such possession; and such order shall have the same force as a writ of *habere facias possessionem*, and the Sheriff shall execute the same in like manner as he would execute the said writ in an action of ejectment or petitory action. S. 70.

80. The Minister of the Interior shall keep a book for registering, at the option of the parties interested, any assignment of rights to Dominion lands which are assignable under this Act, upon proof to his satisfaction that such
 5 assignment is in conformity with this Act; and every assignment so registered shall be valid against any other previously made but subsequently registered, or unregistered; but any assignment to be registered must be unconditional, and all conditions on which the right depends must have
 10 been performed, or dispensed with by the Minister of the Interior before the assignment is registered. S. 71.

Assignments of Dominion lands to be registered.

81. On any application for a patent by the heir, assignee, devisee or legal representative of a party dying entitled to such patent, the Minister of the Interior may receive proof
 15 of the facts in such manner as he may see fit to require, and upon being satisfied that the claim has been justly established may allow the same and cause a patent to be issued accordingly: but nothing in this section shall limit the right of the party claiming a patent to make his application as
 20 provided for in Section *twenty-six* of this Act. S. 72.

Patent may issue in favor of legal representative of party dying entitled thereto.

82. Every entry, receipt or certificate issued by an agent of Dominion Lands shall, unless such entry shall have been revoked or cancelled by the Minister of the Interior, entitle
 25 the person to whom the same was granted to maintain suits at law or in equity against any wrong doer or trespasser on the lands so entered, as effectually as he could do under a patent of such land from the Crown.

Entry receipt, etc., to give right to maintain suits. *New.*

— SURVEYS AND SURVEYORS.

WHO SHALL BE COMPETENT TO SURVEY THE DOMINION LANDS.

83. No person shall act as surveyor of Dominion lands unless he shall, before the fourteenth day of April, 1872, have
 80 been duly qualified by certificate, diploma or commission, to survey the Crown lands in some one of the Provinces of the Dominion, or shall have become qualified under the provisions hereinafter set forth.

Qualifications required of Dominion Land Surveyors.

1. Persons qualified under the said provisions shall be
 85 styled "*Dominion Land Surveyors*," or "*Dominion Geodetic Surveyors*," as the case may be. S. 73, and 37 V., c. 19, s. 22.

Official name.

BOARD OF EXAMINERS.

84. There shall be a Board of Examiners for the examination of candidates for commissions as Dominion Lands
 40 Surveyors, or as articulated pupils, to consist of the Surveyor General and eight other competent persons to be appointed from time to time by Order in Council. and the meetings of the Board shall commence on the second Monday in the months of May and November in each year, and may be
 45 adjourned from time to time; and the place of meeting shall

To consist of Surveyor General and eight colleagues.

- Meetings.** be at Ottawa, or at some place in Manitoba or the North-West Territories, as the same shall, from time to time, be fixed, and made public by notice in the *Canada Gazette*. 39 V. c. 19, s. 27.
- Members to be sworn.** 1. Each member of the said Board shall take an oath of 5 office according to form C, to be administered by a judge of any one of the Superior Courts in any Province in the Dominion, who is hereby authorized and required to administer such oath; and any three of the said members shall form a quorum. 10
- Secretary.** 2. The said Board shall from time to time appoint a fit and proper person to be Secretary thereof, who shall keep a record of its proceedings. S. 74, and 39 V., c. 19, s. 27.
- Examination for articles as pupils.** 85. No person shall be admitted as an articed pupil with 15 any Dominion Land Surveyor unless he has previously passed an examination before the Board of Examiners, or before one of the members thereof, or before some Surveyor deputed by the board for the purpose, as to his ability to write English correctly, and also as to his knowledge of 20 vulgar and decimal fractions, the extraction of the square and cube roots, of the first three books of Euclid, the rules of plane trigonometry, the mensuration of superficies and use of logarithms, and has obtained a certificate of such examination and of his proficiency from such board. 39 V., 25 c. 19, s. 28.
- Notice to Secretary.** 86. Applicants for such examination, previous to being articed, shall give notice to the secretary of the board of their desire to present themselves for examination; whereupon such officer shall instruct them accordingly as to the 30 mode in which they must proceed. 39 V., c. 19, s. 29.
- Transfer of a pupil.** 87. Any Dominion Land Surveyor may by an instrument in writing transfer a pupil, with his own consent, to any other Dominion Land Surveyor, with whom such pupil may serve the remainder of his term. S. 80. 35
- Completion of term with another master.** 88. If any Dominion Land Surveyor dies or leaves the Dominion, or is suspended or dismissed, his pupil may complete his term under articles, as aforesaid, with any other Dominion Land Surveyor. S. 79.
- Duplicate of articles of clerkship to be transmitted to Secretary within three months after their date.** 89. Articed pupils must transmit to the secretary of 40 the board within three months of the date of their articles, a duplicate thereof, together with a fee of two dollars for receiving and filing the same; and the said secretary shall acknowledge the receipt of such papers, and shall carefully file and keep the same with the records of the 45 board. S. 78.
- Conditions precedent to examination for commission.** 90. No pupil shall be entitled to be examined before such board unless he shall have previously served regularly and faithfully for and during the period of three successive years, under articles in writing, in the form D, duly executed 50

before two witnesses, as pupil to a Dominion Land Surveyor, engaged during the said period in the survey of Dominion Lands, nor unless he shall produce a certificate from such Surveyor of his having so served during the said period, and shall also produce satisfactory testimony as to his character for probity and sobriety. S. 76.

91. Any person who, subsequently to the fourteenth day of April, one thousand eight hundred and seventy-two, shall have been duly qualified by certificate, diploma or commission, to survey lands in any Province of the Dominion, in which, in order to be so qualified, a course of study, including the subjects prescribed by section is required by the law of such Province, shall be entitled to obtain, without being subjected to any examination other than as regards the system of survey of Dominion lands, a commission as Dominion Land Surveyor; Provided that it shall rest with the Board of Examiners to decide whether the qualifications required of a surveyor of Crown lands in such Province are sufficiently similar to those set forth in the said section of this Act, to entitle him, under the foregoing provisions, to such commission; And provided further, that it must be shown that such Province has reciprocated the privilege hereby granted, by granting to Dominion Land Surveyors, on their application, and without subjecting them to an examination except as regards a knowledge of the survey laws of such Province, diplomas, certificates or commissions, as the case may be, as Surveyors of lands within such Province.

Land Surveyors holding diplomas, certificates or commissions for Provinces of the Dominion in which the qualifications required by law for Surveyors, are not similar to those prescribed by this Act, must undergo examination by the Board, and satisfactorily pass the same, in order to obtain commissions as Dominion Land Surveyors

As to admission of persons commissioned as surveyors of Crown Lands in any Province on certain conditions.

Proviso: Board to judge of qualification in such Province.

Proviso for reciprocity of admission by such Province.

Examination in certain cases.

New section. See 1 for former provisions.

92. Any person who may have been duly admitted as a surveyor of lands in any part of Her Majesty's Dominions other than Canada, shall be entitled to an examination by the said board, and to a commission, if found qualified, on his producing a written certificate of a Dominion Land Surveyor, that such person has within the previous two years served for one year with him continuously engaged in surveying the Dominion lands, and that he considers such person as in every way qualified to pass an examination for a commission as a Dominion Land Surveyor. S. 81.

Surveyors in H. M. Dominions, other than Canada entitled to examination after six months' practice.

93. Any person who shall have followed a regular course of study in all the branches of education required by this Act for admission as a Dominion Land Surveyor through the regular sessions for at least two years, in any college or university where there may be organized a complete course of such instruction, and who has thereupon received from such college or university a certificate, diploma or degree, vouching therefor, shall not be obliged to serve three years as aforesaid, but shall be entitled to examination after one year's service under articles with a Dominion Land Surveyor

Graduates of Colleges may to examined after one year's service.

Amended. See J.

engaged during such period in surveying Dominion lands. S. 82.

Notice to Secretary.

94. Every person desiring to be examined before the said board shall give due notice thereof in writing to the secretary at least one month previous to the meeting of the board, enclosing with such notice the fee hereinafter prescribed. S. 83. *Amended, see J.*

Fee.

Examination for admission as Surveyor.

95. No person shall receive a commission from the said board authorizing him to practise as a Dominion Land Surveyor until he has attained the full age of twenty-one years and has passed a satisfactory examination before the said board on the following subjects: that is to say:—Euclid, first four books, and propositions first to twenty-first of the sixth book; plane trigonometry, so far as it includes solution of triangles; the use of logarithms, mensuration of superficies, including the calculation of the area of right-lined figures by latitude and departure, and the dividing or laying off land; a knowledge of the rules for the solution of spherical triangles, and of their use in the application to surveying of the following elementary problems of practical astronomy:—

In Mathematics.

In practical astronomy.

1. To ascertain the latitude of a place from an observation of a meridian altitude of the sun or of a star;
2. To obtain the local time and the azimuth, from an observed altitude of the sun or a star;
3. From an observed azimuth of a circumpolar star, when at its greatest elongation from the meridian, to ascertain the direction of the latter.

Surveying operations and use of instruments.

System of Dominion Surveys.

Board may examine on oath.

Successful candidates to receive commission; and give security and take oath of office.

He must be practically familiar with surveying operations and capable of intelligently reporting thereon, and be conversant with the keeping of field notes, their plotting and representation on plans of survey, the describing of land by metes and bounds for title, and with the adjustments and methods of use of ordinary surveying instruments, and must also be perfectly conversant with the system of survey as embodied in the "*Dominion Lands Acts*," and with the manual of standing instructions and regulations published from time to time for the guidance of Dominion Land Surveyors. 39 V., c. 19, s. 30.

96. The board may examine any candidate on oath (which oath may be administered by any one of the Examiners) as to his actual practice in the field, and with regard to his instruments. S. 86.

97. Each person passing the examination prescribed by this Act shall receive a commission from the board in accordance with Form E in the schedule to this Act constituting him a Dominion Land Surveyor, and shall, jointly and severally with two sufficient sureties to the satisfaction of the board, enter into a bond in the sum of one thousand dollars, to Her Majesty, Her Heirs and Successors, conditioned

for the due and faithful performance of the duties of his office, and shall take and subscribe the oath of allegiance, and the following oath, before the Board of Examiners, any one of whom is hereby empowered to administer the same :—

“ I, _____, do solemnly swear (or affirm, as the case may be) that I will faithfully discharge the duties of a Dominion Land Surveyor according to law, without favor or affection or partiality. So help me God.”

The oath.

10 1. Until the above formalities shall have been gone through the said commission of Dominion Land Surveyor shall have no effect.

2. The said oaths of allegiance and of office shall be deposited in the Dominion Lands Office.

15 3. The said bond shall be deposited and kept in the manner prescribed by law with regard to the bonds given for the like purposes by other public officers of the Dominion, and shall be subject to the same provisions, and shall enure to the benefit of any party sustaining damage by breach of 20 any condition thereof; and the commission shall be registered in the office of the Registrar-General of the Dominion. S. 87.

Deposit of bond.

25 98. Any person entitled to receive or already possessing a commission as Dominion Land Surveyor and having previously given the notice prescribed in section this Act, may be examined as to the knowledge he may possess of the following subjects relating to the higher surveying, qualifying him for the prosecution of extensive governing or topographic surveys or those of geographic 30 exploration, that is to say :—

Voluntary examination in higher branches of study.

Amendments; See K.

1. Algebra, including quadratic equations, series, and calculation of logarithms;

2. The analytic deduction of formulas of plane and spherical trigonometry;

35 3. The plane co-ordinate geometry of the point, straight line the circle and ellipse, transformation of co-ordinates, and the determination either geometrically or analytically of the radius of curvature at any point in an ellipse;

4. Projections,—the theory of those usually employed in 40 the delineation of spheric surface;

5. Method of trigonometric surveying, of observing the angles and calculating the sides of large triangles on the earth's surface, and of obtaining the differences of latitude and longitude of points in a series of such triangles, having 45 a regard to the effect of the figure of the earth;

Practical astronomy.	6. The portion of the theory of practical astronomy relating to the determination of the geographic position of points on the earth's surface, and the directions of lines on the same, that is to say :—	
	Methods of determining latitude—	5
	a. By circum-meridian altitudes.	
	b. By differences of meridional zenith distance (Tal-	
	cott's method).	
	c. By transits across prime vertical ;	
	Determination of azimuth—	10
	a. By extra meridional observations,	
	b. By meridian transits ;	
	Determination of time—	
	a. By equal altitudes,	
	b. By meridian transits ;	15
	Determination of differences of longitude—	
	a. By electric telegraph,	
	b. By moon culminations ;	
Theory of instruments.	7. The theory of the instruments used in connection with the foregoing, that is to say :—The sextant or reflecting	20
	circle, altitude and azimuth instrument, astronomic transit, zenith telescope and the management of chronometers ; also of the ordinary meteorological instruments, barometer, mercury and aneroid, thermometers, ordinary and self-registering, anemometer, and rain gauges,—and on their knowledge of	
And their use.	the use of the same ;	25
Mineralogy and geology.	8. Elementary mineralogy and geology, so far as respects a knowledge of the more common characters by which the mineral bodies that enter largely into the composition of	
	rocks are distinguished, with their general properties and	30
Geology of N. America.	conditions of occurrence ; the ores of the common metals and the classification of rocks ; and the geology of North America so far as to be able to give an intelligent outline of the leading geological features of the Dominion. 39 V., c. 19, s. 31.	35
Designation of those who pass the higher examination.	99. Gentlemen who pass the above mentioned examination in the higher branches of surveying, shall have the fact certified by the Board, and shall be designated Dominion Geodetic Surveyors. 39 V., c. 19, s. 32. <i>Amended, see L.</i>	
Tariff of fees.	100. The following fees shall be paid under the provisions	40
	of this Act :—	
Amendments. See M.	1. To the secretary of the board, by each pupil, on giving notice of his desire for examination preliminary to being	
	articled, one dollar ;	
	2. To the secretary of the board, as the fee due on such	45
	examination, ten dollars, and a further sum of two dollars for certificate ;	
	3. To the secretary of the board, by each pupil, at the time of transmitting to such secretary the indentures or articles	50
	of such pupil, two dollars ;	

4. To the secretary of the board, by each candidate for either the ordinary or the higher examination for a commission, with his notice thereof, two dollars;

5. To the secretary of the board, by each applicant obtaining a commission, as his fee thereon, two dollars;

6. To the secretary of the board, as an admission fee by any candidate receiving a commission, twenty dollars, which sum shall also cover the certificate by the board in the case of a candidate passing the higher examination; but such amount, as also the ten dollars required to be paid under sub-section two of this section, shall be paid to the Receiver-General to the credit of Dominion Lands. 39 V., c. 19, s. 33.

101. Each of the members in attendance at the said board during examinations and the secretary shall receive five dollars for each day's sitting, and the actual travelling and living expenses incurred by such member, and consequent upon such attendance; and the Minister of the Interior is hereby authorized and required to pay such sums: Provided, that no member of the board, if at the time of the meeting he be over one hundred miles distant from the place of meeting, shall receive any allowance for being present at such meeting, unless such member shall have been previously specially notified to attend the same by the secretary; and in the case of the examination of a pupil previously to being articulated, by a member of the board, or by a surveyor deputed by the board for such purpose, such member or such surveyor shall be paid five dollars for such examination. S. 85, and 39 V., c. 19, s. 34.

Allowances to members of the Board of Examiners.

For special examination of a pupil.

102. The said board may, in their discretion, suspend or dismiss from the practice of his profession any Dominion Land Surveyor whom they may find guilty of gross negligence or corruption in the execution of the duties of his office; but the board shall not suspend or dismiss such Dominion Land Surveyor without having previously summoned him to appear in order to be heard in his defence, nor without having heard the evidence offered both in support of the complaint, and on behalf of such Surveyor S. 88—*amended*.

Board may suspend or dismiss negligent or corrupt surveyor.

Amendments, see N.

STANDARD OF MEASURE.

103. The measure of length used in the surveys of Dominion lands, shall be the English measure of length, and every Dominion Land Surveyor shall be in possession of a subsidiary standard thereof, which subsidiary standard tested and stamped as correct by the Department of Inland Revenue, shall be furnished him by the said Department, on payment of a fee of three dollars therefor; and all Dominion Land Surveyors shall from time to time regulate and verify by such standard the length of their chains and other instruments for measuring. S. 89.

Standard of English measure of length.

Copies to be procured by D. L. Surveyors.

HOW TO RENEW LOST CORNERS AND OBLITERATED LINES.

Provision in case where the original mound, post or monument cannot be found.

104. In all cases when any Dominion Land Surveyor is employed to run any dividing line or limit between sections, or other legal subdivisions, or wood lots, and the mound, post or monument, erected, marked or planted in the original survey to define the corner of such section, or other legal subdivisions, or wood lot, cannot be found, he shall obtain the best evidence that the nature of the case may admit of respecting such corner mound, post or monument; but if the same cannot be satisfactorily ascertained, then he shall measure the true distance between the nearest undisputed corner mounds, posts or monuments and divide such distance into such number of sections or other legal subdivisions, or wood lots (as the case may be) as the same contained in the original survey, giving to each a breadth proportionate to that intended in such original survey, as shewn on the plan and field notes thereof of record in the Dominion Lands Office; and if any portion of the township or section line (as the case may be) on which such corner mound, post or monument was or should have been planted in the original survey, should be obliterated and lost, then the Surveyor shall renew such township or section line (as the case may be) and shall draw and define the same on the ground, in such manner as to leave each and every of the adjoining sections or other legal subdivisions (as the case may be) of a width and depth proportionate to that severally returned for such section or legal subdivision in the original survey, and shall erect, plant or place such intermediate mounds, posts or monuments as he may be required to erect, plant or place, in the line so ascertained, having due respect to any allowance for a road or roads, and the corner, or division, or limit so found shall be the true corner, or division or limit of such section or other legal subdivision, or wood lot. S. 90.

HOW LEGAL SUBDIVISIONS ARE TO BE SURVEYED AND LAID OUT.

Method of proceeding Dominion Land Surveyor in laying out a half-section or quarter section.

105. In all cases when a Dominion Land Surveyor is employed to lay out a given half-section or quarter-section, he shall effect the same by connecting the opposite original quarter-section corners (should the same be existing, or if the same be not existing, by connecting the several points in lieu thereof found in accordance with the preceding clause) by straight lines; and in laying out other and minor legal subdivisions, in any quarter-section, or any wood lot, he shall give such legal subdivision or wood lot, as the case may be, its proportionate share of the frontage and interior breadth of such quarter-section, and connect the points so found by a straight line; and the lines or limits so drawn as above on the ground, shall in the respective cases be the true lines or limits of such half-section or quarter-section, or other legal subdivision, or wood lot, whether the same shall or shall not correspond with the area expressed in the respective patents for such lands. S. 91.

TO DRAW DIVISION LINES IN FRACTIONAL SECTIONS.

- 5 **106.** The dividing lines or limits between legal subdivisions or wood lots in fractional sections shall be drawn from the original corners (or the points representing such corners, as defined on the ground in accordance with the provisions of this Act,) in the section line intended as the front of such subdivision or wood lot, at right angles to such section line. S. 92.

Dividing lines to be drawn from original corners.

ORIGINAL BOUNDARY LINES.

- 15 **107.** All boundary lines of townships, sections or legal subdivisions, towns or villages, and all boundary lines of blocks, gores and commons, all section lines and governing points, all limits of lots surveyed, and all mounds, posts or monuments, run and marked, erected, placed or planted at the angles of any townships, towns, villages, sections or other legal subdivisions, blocks, gores, commons and lots or parcels of land, under the authority of this Act or of any order of the Governor in Council, shall be the true and unalterable boundaries of such townships, towns and villages, sections or other legal subdivisions, blocks, gores, commons and lots or parcels of land respectively, whether the same upon admeasurement be, or be not found to contain the exact area or dimensions mentioned or expressed in any patent, grant or other instrument in respect of any such township, town, village, section or other legal subdivision, block, gore, common, lot or parcel of land. S. 93.
- 20 **108.** Every township, section or other legal subdivision, town, village, block, gore, common, lot or parcel of land, shall consist of the whole width included between the several mounds, posts, monuments or boundaries respectively, so erected, marked, placed, or planted as aforesaid, at the several angles thereof, and no more or less, any quantity or measure expressed in the original grant or patent thereof notwithstanding. S. 94.

Boundaries placed under this Act are to be deemed the true ones.

Townships and other legal subdivisions to comprise all the space within their boundaries.

- 40 **109.** Every patent, grant or instrument purporting to be for any aliquot part of any section, or other legal subdivision, block gore, common, lot or parcel of land, shall be construed to be a part of such aliquot part of the quantity the same may contain on the ground, whether such quantity be more or less than that expressed in such patent, grant, or instrument. S. 95.

As to aliquot parts of townships, &c.

- 45 **110.** In every town and village in Manitoba or the North-West Territories, which may be surveyed and laid out under the provisions of this Act, all allowances for any road, street, lane, lot or common, laid out in the original survey of such town or village, shall be public highways and commons; and all mounds, posts or monuments, placed or planted in the original survey of such town or village, to designate or define any allowance for a road, street, lane, lot or common, shall be the true and unalterable boundaries of such road, street, lane, lot or common; and all Dominion Land Sur-

Road allowances in towns, &c., to be public highways.

veyors employed to make surveys in such town or village, shall follow and pursue the same rules and regulations in respect of such surveys, as are by law required of them when employed to make surveys in townships. S. 96.

D. L. Surveyors may examine witnesses on oath.

111. For better ascertaining the original corner or limits of any township, section, or other legal subdivision, lot or tract of land, every Dominion Land Surveyor acting in that capacity, may administer an oath or oaths to each and every person whom he may examine concerning any corner mound, post, monument or other boundary, or any original landmark, line, limit or angle, of any township, section or other legal subdivision, lot or tract of land which such Dominion Land Surveyor is employed to survey. S. 97.

EVIDENCE BEFORE SURVEYORS.

How D. L. Surveyors shall proceed to ascertain boundaries when doubtful.

112. When any Dominion Land Surveyor is in doubt as to the true corner, boundary or limit of any township, section, lot or tract of land which he is employed to survey, and has reason to believe that any person is possessed of any important information touching such corner, boundary or limit, or of any writing, plan or document tending to establish the true position of such corner, boundary or limit, then if such person does not willingly appear before, and be examined by such surveyor, or does not willingly produce to him such writing, plan or document, such Surveyor may apply to any Justice of the Peace for an ordinary *Subpœna* as witness, or a *Subpœna duces tecum*, as the case may require, accompanying such application by an affidavit or solemn declaration to be made before such Justice of the Peace, of the facts on which the application is founded, and such Justice may issue a *Subpœna* accordingly, commanding such person to appear before the Surveyor at a time and place to be mentioned in the *Subpœna*, and (if the case require it) to bring with him any writing, plan or document mentioned or referred to therein.

Subpœna may be issued.

How served.

1. Such *Subpœna* shall be served on the person named therein by delivering a copy thereof to him or by leaving the same for him with some grown person of his family at his residence, exhibiting to him or such grown person the original.

Penalty for disobeying it.

2. If the person commanded to appear by such *Subpœna* after being paid his reasonable expenses, or having the same tendered to him, refuses or neglects to appear before the surveyor at the place and time appointed in the *Subpœna*, or to produce the writing, plan or document (if any) therein mentioned or referred to, or to give such evidence and information as he may possess touching the boundary or limit in question, a warrant by the Justice for the arrest of such person may be issued, and he may be punished accordingly by fine not exceeding one hundred dollars, or imprisonment not exceeding ninety days, or both, in the discretion of such Justice. S. 98.

113. All evidence taken by any Dominion Land Surveyor as aforesaid shall be reduced to writing, and shall be read over to the person giving the same, and be signed by such person, or if he cannot write, he shall acknowledge the same
 5 as correct before two witnesses, who shall sign the same, as also the Dominion Land Surveyor, and such evidence shall, and any document or plan prepared and sworn to as correct before a Justice of the Peace, by any Dominion Land Surveyor, with reference to any survey by him performed, may
 10 be filed and kept at the Registry Office of the place in which the lands to which the same relates are situate, subject to be produced thereafter in evidence in Court S. 99.

Evidence taken by D.L. Surveyors to be reduced to writing and signed.

114. Any Dominion Land Surveyor when engaged in the performance of his duties as such, may pass over, measure
 15 along, and ascertain the bearings of any township or section line, or other Government line, and for such purposes may pass over the lands of any person whomsoever, doing no actual damage to the property of such person. S. 100.

Power to enter upon private lands.

PROTECTION TO SURVEYORS.

115. If any person in any part of the Dominion lands interrupts, molests or hinders any Dominion Land Surveyor, while in the discharge of his duty as a Surveyor, such person shall be guilty of a misdemeanor, and being thereof lawfully convicted in any Court of competent jurisdiction, shall be punished either by fine or imprisonment, or both, in
 20 the discretion of such Court, such imprisonment being for a period not exceeding two months, and such fine not exceeding twenty dollars, without prejudice to any civil remedy which such Dominion Land Surveyor or any other party may have against such offender for damages occasioned by
 25 such offence. S. 101.

Penalty for molesting D. L. Surveyor in discharge of his duty.

116. If any person knowingly and wilfully pulls down, defaces, alters, or removes any mound, post or monument erected, planted or placed in any original survey under the provisions of this Act, or under the authority of any Order
 35 in Council, such person shall be deemed guilty of felony; and if any person knowingly and wilfully defaces, alters, or removes any other mound or land-mark, post or monument placed by any Dominion Land Surveyor to mark any limit, boundary or angle of any township, section or other legal
 40 sub-division, lot or parcel of land in Manitoba, or the North-West Territories, such person shall be deemed guilty of a misdemeanor; and being convicted thereof before any competent Court, shall be liable to be punished by fine or imprisonment, or both, at the discretion of such Court, such fine
 45 not to exceed one hundred dollars, and such imprisonment not to be for a longer period than three months, without any prejudice to any civil remedy which any party may have against such offender or offenders for damages occasioned by reason of such offence: Provided that nothing in this Act
 50 shall extend to prevent Dominion Land Surveyors, in their operations, from taking up posts or other boundary marks

Penalty for pulling down or destroying land marks placed by D. L. Surveyor.

Proviso, as to examining posts.

when necessary, after which they shall carefully replace them as they were before. S. 102.

Deputy Surveyors to keep journals and field notes, and furnish copies to parties concerned.

117. Every Dominion Land Surveyor shall keep exact and regular journals and field notes of all his surveys of Dominion lands, and file them in the order of time in which the surveys shall have been performed, and shall give copies thereof to the parties concerned when so required, for which he is hereby allowed the sum of one dollar for each copy, if the number of words therein do not exceed four hundred; but if the number of words therein exceed four hundred, he is allowed ten cents additional for every hundred words over and above four hundred words. S. 103. 5 10

Allowance to Deputy Surveyor for attendance as a witness.

118. There shall be allowed to every Dominion Land Surveyor summoned to attend any Court, civil or criminal, for the purpose of giving evidence in his professional capacity as a Surveyor, for each day he so attends (in addition to his reasonable travelling and living expenses), and to be taxed and paid in the manner by law provided, with regard to the payment of witnesses attending such Court, five dollars. S. 104. 15 20

ASSIGNMENTS.

Surveyor General to keep a register of assignments.

119. The Surveyor-General shall keep a book for registering, at the option of the parties interested, the particulars of any assignment made, as well by the original nominee, purchaser, or locatee or lessee of Dominion lands, or his heir or legal representative, as by any subsequent assignee, and upon such assignment being produced with the affidavit of due execution thereof, and of the time and place of such execution, and the names, residences and occupations of the witnesses, the said Surveyor-General shall cause the material particulars of every such assignment to be registered in such book of registry, and shall cause to be endorsed on every such assignment a certificate of such registration, and every such assignment so registered shall be valid against any one previously executed, and subsequently registered or unregistered, but all assignments to be registered must be unconditional, and all the conditions of sale, grant or location, must have been complied with, or if dispensed with, then so dispensed with by the Minister of the Interior, before such registration is made. 37 V., c. 19, s. 16. 25 30 35

If any subscribing witness cannot be found.

120. If any subscribing witness to any such assignment is deceased or cannot be found, the said Surveyor-General may register such assignment on the production of an affidavit proving the death or the absence of such witness and the hand-writing of the party making such assignment. 37 V., c 19, s. 17. 40 45

TARIFF OF FEES

Fees for documents furnished from Surveyor General's office.

121. The Governor in Council may establish a tariff of fees to be charged for all copies of maps, township plans, field notes and other records; also for registering assignments; and all fees received under such tariff shall be

accounted for by the Surveyor-General, and shall form part of the revenue from Dominion lands. 37 V., c. 19, s. 21.

TOWNSHIP PLANS AND PATENT LISTS.

- 5 **122.** The Surveyor-General shall transmit to the Registrar
 10 of every county, and registration district, and division in
 15 Manitoba and the North-West Territories, a copy of the plan
 of each township or parish within such county, district or
 division which has been previously surveyed, and the survey
 of which has been confirmed, and shall also at the same time
 20 transmit a list of all Dominion lands, within such county,
 district or division, for which patents may have previously
 issued; and further, shall, as early as possible in each year
 thereafter, transmit to such Registrar a copy of the map of
 each township in such county, district or division, surveyed
 25 in the year next preceding, together with a list of the lands
 in such county, district or division, patented during such
 year. All of such copies of plans, maps and lists of lands
 patented, shall be certified by the Surveyor-General. 37 V.,
 c. 19, s. 18.

Surveyor
General to
transmit cer-
tain informa-
tion to regis-
trars of
counties.

Certified
plans.

LAND SCRIP.

- 20 **123.** Whereas by the fifth sub-section of the thirty-second
 section of the Act passed in the thirty-third year of Her
 Majesty's reign, chapter three, it is provided that the rights
 of common and of cutting hay held and enjoyed by the set-
 25 tlers in the Province of Manitoba, may be commuted by
 grants of land from the Crown; and whereas the method of
 commuting the said rights by an issue of scrip redeemable
 only in land, is most convenient and expedient; and whereas
 it is also expedient to affirm the principle that rights to
 Dominion land may be satisfied by an issue of scrip; there-
 30 fore, the Orders of the Governor in Council, dated respectively
 the sixth day of September, and the seventeenth day of April
 1873, providing for the issue of scrip in commutation of the
 rights of common and of cutting hay in Manitoba, are here-
 by confirmed. 37 V., c. 19, s. 19.
- 25 **124.** The Governor in Council may, if deemed by him
 expedient, satisfy any claim, which may hereafter arise to
 grants of Dominion lands, by an issue of scrip redeemable
 only by its receipt in payment for such land. 37 V., c. 19,
 s. 20.

Certain
Orders in
Council au-
thorizing the
issue of scrip
for land rights
confirmed.

Further
authority to
issue scrip.

GENERAL PROVISIONS.

- 40 **125.** The following powers are hereby delegated to the
 Governor in Council:—
- a.* To withdraw from the operation of the said Act, sub-
 45 ject to their existing rights as defined or created under the
 same, such lands as have been reserved for Indians, or such
 as may be required to satisfy the half-breed claims created
 under section thirty-one of the Act thirty-three Victoria,
 chapter three.
- b.* To reserve from general sale and settlement Dominion
 lands to such extent as may be required to aid in the con-

Governor in
Council may
withdraw In-
dian Reserves
and half-
breed lands
from the
operation of
this Act, and
may alter
price of lands
and terms of
sale and
settlement
thereof.

struction of railways in Manitoba or in the Territories owned by the Dominion, and to provide for the disposal of such lands, notwithstanding anything contained in the said Act, in such manner and on such terms as may be deemed expedient.

5

c. To encourage works undertaken with a view of draining and reclaiming swamp lands by granting to the promoters of such works remuneration in the way of grants of such portions of the lands so reclaimed as may be deemed fair and reasonable.

10

d. To grant land—in no case, however, to exceed in extent one thousand acres—to any person or persons who will establish and keep in operation thereon for a term of not less than five years, a school of instruction in practical farming and all matters pertaining thereto, adapted for thirty pupils, with the approval and to the satisfaction of the Minister of the Interior.

15

This Section
is substituted
for S. 105 of
35 V. c. 23,
see Q.

e. To satisfy any claims existing in connection with the extinguishment of the Indian title, preferred by half-breeds resident in the North-West Territories outside of the limits of Manitoba, on the fifteenth day of July, one thousand eight hundred and seventy, by granting land to such persons, to such extent and on such terms and conditions, as may be deemed expedient.

20

f. To investigate and adjust claims preferred to Dominion land situate outside of the Province of Manitoba, alleged to have been taken up and settled on previous to the fifteenth day of July, eighteen hundred and seventy, and to grant to persons satisfactorily establishing undisturbed occupation of any such lands, prior to, and, being by themselves or their servants, tenants or agents, or those through whom they claim, in actual peaceable possession thereof at the said date, so much land in connection with and in satisfaction of such claims, as may be considered fair and reasonable.

25

30

g. To make such orders as may be deemed necessary from time to time to carry out the provisions of the said Act according to their true intent, or to meet any cases which may arise and for which no provision is made in the said Act; and further to make and declare any regulations which may be considered necessary to give the provisions in this section contained full effect; and from time to time to alter or revoke any order or orders or any regulations made in respect of the said provisions, and make others in their stead; and such orders or regulations shall be published in the *Canada Gazette* and in such newspapers as the Minister of the Interior may direct, and shall be laid before Parliament within the first ten days of the session next after the date thereof.

35

40

45

Affidavits,
&c., before
whom to be
made.

All affidavits, oaths, solemn declarations or affirmations required to be taken or made under this Act may be taken before the Judge or Clerk of any County or Circuit Court, or any Justice of the Peace, or any Commissioner for taking affidavits, or any Dominion Lands Agent or Officer, or any person specially authorized to take such affidavits by the Minister of the Interior. S. 106.

55

127. In any case where an affidavit or oath is required by this Act, a solemn affirmation may be administered and made instead of an oath, by any person who is by law permitted in civil cases to make a solemn affirmation instead of taking an oath. S. 107. Affirmation
in lieu of
oaths.

PREVIOUS ORDERS IN COUNCIL.

128. All proceedings properly taken under the respective Orders in Council, on the subject of the *Public Lands in the Province of Manitoba*, dated the twenty-fifth of April, one thousand eight hundred and seventy-one, and the twenty-sixth of May, following the said date, are hereby confirmed, and the said respective Orders, except the provision therein respecting pre-emption rights, which is hereby repealed and done away with, (and except such of the provisions thereof as may be inconsistent with the provisions of this Act, and which are hereby revoked), shall be and remain in force: Provided that this enactment shall in no way affect the provisions of the Act passed in the thirty-sixth year of Her Majesty's reign, chapter thirty-eight. 37 Vic., cap. 19, s. 12. Proceedings
under certain
Orders in
Council con-
firmed.

129. Subject to the provisions hereinafter made, the Act passed in the thirty-fifth year of Her Majesty's Reign and intituled "*An Act respecting the Public Lands of the Dominion*," and the Act passed in the thirty-seventh year of Her Majesty's Reign, and intituled "*An Act to amend the Dominion Lands Act*," and the Act passed in the thirty-ninth year of Her Majesty's Reign, and intituled "*An Act to amend the Dominion Lands Acts*," are hereby repealed, and this Act is substituted for them; Provided always, that all enactments repealed by any of the said Acts shall remain repealed, and that all things lawfully done and all rights acquired or liabilities incurred under them or any of them shall remain valid and may be enforced, and all proceedings and things lawfully commenced under them or any of them may be continued and completed, under this Act, which shall not be construed as a new law, but as a consolidation and continuation of the said repealed Acts subject to the amendments hereby made and incorporated with them; and any thing heretofore done under any provision in any of the said repealed Acts which is repeated without alteration in this Act, may be alleged or referred to as having been done under the Act in which such provision was made, or under this Act. Acts 35 V.
c. 23.
37 V. c. 19.
39 V. c. 19,
repealed.
Proviso: as
to effect of
such repeal.

SCHEDULE.

FORM A.—See Section 34.

APPLICATION FOR A HOMESTEAD RIGHT.

I, _____ of _____ do hereby apply to be entered, under the provisions of the "*Dominion Lands Act, 1878*," for quarter quarter sections, numbers _____

and forming part of section number of the
Township of containing acres, for the purpose
of securing a homestead right in respect thereof.

FORM B.—See Section 34, Sub-section 8.

AFFIDAVIT IN SUPPORT OF CLAIM FOR HOMESTEAD RIGHT.

I, A. B., do solemnly swear (or affirm as the case may be) that I am over eighteen years of age, that I have not previously obtained a homestead under the provisions of the *Dominion Lands Act*, that the land in question belongs to the class open for homestead entry; that there is no person residing or having improvements thereon, and that the application is made for my exclusive use and benefit, with intention to reside upon and cultivate the said land. So help me God. 39 Vic., c. 19, s. 7.

FORM C.—See Section 84, Sub-section 1.

OATH OF MEMBERS OF BOARD OF EXAMINERS.

I, A. B., do solemnly swear (or affirm as the case may be), that I will faithfully discharge the duty of an Examiner of Candidates for Commissions as Dominion Land or Geodetic Surveyors, according to law, without favor, affection or partiality. So help me God.

FORM D.—See Section 90.

ARTICLES OF PUPIL TO DOMINION LAND SURVEYOR.
THESE ARTICLES OF AGREEMENT, made the day of

one thousand eight hundred and between A. B., of
of
Dominion Land Surveyor of
the one part, and C. D., of and E. F., son of
the said C. D. of the other part, witness:—

That the said E. F., of his own free will, and by and with the consent and approbation of the said C. D., doth, by these presents, place and bind himself pupil to the said A. B. to serve him as such from the day of the date hereof, for and during and until the full end and term of three years from hence next ensuing, and fully to be completed and ended.

And the said C. D. doth hereby, for himself, his heirs, executors and administrators, covenant with the said A. B., his executors, administrators and assigns, that the said E. F. shall well, and faithfully, and diligently according to the best and utmost of his power serve the said A. B. as his

pupil in the practice or profession of a Dominion Land Surveyor, which he the said A. B. now followeth, and shall abide and continue with him from the day of the date hereof, for and during and unto the full end of the said term of three years.

And that he the said E. F. shall not, at any time during such term, cancel, obliterate, injure, spoil, destroy, waste, embezzle, spend or make away with any of the books, papers, writings, documents, maps, plans, drawings, field notes, moneys, chattels or other property of the said A. B., his executors, administrators or assigns, or of any of his employers; and that in case the said E. F. shall act contrary to the last-mentioned covenant, or, if the said A. B., his executors, administrators or assigns, shall sustain or suffer any loss or damage by the misbehavior, neglect or improper conduct of the said E. F., the said C. D., his heirs, executors, or administrators, will indemnify the said A. B., his executors, administrators or assigns, and make good and reimburse him or them the amount or value thereof.

And further, that the said E. F. shall at all times keep the secrets of the said A. B. in all matters relating to the said business and profession, and will, at all times during the said term, be just, true and faithful to the said A. B. in all matters and things, and from time to time pay all moneys which he shall receive of or belonging to or by order of the said A. B. into his hands, and make and give true and fair accounts of all his acts and doings whatsoever in the said business and profession, without fraud or delay, when and so often as he shall thereto be required; and will readily and cheerfully obey and execute his lawful and reasonable commands, and shall not depart or absent himself from the service or employ of the said A. B. at any time during the said term without his consent first had and obtained, and shall, from time to time, and at all times during the said term, conduct himself with all due diligence, and with honesty and sobriety.

And the said E. F. doth hereby, for himself, covenant with the said A. B., his executors, administrators and assigns, that he the said E. F. will truly, honestly and diligently serve the said A. B. at all times, for and during the said term, as a faithful pupil ought to do in all things whatsoever in the manner above specified.

In consideration whereof, and of _____ of lawful money by the said C. D. to the said A. B., paid at or before the sealing and delivery of these presents (the receipt whereof is hereby acknowledged), the said A. B. for himself, his heirs, executors and administrators, doth covenant with the said C. D., his heirs, executors and administrators, that the said A. B. will accept and take the said E. F. as his pupil, and that he the said A. B. will, by the best ways and means he may or can, and to the utmost of his skill and knowledge, teach and instruct, or cause to be taught and instructed, the said E. F. in the course of study prescribed section _____ of the "*Dominion Lands Act, 1879*," in practical surveying operations and in the use of instruments, and generally in the art, practice and profession of a Dominion Land Surveyor, which he the said A. B. now doth, and shall at

all times during the said term, use and practice, and also will provide the said E. F. with all the necessary and reasonable expenses incurred in transacting or performing the business of the said A. B., and also will, at the expiration of the said term, give to the said E. F., a certificate of servitude and use his best means and endeavours, at the request, cost and charges of the said C. D. and E. F., or either of them, to cause and procure him the said E. F. to be examined before the Board of Examiners of candidates for commissions as of Dominion Land Surveyors: Provided the said E. F. shall have well, faithfully and diligently served his said intended pupilage.

And for the true performance of all and every the covenants and agreements aforesaid, according to the true intent and meaning thereof, each of them the said A. B. and C. D., doth bind himself, his heirs, executors and administrators, unto the other, his heirs, executors, administrators and assigns, in the penal sum of Five Hundred Dollars, firmly by these presents.

IN WITNESS WHEREOF the parties aforesaid have hereunto set their hands and seals, the day and year first above written.

A. B. (Seal.)
C. D. (Seal.)
E. F. (Seal.)

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF

G. H.
J. K.

FORM E.—See Section 97.

COMMISSION AS DOMINION LAND SURVEYOR.

This is to certify to all whom it may concern that A. B., of _____ hath duly passed his examination before the Board of Examiners, and hath been found duly qualified to fill the office and perform the the duties of Dominion Land Surveyor, he having complied with all the requirements of the law in that behalf: Wherefore he the said A. B. is hereby duly admitted to the said office, and commissioned for the discharge of the duties thereof, and is by law authorized to practice as a Surveyor of Dominion lands.

In Witness whereof We, the President and Secretary of the said Board, have signed this Commission, at _____, on this _____ day of _____, one thousand eight hundred and _____

C. D.,
Surveyor General.
E. F.,
Secretary.

FORM F.—See Section 67.

Application for land for forest tree culture.

I, A. B., do hereby apply to be entered under the provisions respecting forest tree culture of "*The Dominion Lands Act 1879*," for the Section in Township number ,
 in the Range
 of the
 Meridian, for the purpose of cultivating forest trees thereon.
 39 V., C. 19.

FORM G.—See Section 67.

Affidavit in support of claim for forest tree culture.

I, A. B., do solemnly swear, (or affirm, as the case may be,) that I am over eighteen years of age; that I have not previously obtained an entry of land for forest tree culture, the extent of which, added to that now applied for, will exceed in all one hundred and sixty acres; that the land now in question is open prairie and without timber, and is unoccupied and unclaimed, and belongs to the class open for entry for tree culture (or, instead of the above, after the word "question," as the case may be, say, consists of the quarter-section heretofore entered by me as a pre-emption right, under the provisions of sub-section one of section thirty-three of the "*Dominion Lands Act*,") and that the application is made or my exclusive benefit. So help me God. 39 V. C. 19.

1st Session, 4th Parliament, 42 Victoria, 1879.

N

BILL.

An Act to amend and consolidate the
several Acts respecting the Public
Lands of the Dominion.

Received and read first time, Wednesday,
23rd April, 1879.

Second reading, Monday, 28th April, 1879.

Hon. Mr. CAMPBELL.

OTTAWA:

PRINTED BY MACLEAN, ROGER & Co.,
1879.

BILL.

An Act to authorize and facilitate the Liquidation of
the affairs of Building Societies in the Province of
Quebec.

WHEREAS it is expedient to confer upon Building Societies in the Province of Quebec the right of liquidating their affairs, by the consent of the shareholders: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1. Any Building Society in the Province of Quebec may, at any annual general meeting, or at any special general meeting, by a majority of two-thirds of the votes of the members present in person or by proxy at such meeting, adopt a resolution for the liquidation of the Society's affairs, provided that public notice of such meeting, and of the proposal to liquidate to be made thereat, shall have been given at least fifteen days previously in the Quebec Official Gazette and in a French newspaper and in an English newspaper in a neighboring locality, and provided also that a special notice, containing the same information as the public notice, shall have been sent by post to each member of the Society at least fifteen days before such meeting; and from and after the adoption of such resolution the Society shall be deemed to be in liquidation.

Liquidation may be resolved upon at any general meeting, after notice.

2. The shareholders may, at the same meeting, by a majority of the votes given, appoint three or five Liquidators, who shall take the place of the Directors then in office, and shall be charged with the duty of liquidating the affairs of the Society.

Liquidators may then be appointed.

3. The Liquidators shall elect one of their number to be their President; and the majority of the Liquidators shall form a quorum of the Board of Liquidators; and every question shall be decided by the majority of the votes of the Liquidators present at the meeting of the Board at which it is put to the vote; and the President shall have a casting vote.

President.
Quorum.
Decision of questions.

4. The Liquidators shall have all the powers conferred by law and by the by-laws of the Society upon the Directors. Nevertheless the Society shall not transact any business except such as may be requisite for the purpose of accomplishing the liquidation; and the Liquidators shall proceed with diligence to realize all the assets of the Society without any unnecessary sacrifice; and to that end they may dispose,

Powers and duties of liquidators.

either by private sale or by auction, of the movable and immovable property of the Society, including the debts due to it, and they may compound and compromise with the Society's debtors, and do whatever they may deem to be advisable in order to the liquidation of the affairs of the Society on the most advantageous terms. 5

Division of amounts realized from sale of assets.

5. After paying the Society's debts, the Liquidators shall divide from time, to time to time, and at such times as they shall decide themselves, by way of dividend, what they have realized from the assets. This division shall be made proportionally to the amount paid in by each shareholder; but no shareholder in arrear on the payment of his calls shall be entitled to participate in the division so long as the other shareholders shall not have been reimbursed in full for the payment of those calls which he shall have neglected to pay; and every shareholder so in arrear shall be charged with interest at the rate per cent. per annum on the amount of his calls due and unpaid, and such interest shall diminish in proportion to the amount which shall be reimbursed to the other shareholders in respect of the same calls. 10 15 20

As to payment of principal money due to the Society under obligations.

6. The principal money due under every obligation executed by any shareholder in favor of the Society, the day of payment of which is undefined, or which is appointed to be paid on the extinction of any class, shall continue to become payable according to the terms of the obligation itself, and of the by-laws of the Society; but moreover, the Liquidators may from time to time exact on account of the principal moneys of such obligations the payment of such amounts as they may deem necessary for the purpose of placing the shareholders on a footing of equality with respect to the final result of the liquidation; but such amounts shall not become payable until after a month's notice to the debtors. 25 30

Shareholders may authorize division in kind of the property of the Society.

7. The shareholders in general meeting assembled may authorize the division in kind of the whole or a part of the property of the Society, and also the payment in kind of the proportional amount accruing to any shareholder in respect of his shares; they may also authorize the sale in one lot of all the assets of the Society, on such terms as they may see fit; they may also authorize the Liquidators to purchase for the benefit of the Society the rights of any shareholder, and to pay for the same either in money or in kind, that is to say, with the property of the Society. 35 40

Responsibility, remuneration and tenure of office of liquidators.

8. The Liquidators shall not be subject to any greater responsibility than the Directors of the Society are subject to by law and by the by-laws of the Society. Their remuneration shall be fixed by the shareholders in general meeting assembled, and they shall be bound to give such security as the shareholders may require. They shall be subject to instructions from the shareholders, in so far as the same may be compatible with the laws and with the by-laws of the Society. They may be removed from office by the shareholders at any meeting, and replaced by others; and in the 45 50

case of any vacancy arising among them, either by death, refusal to act, incapacity, removal from office or otherwise, such vacancy shall be filled by the shareholders at any general meeting; and until any such vacancy has been filled
 5 the Liquidators remaining in office shall continue to exercise the same powers; but it shall be their duty to call, with all convenient speed, a meeting of the shareholders for the purpose of filling the vacancy.

9. The Liquidators shall make a report of the state of the
 10 Society's affairs to the shareholders at each annual general meeting, and at such other meetings as the shareholders may determine upon for that purpose; and on the occasion of the final liquidation the Liquidators shall make a report to a final
 15 meeting of the shareholders, called for that purpose; and such meeting shall then have power to dissolve the Society and to surrender its charter, which shall thereupon expire and become null and void; and at such final meeting the shareholders may make such orders as they think fit with respect to the custody of the books, papers and records of
 20 the Society; provided always that if there remain debts to be paid to unknown creditors, or to creditors to whom payment cannot be made, the Liquidators shall deposit the amount in the hands of the Treasurer of the Province of Quebec, under the authority of chapter five of the Acts of the
 25 Legislature of the Province of Quebec, passed in the thirty-fifth year of Her Majesty's reign, intituled "An Act respecting Judicial and other Deposits," and of the Acts amending the said Act, and shall in so doing comply with the formalities prescribed by the said Acts; and the charter shall not
 30 be surrendered until after such deposit has been made.

Interim and final reports of liquidators to meetings of shareholders, and dissolution of Society at final meeting.

Proviso.

10. No fine shall be incurred after the day on which liqui-
 dation is resolved upon.

Cessation of Fines.

11. Every power of attorney authorizing any one to vote
 as proxy for a shareholder at any general meeting shall be
 35 deposited at the Society's office at least three days before the meeting.

Deposit of proxies.

12. Every shareholder shall leave his address, in writing,
 at the Society's office; and every special notice required by
 this Act shall be sent to such address; and in case any share-
 40 holder neglects to conform to the above requirement, such notices shall be addressed to him at the place where the Society has its principal office or place of business.

Addresses of shareholders to be left at office.

1st Session, 4th Parliament, 42 Victoria, 1879.

O

BILL.

An Act to authorize and facilitate the
Liquidation of the affairs of Building
Societies in the Province of Quebec.

Received and read, first time, Monday, 28th
April, 1879.

Second reading, Tuesday, 29th April, 1879.

Hon. Mr. TRUDEL.

OTTAWA:
Printed by MacLEAN, ROGER & Co.

1879

